

Testimony In Opposition

LD 2174 An Act to Increase Predictability in the Permitting of Renewable Energy Development (as amended)

Jacquelyn Elliott | February 25, 2026

Joint Committee on Environment and Natural Resources

Chair Senator Tepler, Chair Representative Doudera, Honorable Committee Members:

Thank you for the opportunity to offer testimony. I have recently become aware of an amendment to LD 2174 *An Act to Increase Predictability in the Permitting of Renewable Energy Development*.

I do support the acceleration of renewable energy development in Maine, and Maine has become a leader in moving forward with finding solutions that build resiliency into our future. However, this bill represents a dangerous and unprecedented assault on municipal home rule authority, constitutional structure, and community-driven land use control. **LD 2174 runs counter to democratic authority** and risks cooperative local-state relationships. Specifically, this bill **violates the Home Rule Guarantees embodied in the Maine Constitution**.

The Maine Constitution provides that:

“Each municipality ... shall have the right to exercise any function ... in the conduct of its local affairs except as prohibited by law.” — *Maine Constitution, Article VIII, Part Second*

I believe we all likely value what Maine stands for and I am asking you to please oppose this bill as amended. **Attacking Home Rule in one sector, will surely set a precedent and be employed in other sectors** that will endanger our ability to live in communities that are safe and reflect what makes Maine such a special place to call home.

Maine should find ways to move forward that do not sacrifice our ability to govern ourselves and endanger what we treasure. Things that would be worth considering for legislating decisions:

- Honor the voice of a municipality that reflects local standards
- Include a transparent environmental review for decisions/projects that will have negative impacts

- Negotiate solutions that prevent potential for future litigation and expense for municipalities
- Work for outcomes that uphold local-state coordinated frameworks

Legislation should include:

- No automatic “deemed approved” provisions
- Allow municipalities to adopt stricter standards for proposals that are supported by documented environmental concerns
- Create state-local coordination boards for siting renewable energy and other projects
- Incorporate dispute resolution mechanisms before approval that protect citizens’ and municipal interests

Thank you for considering my comments and I strongly urge the Committee to **oppose LD 2174 as amended** and seek a balanced alternative that respects both state policy goals and municipal authority.

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