

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

A. A municipality may adopt an ordinance or other regulation limiting the total number of mature cannabis plants that may be cultivated on any one parcel or tract of land within the municipality so long as that ordinance or regulation allows for the cultivation of 3 6 mature cannabis plants, 12 immature cannabis plants and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

Sec. 4. 28-B MRSA §1502, sub-§4, ¶A, as enacted by PL 2017, c. 409, Pt. A, §6 and amended by PL 2021, c. 669, §5, is further amended to read:

A. The Maine Land Use Planning Commission may limit the total number of mature cannabis plants that may be cultivated on any one parcel or tract of land within a town, plantation or township in the unorganized and deorganized areas so long as that limitation allows for the cultivation of 3 6 mature cannabis plants, 12 immature cannabis plants and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

See title page for effective date.

CHAPTER 221

H.P. 439 - L.D. 670

An Act to Protect Birds in the Construction, Renovation and Maintenance of Public Buildings

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

Sec. 1. 5 MRSA §1754 is enacted to read:

§1754. Guidance regarding integration of bird collision risk management into public improvements

The Department of Administrative and Financial Services, Bureau of General Services, referred to in this section as "the bureau," shall develop guidance regarding the integration of bird collision risk management into public improvements. The bureau, to the extent it determines appropriate considering all relevant factors, shall follow the guidance in the construction of public improvements and renovations of public improvements in which more than 50% of a building facade is substantially altered. The guidance is not applicable to public buildings, landscapes or districts listed on the National Register of Historic Places or determined by the Maine Historic Preservation Commission, created pursuant to Title 27, section 502, to be eligible for inclusion on the National Register of Historic Places, including the State House and the Blaine House.

1. Development of guidance. The guidance for reducing bird collisions with public buildings and improvements must:

A. Be developed in consultation with expert stakeholders, including, but not limited to, state or federal natural resource agencies with expertise in bird conservation; nongovernmental organizations with expertise in bird conservation; representatives from the building and design community; and representatives of green building or bird safe building certification programs;

B. Include an explanation of architectural design threats and landscape design threats to birds;

C. Include an explanation of the cost differentials and comparative effectiveness of materials, designs and other methods for reducing bird collisions;

D. Include an explanation of other considerations for reducing bird collisions; and

E. Be available on the bureau's publicly accessible website.

2. Reports. The bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 31, 2026, and biennially thereafter, detailing use of the guidance under this section during the previous 2-year period, including reasons and factors for using or not using the guidance. The committee may submit legislation relating to the subject matter of the report to the session of the Legislature following receipt of the report.

Sec. 2. Report. The Department of Administrative and Financial Services, Bureau of General Services, referred to in this section as "the bureau," shall develop the guidance required by the Maine Revised Statutes, Title 5, section 1754 by December 31, 2024. The bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than December 31, 2024 detailing the guidance developed. The committee may submit legislation relating to the subject matter of the report to the 132nd Legislature in 2025.

See title page for effective date.

CHAPTER 222

H.P. 467 - L.D. 698

An Act to Reduce the Cost of Energy in Maine and Reduce Greenhouse Gas Emissions Through the Effective Use of Renewably Sourced Gas

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

Sec. 1. 35-A MRSA §1903, as amended by PL 2015, c. 445, §§3 and 4, is repealed.

Sec. 2. 35-A MRSA §1909-A is enacted to read:

§1909-A. Regional natural gas monitoring; commission intervention

1. Federal Energy Regulatory Commission proceedings. The commission shall:

A. Monitor proceedings at the Federal Energy Regulatory Commission related to interstate natural gas transportation capacity in New England and the Northeast; and

B. If the commission believes that intervention and participation in a proceeding described in paragraph A will best represent the interests of the State's electric and gas ratepayers, intervene and participate in the proceeding and seek to achieve a result that will ensure the lowest possible natural gas and electricity prices for consumers in the State.

2. Report. By December 31st of any year in which the commission has intervened and participated in a proceeding pursuant to subsection 1, paragraph B, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters summarizing its participation.

Sec. 3. 35-A MRSA §1912, as amended by PL 2017, c. 22, §1, is repealed.

Sec. 4. 35-A MRSA §4701-A is enacted to read:

§4701-A. Renewably sourced gas; authorized with commission approval

1. Definition. For the purposes of this section, unless the context otherwise indicates, the following term has the following meaning.

A. "Renewably sourced gas" means gas that the commission finds has been processed to meet pipeline, equipment and appliance quality standards to blend with or substitute for geologically derived natural gas and may include gas that:

(1) Is produced by anaerobic digestion or gasification of agricultural waste, dairy or animal residual materials or landfill biomass material;

(2) Is produced by wastewater treatment or other waste processes; or

(3) Has a lower carbon content than natural gas, including but not limited to hydrogen gas.

2. Renewably sourced gas. Any gas utility may be authorized, subject to commission approval in accordance with subsection 3, to buy, sell, furnish, transport, store, distribute, dispose of or otherwise deal in renewably sourced gas with the same rights, privileges and

limitations conferred or imposed upon it with respect to geologically or conventionally sourced natural gas and within the same territorial limitations within which it is authorized to deal in manufactured gas.

3. Commission approval. A gas utility may petition the commission to utilize renewably sourced gas in accordance with subsection 2. The commission may authorize the use of renewably sourced gas upon a finding that:

A. The gas utility will utilize the renewably sourced gas in a manner that is safe and reliable;

B. The renewably sourced gas will be provided to customers at a just and reasonable rate; and

C. Granting the authorization may reduce greenhouse gas emissions and help to meet the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A.

Sec. 5. Requests for information; Public Utilities Commission. The Public Utilities Commission, after consultation with the Office of the Public Advocate, the Governor's Energy Office and the Efficiency Maine Trust, shall issue a request for information to appropriate stakeholders, organizations or other entities identified by the commission for the following information:

1. Whether there are any reasonable opportunities for the commission to explore and consider engaging in the execution of an energy cost reduction contract or a physical energy storage contract in accordance with the principles of beneficial electrification and the Maine Revised Statutes, Title 35-A, chapter 19; and

2. Identification of existing and near-term replacement energy sources for natural gas in commercial and industrial uses, including when the replacement energy sources are expected to be available, the cost of those replacement energy sources and the steps needed to develop a cost-effective and reliable supply of such replacement energy sources.

By February 1, 2024, the commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes a summary of the responses the commission received from its request for information, any actions the commission has taken, if any, as a result of the information submitted by respondents to the commission's request for information and any recommendations. The committee may report out a bill to the Second Regular Session of the 131st Legislature.

See title page for effective date.