

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 293 - L.D. 735

**An Act to Require the State to Hold a Public Hearing in a Municipality
Before the State Constructs a Solar Project in That Municipality**

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

Sec. 1. 5 MRSA §1742-B, as amended by PL 2021, c. 275, §2, is further amended by enacting after the 3rd paragraph a new paragraph to read:

If a proposed public improvement is for or includes installation of a solar energy project that will involve the disturbance of more than 1,000 square feet of land area, the state agency responsible for the installation of the solar energy project shall hold a public hearing on the project in the municipality where the project is located. The public hearing under this paragraph must be provided as soon as development of the schematic design for the solar energy project is complete.

Sec. 2. 23 MRSA §73, sub-§3, ¶F, as corrected by RR 1991, c. 2, §88, is amended to read:

F. Be consistent with the purposes, goals and policies of ~~the Comprehensive Planning and Land Use Regulation Act~~ Title 30-A, chapter 187, subchapter 2; and

Sec. 3. 23 MRSA §73, sub-§3, ¶G, as corrected by RR 1991, c. 2, §88, is amended to read:

G. Incorporate a public participation process in which local governmental bodies and the public have timely notice and opportunity to identify and comment on concerns related to transportation planning decisions, capital investment decisions and project decisions. ~~The department~~ Department of Transportation and the Maine Turnpike Authority shall take the comments and concerns of local citizens into account and must be responsive to them; and

Sec. 4. 23 MRSA §73, sub-§3, ¶H is enacted to read:

H. Ensure opportunity for public input whenever the Department of Transportation or the Maine Turnpike Authority plans to install a solar energy project that will involve the disturbance of more than 1,000 square feet of land area. The department or the

authority shall hold a public hearing in the municipality where the solar energy project is to be located.