

Kat Taylor Testimony Neither For Nor Against LD 2174 - An Act to Increase Predictability in the Permitting of Renewable Energy Development (EMERGENCY)

Wednesday, February 25, 2026

Good Afternoon Members of the Environment and Natural Resources Committee.

My name is Kat Taylor and I am a resident and property owner in Argyle, an Unorganized Township, and underserved energy dead end, surrounded by a river, wetlands, streams and forests about 20 miles north of Bangor.

I am testifying **Neither For Nor Against** this bill because there are elements I am against, like the evisceration of Home Rule rights and fast approval of new High Energy Transmission Corridors. I am for renewable energy deployment only perhaps not in the way Representative Kessler imagines. The placement of energy resources in remote rural Maine makes projects more expensive, more controversial and does harm beyond what can be undone with a stroke of a pen like Net Energy Billing. **These projects have long term impacts that will live beyond most of our lives and should not be rushed or considered lightly.**

I am also on the Board of Directors for Rights of Nature and Maine Citizens. We are a nonprofit whose Purpose is to educate Maine citizens about the Rights of Nature and Community Self Governance, **including the use of Home Rule**, to enact moratoriums and ordinances that go beyond what the state is willing to do. Local government knows our land and citizens best, and **LD 2174 seeks to override our Constitutional Rights to self governance.**

It should also be said that **the UT's do not have Home Rule rights.** We are governed by our county commissioners and the Land Use Planning Commission and do not enjoy the power of decision making over our land. Instead we have to pull together in protest whenever we are threatened by unwelcome development and pray the LUPC is on our side. This makes us an easy target as we are often unseen and our concerns disregarded.

Local volunteer activists, like me, have over the last 20 years successfully resisted unwanted development in rural Maine such as excessive water extraction ([Shapleigh and Newfield](#)), new mining efforts (Wolfden), new landfills (Argyle Twp.) and landfill expansion (JRL), the East West Corridor project, the MEPCO transmission corridor, and recently, the Aroostook Renewable Gateway and King Pine Wind Farm projects. **Most of these projects are north of Bangor, all are in rural Maine.**

Through my efforts as a community organizer, **Argyle was one of only two UT's** that were **exempted from [LUPC's Adjacency Rule Change](#)** and we **obtained high speed fiber internet** paid for by TIFF funds long before the federal rural broadband rollout.
So:

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has"

~Margaret Mead

Since most of the committee members in the Energy, Utilities and Technology and Environment and Natural Resources Committees reside in Coastal and Southern Maine, **I thought it would be helpful in your decision-making to give you a rural perspective from the communities north of Bangor**, considering how underrepresented we are when it comes to decisions made by people outside our areas, on how best to use our natural resources for energy development.

Environment and Natural Resources:

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+ Senator Denise Tepler of Sagadahoc- Chair
+ Senator Stacy Brenner of Cumberland
+ Senator Joseph Martin of Oxford
+ Representative Victoria Doudera of Camden- Chair
+ Representative Dan Ankeles of Brunswick
+ Representative Art Bell of Yarmouth
+ Representative William Bridgeo of Augusta
+ Representative Dick Campbell of Orrington
+ Representative Laurie Osher of Orono
+ Representative Morgan Rielly of Westbrook
+ Representative Tammy Schmersal-Burgess of Mexico
+ Representative Mike Soboleski of Phillips
+ Representative David Woodsome of Waterboro

Energy, Utilities and Technology:

Members & Staff
+ Senator Mark Lawrence of York- Chair
+ Senator Nicole Grohoski of Hancock
+ Senator Matthew Harrington of York
+ Representative Melanie Sachs of Freeport- Chair
+ Representative Steven Foster of Dexter
+ Representative Valli Geiger of Rockland
+ Representative Christopher Kessler of South Portland
+ Representative Mathew McIntyre of Lowell
+ Representative Reagan Paul of Winterport
+ Representative Walter Runte of York
+ Representative Nathan Wadsworth of Hiram
+ Representative Sophia Warren of Scarborough
+ Representative Kilton Webb of Durham

As you can no doubt see for yourself, there are few exceptions to the heavily weighted representation in these two powerful committees of coastal and southern regions with only Rep. Osher in Orono, Rep. McIntyre of Lowell and Rep. Foster of Dexter serving north of Bangor. No tribal representation at all.

