

# MAINE STATE LEGISLATURE

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2 Date 5/23/23

(Filing No S-123)

3 STATE AND LOCAL GOVERNMENT

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5 STATE OF MAINE

6 SENATE

7 131ST LEGISLATURE

8 FIRST SPECIAL SESSION

9 COMMITTEE AMENDMENT " A " to S P 293, L D 735, "An Act to Require the  
10 State to Hold a Public Hearing in a Municipality Before the State Constructs a Solar Project  
11 in That Municipality"

12 Amend the bill by striking out everything after the enacting clause and inserting the  
13 following

14 'Sec. 1. 5 MRSA §1742-B, as amended by PL 2021, c 275, §2, is further amended  
15 by enacting after the 3rd paragraph a new paragraph to read

16 If a proposed public improvement is for or includes installation of a solar energy project  
17 that will involve the disturbance of more than 1,000 square feet of land area, the state  
18 agency responsible for the installation of the solar energy project shall hold a public hearing  
19 on the project in the municipality where the project is located. The public hearing under  
20 this paragraph must be provided as soon as development of the schematic design for the  
21 solar energy project is complete.

22 Sec. 2. 23 MRSA §73, sub-§3, ¶F, as corrected by RR 1991, c 2, §88, is amended  
23 to read

24 F Be consistent with the purposes, goals and policies of ~~the Comprehensive Planning~~  
25 ~~and Land Use Regulation Act Title 30-A, chapter 187, subchapter 2, and~~

26 Sec. 3. 23 MRSA §73, sub-§3, ¶G, as corrected by RR 1991, c 2, §88, is amended  
27 to read

28 G Incorporate a public participation process in which local governmental bodies and  
29 the public have timely notice and opportunity to identify and comment on concerns  
30 related to transportation planning decisions, capital investment decisions and project  
31 decisions. ~~The department~~ Department of Transportation and the Maine Turnpike  
32 Authority shall take the comments and concerns of local citizens into account and must  
33 be responsive to them-, and

34 Sec. 4. 23 MRSA §73, sub-§3, ¶H is enacted to read

# COMMITTEE AMENDMENT

ROS

COMMITTEE AMENDMENT "A" to S P 293, L D 735 (S-123)

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H Ensure opportunity for public input whenever the Department of Transportation or the Maine Turnpike Authority plans to install a solar energy project that will involve the disturbance of more than 1,000 square feet of land area The department or the authority shall hold a public hearing in the municipality where the solar energy project is to be located '

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

**SUMMARY**

This amendment replaces the bill It requires the Department of Transportation, the Maine Turnpike Authority and any state agency installing a solar energy project that disturbs more than 1,000 square feet of land area to hold a public hearing in the municipality where the project is to be located

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 735

LR 469(02)

**An Act to Require the State to Hold a Public Hearing in a Municipality Before the State Constructs a Solar Project in That Municipality**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-123)**

**Committee: State and Local Government**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor cost increase - Highway Fund  
Minor cost increase - Maine Turnpike Authority

### Fiscal Detail and Notes

Additional costs to the Department of Administrative and Financial Services, the Department of Transportation and the Maine Turnpike Authority associated with holding public hearings can be absorbed within existing budgeted resources