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Date:

(Filing No. S-)

STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 386, L.D. 894, “An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor”

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

'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 the use of a safe and commercially available heating or energy system of an individual's or entity's choice to serve the individual's or entity's heating or energy needs or that prohibits the individual or entity from engaging the services of a person or energy distributor to install, connect, service 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 limits the authority of a municipality to encourage the use of a particular type of heating or energy system or to spend funds in support of a particular type of heating or energy system. Nothing in this section exempts any person or energy distributor that installs, connects, services or resupplies a heating or energy system from applicable licensing or other requirements governing such activities.'

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

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the majority report of the committee, clarifies the scope and application of the prohibition on municipal regulation of heating and energy systems within the municipality.

FISCAL NOTE REQUIRED

(See attached)