And yet it is the far north of Maine and down through our farms, woods, lakes, wild and tribal lands that energy projects are being proposed, as if our lands are an acceptable sacrifice zone for the “greater good” of the citizens of Maine. But the citizens of Northern Maine benefit little to nothing from these projects that promise lower rates that never seem to materialize; yet our money is being spent in their development that guarantees no risk for investors ([Return on Equity](#))

Instead, most energy development benefits affluent Southern and Coastal Maine, and New England, including MA, the richest state in the nation and NH, the 6th richest state in the nation, at Maine ratepayers’ expense ([29th richest state](#)). This hardly seems an equitable arrangement.

Since there was **overwhelming testimony opposing LD 2174's proposed suppression of Home Rule**, I looked into what Mr. Thaler of [Preti Flaherty](#) (Neither For Nor Against) had to say regarding the constitutionality of exceptions to the sovereignty of Home Rule:

[Title 38: WATERS AND NAVIGATION](#)
Chapter 13: WASTE MANAGEMENT
Subchapter 1-A: SOLID WASTE
Article 3: SOLID WASTE FACILITY SITING

States:

Municipalities are prohibited from enacting stricter standards than those contained in this chapter and in the solid waste management rules adopted pursuant to this chapter governing the hydrogeological criteria for siting or designing solid waste disposal facilities or governing the engineering criteria related to waste handling and disposal areas of a solid waste disposal facility. Except as provided in [section 2173](#), municipalities are further prohibited from enacting or applying ordinances that regulate solid waste disposal facilities owned by the State or a state agency or a regional association.

And

[Title 30-A: MUNICIPALITIES AND COUNTIES](#)
Part 2: MUNICIPALITIES
Subpart 4: ORDINANCE AUTHORITY AND LIMITATIONS
Chapter 141: ORDINANCES

States:

3. Standard of preemption. The Legislature shall not be held to have implicitly denied any power granted to municipalities under this section unless the municipal ordinance in question would frustrate the purpose of any state law.

Both statutes seem to enforce Mr. Thaler's assertion that municipalities cannot enact ordinances that thwart efforts to place a landfill in an area. **Home Rule was rewritten to allow a state owned landfill, Juniper Ridge, which was never supposed to allow Municipal Solid Waste.** Because of poor planning and lack of foresight **JRL is now accepting 45% of the entire state's waste plus importing waste from out of state.**

Where Does Maine's Waste go?



A slide from the [DEP's presentation on 2024 Waste Disposal](#) illustrates this point.

My activism in Waste Management goes back over 20 years, and I live less than 3 miles as the crow flies from Juniper Ridge Landfill.

Had the residents in West Old Town and surrounding communities known 23 years ago what was to come, and had a say in JRL's creation, we might not be in the situation we are today. **But decisions were made in**

secret, hidden from the residents. To this day JRL's operations lack transparency.

I believe there are fundamental **differences between a landfill that is state owned and regulated**, versus a **utility scale energy project that is privately owned and operated**; they are not equal in either scope or public benefit. They are however, similar in environmental impacts.

[Eminent Domain Law](#) was also rewritten to allow seizure of land for energy projects for private gain, specifically High Energy Transmission Lines. It used to be that Eminent Domain could not be used to acquire land for private gain, only for public benefit, such as a highway or a school.

The hostile takeover of rural land by predatory energy developers, enabled by the state legislators whose interests may not necessarily align with the citizens' wishes, will always lead to an inequitable conclusion. Yet even environmental advocacy groups have been persuaded to believe that this development is necessary for climate change mitigation.

