

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

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

Augusta, Maine
2025

rule allegedly violated and a factual description of the alleged violation;

C. The amount of the proposed administrative penalty and required corrective action, abatement or mitigation;

D. A warning that the decision will become final and the penalty will be imposed if a hearing is not requested within 15 days of service of the notice, which must specify the steps a person must take to avoid waiving the right to a hearing; and

E. Information regarding the manner of payment if the person elects to pay the penalty and waive the right to a hearing.

2. Time for requesting hearing; written request required. A person who receives notification pursuant to this section is deemed to have waived the right to a hearing unless, within 15 days of service of the notice, the person requests a hearing in writing.

3. Waiver of right to hearing; final administrative penalty by default. If a person waives the right to a hearing, the commissioner shall by default issue a final administrative penalty under section 2751-A against the person for the violations alleged and imposing the penalty and any required corrective action, abatement or mitigation. A copy of the final administrative penalty must be served upon the person by personal service or by certified mail, return receipt requested.

Sec. 6. 10 MRSA §2751-C is enacted to read:
§2751-C. Administrative penalties; holding of hearings

When a person requests a hearing in a timely fashion consistent with section 2751-B, the Commissioner of Agriculture, Conservation and Forestry shall provide notice of and hold the hearing pursuant to Title 5, sections 9052 to 9064.

Sec. 7. 10 MRSA §2751-D is enacted to read:
§2751-D. Collections and enforcement of administrative penalties; interest

The following provisions apply to the collection and enforcement of administrative penalties assessed under section 2751-A.

1. Requirement to pay department. A person who is assessed a penalty pursuant to section 2751-A is required to pay the Department of Agriculture, Conservation and Forestry, referred to in this section as "the department," the amount of the penalty.

2. Appeal; collection stayed. An appeal of the department's decision to assess a penalty stays the collection of the penalty.

3. Interest on unpaid penalties. Interest accrues on a penalty at the rate specified in Title 14, section 1602-B prior to the completion of an appeal. After the

completion of an appeal process or after an appeal period has passed, interest accrues pursuant to Title 14, section 1602-C.

4. Require unpaid penalty prior to license renewal. If the person has not fully paid any final administrative penalty of the commissioner by the time of an applicable license renewal, the department may require payment prior to renewing any license issued to the applicant by the department.

5. Enforcement when person has no license issued by department. For penalties assessed against a person who does not have a license issued by the department, a final administrative penalty may be enforced pursuant to Title 14, section 3138.

Sec. 8. 10 MRSA §2751-E is enacted to read:

§2751-E. Rulemaking

The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to carry out the purposes of this subchapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 194

S.P. 31 - L.D. 119

An Act to Include the Declaration of an Emergency by the President of the United States as a Basis to Allow the Governor to Provide Disaster Relief to Local Governments

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

Sec. 1. 37-B MRSA §744, sub-§2-A, as corrected by RR 2019, c. 1, Pt. B, §47, is amended to read:

2-A. Assistance to local governmental units. Assistance to local governmental units ~~shall be~~ is governed as follows.

A. Whenever the President of the United States declares that an emergency or a major disaster exists in the State, the Governor may:

(1) Apply for a public assistance grant from the Federal Government under Public Law 93-288 on behalf of both the State and local governmental units for the purposes of emergency work or repairing or replacing publicly owned facilities within the disaster area or relocating public facilities outside of the disaster area;

(2) Obligate state financial resources, as a condition for receiving such a federal grant, up

to, but not in excess of, 25% of the total public assistance requested; and

(3) Enter into an agreement with the affected local governmental units to obligate local financial resources up to, but not in excess of, 10% of the total cost of damage to local public facilities, ~~provided that~~ as long as the local share ~~shall~~ does not exceed 10% of total local annual operating budget, exclusive of educational budgets.

B. If the President of the United States declares that an emergency or a major disaster exists in the State, the Governor may:

(1) Apply for a loan from the Federal Government on behalf of a unit of local government if the Governor determines that the unit will suffer a substantial loss of tax and other revenues as a result of an emergency or a major disaster and has demonstrated a need for financial assistance to perform its governmental functions;

(2) Receive and disburse the proceeds of any approved loan to an applicant local government;

(3) Determine the amount needed by any applicant local government to restore or resume its governmental functions and certify the amount to the Federal Government, except that no application amount may exceed 25% of the annual operating budget of the applicant for the fiscal year in which the emergency or major disaster occurs; and

(4) Recommend to the Federal Government, based upon the Governor's review, the cancellation of all or any part of repayment when, after 3 full fiscal years following the emergency or major disaster, the revenues of the local government are insufficient to meet its operating expenses, including additional municipal expenses related to the emergency or disaster.

See title page for effective date.

CHAPTER 195

S.P. 36 - L.D. 120

An Act to Expand the Membership of the Homeland Security Advisory Council

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

Sec. 1. 37-B MRSA §708, sub-§1, as amended by PL 2011, c. 529, §1 and amended by c. 657, Pt. W, §6, is further amended to read:

1. Membership. The council is composed of the following ~~9~~ 11 members:

A. The director or the director's designee;

B. The Commissioner of Defense, Veterans and Emergency Management or the commissioner's designee;

C. The Commissioner of Public Safety or the commissioner's designee;

D. The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services or the director's designee;

E. The Chief of the State Police within the Department of Public Safety or the chief's designee;

F. A representative of the Governor;

G. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee;

H. The Commissioner of Marine Resources or the commissioner's designee; ~~and~~

I. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;

J. The Chief Information Officer of the Office of Information Technology within the Department of Administrative and Financial Services or the officer's designee; and

K. The director of the Maine School Safety Center established within the Department of Education or the director's designee.

The director is the chair of the council. The Commissioner of Defense, Veterans and Emergency Management is the advisor of the council. Commissioner designees must be uniformed law enforcement personnel.

See title page for effective date.

CHAPTER 196

H.P. 119 - L.D. 186

An Act to Clarify the Public Utilities Commission's Authority to Establish Time-of- use Pricing for Standard-offer Service

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

Sec. 1. 35-A MRSA §3212, sub-§4-B, as enacted by PL 2005, c. 677, Pt. B, §2, is amended to read:

4-B. Demand response and energy efficiency. The commission may incorporate cost-effective demand response, including the use of time-of-use pricing, and energy efficiency into the supply of standard-