



Pinny Beebe-Center
Senator, District 12

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Testimony of Senator Pinny Beebe-Center in opposition to
**LD 2174, “An Act to Increase Predictability in the Permitting of Renewable
Energy Development”**

Before the Joint Standing Committee on Environment and Natural Resources
January 29, 2026

Senator Tepler, Representative Doudera, and distinguished members of the Environment and Natural Resources Committee: my name is Pinny Beebe-Center. I have the honor of representing Senate District 12, which covers nearly all of Knox County. Today, I am here to testify in opposition to LD 2174, as amended, titled “An Act to Increase Predictability in the Permitting of Renewable Energy Development.”

I fully support accelerating renewable energy deployment in Maine, but this bill represents a dangerous and unprecedented assault on municipal home rule authority, the constitutional structure of our state, and community-driven land use governance.

The Maine Constitution, Article VIII, Part Second, states: “Each municipality ... shall have the right to exercise any function ... in the conduct of its local affairs except as prohibited by law.” This guarantees municipalities the authority to regulate local land use, including the ability to adopt standards stricter than state minimums to protect public health, safety, and welfare. LD 2174 explicitly overrides this constitutional guarantee. Its repeated “notwithstanding any provision to the contrary” and “void and no force or effect” clauses are categorical nullifications of municipal authority. This is not a minor regulatory tweak; it is a constitutional power grab.

Blanket preemption is also bad energy policy. Renewable energy deployment is most successful when it is locally informed, predictable, and legally sustainable. A 2024 study by the University of Maine Renewable Energy Policy Lab found that forty-two percent of utility-scale solar and wind projects were substantially revised due to local siting concerns, including setbacks, visual buffers, and soil protection. Municipal ballot measures from 2023 to 2025 also show that communities consistently want a meaningful say in siting decisions, not unilateral imposition. National data confirms that broad preemption often increases conflict. States with stronger preemption experience more litigation, delays averaging eight to twelve months longer, and fewer negotiated community agreements. By contrast, states with clear local involvement frameworks see higher community support and faster compliance. Stripping local authority often slows development, the exact opposite of this bill’s stated intent.

The “deemed approved” mechanism in LD 2174 further rewards bureaucratic inaction. If a permit is not issued within a statutory deadline, it is automatically approved. This creates a perverse incentive: agency understaffing becomes a licensing advantage for developers, environmental review is bypassed,



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and public input becomes irrelevant. This is not predictability; it is punishment for agency slowness, and it undermines state and federal environmental safeguards.

LD 2174 also eviscerates municipal zoning authority. Currently, towns can adopt stricter setbacks, protect prime agricultural soils, maintain scenic and historic buffers, regulate stormwater and surface water impacts, and mitigate noise and wildlife disturbance. This bill would nullify that authority for renewable siting projects. Protections for aquifers, shorelines, historic landscapes, and unique community patterns would no longer exist. Maine courts have repeatedly held that home rule preemption must be clear and justified, yet LD 2174 does so expressly across multiple statutory frameworks, with no demonstrated emergency or compelling state interest.

This committee should reject or substantially amend LD 2174. If the goal is to support renewable energy, the Legislature can do so while preserving municipal voice and tailored local standards, meaningful environmental review, negotiated solutions that prevent litigation, and state-local coordination frameworks. Amendments could include removing automatic “deemed approved” provisions, allowing municipalities to adopt stricter standards supported by documented environmental concerns, and incorporating dispute resolution mechanisms before approval.

In conclusion, I support renewable energy expansion. I do not support this constitutional overreach. LD 2174, in its current form, undermines home rule, invites litigation, weakens community buy-in, and does not deliver the predictability it claims.

For these reasons, I urge the Committee to oppose LD 2174 as drafted and instead work on a balanced alternative that respects both state policy goals and municipal authority. Thank you for your time and consideration.

Sincerely,

Pinny Beebe-Center
State Senator, District 12