But, just because we *can* do something, does not mean we *should*. Ethical considerations must fill the gap between the law and the will of the people.

Allowing the current "legal" disposal of waste in Maine has put us in an untenable situation where **68% of Maine's waste is divided between 2 waste management companies. If either of those two fail, then Maine will be without a viable option for waste disposal.**

In the case of energy development, allowing large energy projects to be fast-tracked into rural areas of Maine, without the consent or input of the affected residents, puts our energy supply in jeopardy by inadequate communication with the public.

Without public ownership of these projects, we will be at the mercy of corporations who have already proven themselves willing to bend the law to their private gain with little to no informed resistance from landowners that stand in their way.

Representative Kessler seems to believe that it is an acceptable tactic to force rural Mainers into compliance with energy goals we had no choice in, or need for, adopting or any guarantee the project owners will abide by the moral obligations of Environmental Justice.

And the shell game of Concept Drafts being shuffled through different committees, with no title change until after a public hearing, work sessions and a committee vote, furthers misinformation given to the public. **In the case of LD 2174, the ENR committee could decide if the new amendment is germane to the concept draft or not as it could be subject to a Germaneness Challenge on the floor.**

(See Taxation > Work Session > OPLA analyst Jessica Griswold on [LD 382](#) at 2:14:22)

LD 2174's original title was "*An Act to Establish a System of Revenue Sharing for the Use and Management of Coastal Resources*", which is easily overlooked by people who are following energy development cases. It appears to be a Taxation bill but ended up in ENR even though Rep. Kessler is on the EUT committee which seems more appropriate.

When the bill was finally presented at a public hearing, overriding Home Rule was the focus to expedite energy development without the consent of the affected landowners. I found out about this bill 3 days before its public hearing from “Landowner’s Voice”, a 3 year old nonprofit that evolved from farmers in central western Maine over whose land the Aroostook Renewable Gateway was planned with scant notice to landowners in vague letters.

Representative Kessler has underestimated the will and tenacity of rural Mainers. We confront adversity on a daily basis. We have long believed that Southern Maine and Augusta are not out for our best interests. Big Energy has found a willing dupe in Rep. Kessler to further their goals in taking over rural Maine for their profit. And **Mainers will be forced to foot the bill one way or another.**

In another committee exchange, **Representative Foster (EUT Committee)** has a bill **before Taxation** that would swap the cost of Net Energy Billing from ratepayers, on to taxpayers:

LD 1223

An Act to Lower Electric Rates for Maine Ratepayers by Requiring the Payment of Certain Costs from the General Fund

(Work session **03-05-26**)

States:

*For tax years beginning on or after January 1, 2027, the amendment **establishes an income tax credit for costs paid by certain taxpayers associated with net energy billing arrangements. The credit, which is refundable, equals the amount paid by the taxpayer for net energy billing costs for the taxable year.***

Net Energy Billing is another idea where we did not anticipate the consequences.

LD 1223 may further cloud the amount utilities are charging for Net Energy Billing by refunding billing costs through individual tax returns, removing it from the scrutiny of the energy agencies. Bringing it before Taxation breaks the continuity of NEB issues normally presented to the EUT committee.

But placating taxpayers with tax refunds from a fund we all participate in does not solve the problem of making us pay for exorbitantly expensive energy projects that do little to relieve the strain we face in energy costs; it just makes it harder to track.

Apparently, if we can’t see a problem, it does not exist. **LD 1223 was voted ONTP.**

To add insult to injury, most of the energy created by these projects will go out of state. The revenue from that energy will go into the pockets of corporations owned by [foreign shareholders](#).

The Federal Energy Regulatory Commission ([FERC](#)) [ordered the PJM Interconnection to develop rules for colocating data centers and other large loads users at power plants, to revise its behind-the-meter generation rules and develop a transition process for transitioning to new rules.](#) Yet still predatory energy developers seek willing states, and decision makers that put tax revenue over the quality of life of their citizens, to take advantage of an uninformed public before those rules apply to other system operators like ISO-NE.

