

LD 894, An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor

Proposed Amendment by Senator Joseph Baldacci

April 13, 2023

This bill is further amended as follows:

Sec. 1. 30-A MRSA §3015 is enacted to read:

**§3015. Heating or energy system**

Unless otherwise authorized by statute, a municipality may not adopt any ordinance or regulation that prohibits or has the effect of prohibiting ~~an individual or entity from installing, connecting or resupplying~~ a safe and commercially available heating or energy system of ~~an the~~ individual's or entity's choice to serve the individual's or entity's heating or energy needs or engaging the services of a person or energy distributor to install, connect or resupply such a system. As used in this section, "energy distributor" means an individual or entity allowed to distribute or supply oil, propane, natural gas or wood or renewable resources or other related energy services to consumers in the State and "renewable resources" has the same meaning as in Title 35-A, section 3210, subsection 2, paragraph C. ***Nothing in this section is intended to limit the ability of a municipality to encourage the use of a particular type of heating or energy system or otherwise spend funds in support of such heating or energy system, nor is anything in this section intended to authorize or permit any individual or entity to install, connect, service, or resupply an energy or heating system not otherwise permitted by law to engage in such activities.***

**SUMMARY**

This clarifies that nothing in the bill is intended to limit the ability of municipalities to support or encourage the use of particular categories of heating or energy.