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## **An Act To Place a Moratorium on Expedited Permitting of Grid-scale Wind Energy Development**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** implementation of expedited grid-scale wind energy development in the State has resulted in significant controversy; and

**Whereas,** this controversy demonstrates the need for review of state policy to ensure that expedited permitting and subsequent siting of grid-scale wind energy developments proceed in a manner that preserves public confidence that the interests of all citizens and property owners have been given due consideration; and

**Whereas,** grid-scale wind energy development permitting rules adopted in 2008 were created using assumptions that have since been shown to be in error; those rules attempted but failed to resolve controversies associated with the siting of grid-scale wind energy developments; and

**Whereas,** protection of the citizens of the State and their property rights requires that the permitting process be temporarily interrupted pending the necessary review; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 35-A MRSA §3459** is enacted to read:

### **§ 3459. Moratorium**

Notwithstanding Title 1, section 302 and the other provisions of this chapter, a primary siting authority may not issue any permits under this chapter or accept any applications for permits under this chapter for 6 months from the effective date of this section.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## **SUMMARY**

This bill places a 6month moratorium on the submission of applications or granting of permits for expedited grid-scale wind energy developments in the State to allow time for further consideration and review of implementation policies. The permitting of wind energy developments, including grid-scale wind energy developments, under nonexpedited procedures and statute is unaffected by this bill and remains available for those parties pursuing permits for the placement of a wind energy development.