That's the common Truth on which Rep. Kessler wants to find Common Ground.

Here's some more Common Truth and Common Knowledge in the rurals:

Northern and rural Mainers will never come into 100% compliance with electrification as it is our most expensive and unreliable energy source. We need a sensible replacement that we can afford, such as Behind the Meter solutions like solar/battery, that can be **implemented now, not 10-15 years down the road** waiting for projects to get approved, opposed, and permitted or die because they cannot deliver on their promises.

Maine will never achieve its renewable energy goals or become an energy exporter if rural Mainers refuse to participate; we will waste valuable time pursuing pipe(line) dreams with no adequate outcome.

On the plus side, Representative Sachs (EUT Committee) proposed a bill [LD 1730](#), that advocates Behind The Meter portable solar panels and portable battery storage for ratepayers that **will provide immediate relief in lowering energy costs using renewable energy. No conflicts of interest, no large scale energy costs, no interconnection contracts and no delays.**

LD 1730 is almost unanimously supported by the EUT Committee (voted OTP) and there are **94 testimonials in support**; in contrast **Rep. Kessler's bill has 84 testimonies most of which are opposed. In person (inc. zoom) testimony 4 are Neither For Nor Against** with suggestions. The **4 legislators** who were patient enough to wait until the end of the hearing to testify were **all in opposition**.

At the very least **LD 1730 would lower electrical costs for customers while providing a secure backup system recharged by renewable energy.** BTM solar battery programs could be done immediately, essentially creating an **Off Grid scenario for all Mainers**, that would take the strain off infrastructure, while **lowering costs for ratepayers**, and **lowering our use/dependence on fossil fuels** that Rep. Kessler seems so concerned with.

Purchasing of equipment could be refunded much like Rep. Foster recommends in his bill on Net Energy Billing. Instead of lengthy contracts and duplicitous sales reps, **front of the meter energy purchases would be reduced, providing savings** for each resident **using the same type of incentives** we now have with other renewable equipment.

At some point in the future **BTM generation can be aggregated to form member owned [Virtual Power Plants](#)** that put unused generated surplus energy into the grid while paying the generators financial compensation rather than convoluted energy credits and complicated billing methods.

At the very least such **systems would provide BTM energy security for ratepayers with the potential to reduce energy bills to zero** as California utility companies allow. At most this energy could be aggregated into a [Demand Side Grid Stability](#) programs or profitable VPP's putting revenue back into the pockets of citizens.

A simple solution such as this could relieve grid congestion, reduce fossil fuel use, save/earn residents money and has the potential to reward Mainers for reducing their energy consumption.

The reason we have an arduous permitting process is to stop unwanted development that exploits rural landowners in Maine. It gives us time to listen and consider all aspects with information supplied by citizens who know their land, and what their communities need best.

As Chair Tepler said when answering a question about why legislators were testifying last at the public hearing for LD 2174:

“We agreed to that before we realized the consequences.”

Words of Wisdom.

To sum up, I agree with Rep. Kessler’s attempt to encourage renewable energy deployment as long as it is co-located by the end user rather than connected by long transmission corridors. If he wants to expedite a solar battery initiative by fast-tracking incentives, I’m all for it. If he wants to collaborate with his EUT colleague Rep. Foster on getting tax breaks for personal energy investments...even better. If he wants wind development, then put turbines offshore or in southern Maine where the wind speeds are excellent and distance to existing energy interconnections within reach...excellent idea and already underway.

But I take umbrage when legislators look at rural Maine as a resource to be tapped to further Augusta, Southern Maine, and ISO-NE’s energy goals, not ours, and think of rural citizens as an obstacle to be overcome, and in this case, oppressed.

We should be taking care of Mainers first and foremost.

Our natural resources are not a commodity for energy entrepreneurs to take at will.

Respectfully,

Kat Taylor

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