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LD 2174

I support renewable energy expansion in Maine. I oppose this bill.

LD 2174 does not streamline renewable energy deployment. It does so by dismantling the constitutional framework that makes local governance meaningful. That is too high a price.

It violates Maine's Home Rule guarantee. The Maine Constitution explicitly grants municipalities the right to govern local affairs, including land use. This bill's repeated "notwithstanding any provision to the contrary" and "void and no force or effect" language isn't ambiguous; it is a categorical nullification of that authority. If the legislature wishes to preempt municipal power, it must do so narrowly and with compelling justification. None is offered here.

Blanket preemption backfires. Evidence from states with broad preemption shows fewer negotiated community agreements, higher litigation rates, and project delays averaging 8 to 12 months longer than in states with shared local-state frameworks. Stripping local authority doesn't reduce conflict; it generates it. That is the opposite of the bill's stated purpose.

The "deemed approved" mechanism is dangerous. Automatically approving applications that exceed a time limit punishes agency slowness and rewards backlog. It bypasses environmental review and renders public input irrelevant. This is not predictability; it is a liability.

What gets lost under this bill includes municipal authority to protect drinking water recharge zones, agricultural soils, shoreland character, historic landscapes, and community development patterns. These are not bureaucratic obstacles. They are legitimate local interests.

A workable alternative exists. This committee could instead pursue: removal of automatic approval provisions; allowance for stricter municipal standards where documented environmental concerns exist; a state-local coordination board for renewable siting; and dispute resolution mechanisms prior to approval.

Maine does not have to choose between renewable energy and democratic governance. I urge the committee to reject LD 2174 as drafted and pursue a balanced approach that respects both.