MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 92

H.P. 57

House of Representatives, January 8, 2025

An Act Regarding the Management of the Waste Components of a Solar Energy Development upon Decommissioning

(EMERGENCY)

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative LEMELIN of Chelsea.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, under the laws regulating the decommissioning of solar energy developments, the person responsible for decommissioning must ensure that, upon decommissioning, the waste components of a development are recycled or disposed of at an authorized facility; and

Whereas, this legislation requires that the recycling or disposal of those waste components occurs within 90 days of physical removal from the solar energy development; and

Whereas, given the recent proliferation of solar energy developments in the State, this legislation must take effect immediately to ensure the timely and proper end-of-life management of the waste components of those developments; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 35-A MRSA §3491, sub-§1, as amended by PL 2023, c. 300, §1, is further amended by amending the 2nd blocked paragraph to read:

"Decommissioning" includes the grading to postconstruction grade and revegetation of all earth disturbed during construction and decommissioning, except for areas already restored, providing for the recycling of the waste components of the solar energy development, within 90 days of the physical removal of the waste components from the development, that are recyclable, including, but not limited to, the solar panels, by a facility authorized to accept such materials for recycling and providing for the disposal of the waste components of the solar energy development, within 90 days of the physical removal of the waste components from the development, that are not recyclable by a facility authorized to accept such materials for disposal.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

31 SUMMARY

This bill amends the solar energy development decommissioning laws by requiring that the recycling or disposal of waste components of a solar energy development occurs within 90 days of the physical removal of the waste components from the development.