

# MAINE STATE LEGISLATURE

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**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.**

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**Augusta, Maine**  
**2023**

transmission and distribution utility in an effective, prudent and efficient manner. In making recommendations, in addition to the input received from stakeholders, the commission shall consider at a minimum:

1. The role that investor-owned transmission and distribution utility ownership of, financial interest in or control of energy storage systems may have in:

A. The achievement of the state energy storage goals established in Title 35-A, section 3145, including current and future state programs to encourage investment in energy storage;

B. The achievement of the objectives of Title 35-A, chapter 32;

C. The achievement of the greenhouse gas emissions reduction requirements established in Title 38, section 576-A;

D. The achievement of the renewable energy goals established in Title 35-A, section 3210;

E. The achievement of the renewable energy deployment goals of the State, including but not limited to the solar deployment goals established in Title 35-A, chapter 34-B and the wind energy development goals established in Title 35-A, chapter 34;

F. The procurement of nonwires alternatives under Title 35-A, section 3132-D; and

G. The achievement of lower electricity costs for ratepayers; and

2. Whether the competitive market for energy storage can meet the energy needs of transmission and distribution utilities at a reasonable cost.

The commission shall submit a report containing any recommendations based on the commission's activities under this section related to energy storage to the Joint Standing Committee on Energy, Utilities and Technology no later than February 15, 2024. The committee may report out a bill related to the subject matter of the report.

See title page for effective date.

**CHAPTER 375**

**H.P. 1298 - L.D. 2012**

**An Act to Prohibit Early Termination Fees for Residential Electric Generation Service Contracts**

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

**Sec. 1. 35-A MRSA §3203, sub-§4-B, ¶E,** as enacted by PL 2017, c. 74, §1, is amended to read:

~~E. May not impose enter into or renew a contract for generation service that includes an early termination fee for any contract for generation service that was renewed without express consent from the residential consumer.~~

See title page for effective date.

**CHAPTER 376**

**S.P. 266 - L.D. 649**

**An Act to Promote Water Conservation and Water Quality and Create Habitat for Wildlife, Including Pollinator Species, by Protecting Low-impact Landscaping**

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

**Sec. 1. 33 MRSA c. 28-B** is enacted to read:

**CHAPTER 28-B**

**PROTECTION OF LOW-IMPACT LANDSCAPING**

**§1451. Protection of low-impact landscaping**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Condominium" has the same meaning as in section 1601-103, subsection (7).

B. "Low-impact landscaping" means landscaping techniques that conserve water, lower maintenance costs, provide pollution prevention and create habitat for wildlife. "Low-impact landscaping" includes gardens and other features designed to attract wildlife generally and pollinator species more specifically; rain gardens and other features that use natural biological principles to return rainwater to the soil and to filter rainwater of excess nutrients; and other forms of landscaping or gardening that reduce or eliminate the need for supplemental water from irrigation.

C. "Real estate subject to common ownership" means residential real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions and that common ownership is in the form of undivided interests in that common portion.

D. "Restriction" includes any covenant, restriction or condition contained in a deed, declaration, contract, bylaw, rule or other instrument governing activities on real estate within a condominium or real estate subject to common ownership.