

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

**CHAPTER 18
H.P. 34 - L.D. 33**

**Resolve, To Encourage the
Commissioner of Inland
Fisheries and Wildlife To
Establish a Youth Turkey
Hunting Day during the Fall
Season**

Sec. 1. Fall youth turkey hunting day. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall consider establishing, pursuant to the Maine Revised Statutes, Title 12, section 11701, a special youth turkey hunting day during the fall season that will allow hunters with a valid junior hunting license to harvest wild turkey. If the commissioner establishes a fall youth turkey hunting day, the commissioner shall consider a day that would encourage participation, take place when there is minimal competition from other open hunting seasons and more likely result in a successful harvest. These factors must be weighed against what is necessary to best manage the wild turkey population.

See title page for effective date.

**CHAPTER 19
H.P. 159 - L.D. 196**

**Resolve, Regarding Legislative
Review of Portions of Chapter
320: Electric Transmission and
Distribution Utility Service
Standards, a Major
Substantive Rule of the Public
Utilities Commission**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 320: Electric Transmission and Distribution Utility Service Standards, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in section 3, subsection D to require utilities to keep all records for 10 years, rather than 6 years; and

2. The rule must be amended in section 5, subsection C, paragraphs 1 and 2 to require that each investor-owned transmission and distribution utility maintain and report System Average Interruption Duration Index, in addition to Consumer Average Interruption Duration Index and System Average Interruption Frequency Index, and amended in paragraph 3 to clarify that the Annual Reliability Reports provide information for the Metrics listed in section 5, subsection C, paragraph 1.

The Public Utilities Commission is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 30, 2019.

**CHAPTER 20
H.P. 206 - L.D. 282**

**Resolve, Regarding Legislative
Review of Portions of Chapter
101: MaineCare Benefits
Manual, Chapter III, Section
21: Allowances for Home and
Community Benefits for Adults
with Intellectual Disabilities or
Autism Spectrum Disorder, a
Major Substantive Rule of the
Department of Health and
Human Services**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative au-

thorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 30, 2019.

CHAPTER 21

H.P. 292 - L.D. 383

Resolve, Regarding Legislative Review of Portions of Chapter 101: ConnectME Authority, a Major Substantive Rule of the ConnectME Authority

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101: ConnectME Authority, a provisionally adopted major substantive rule of the ConnectME Authority that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made:

1. The rule must be amended in section 2, subsection A, in the definition of "advanced communications technology infrastructure" to clarify the conditions of the definition by stating the definition in outline form.

The ConnectME Authority is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 30, 2019.

CHAPTER 22

H.P. 508 - L.D. 687

Resolve, To Create a Flag To Recognize the Bicentennial of the State

Sec. 1. State of Maine Bicentennial Flag. Resolved: That the Secretary of State shall create, within existing resources, a commemorative flag in recognition and celebration of the bicentennial of the State, which became the 23rd state on March 15, 1820.

See title page for effective date.

CHAPTER 23

H.P. 446 - L.D. 618

Resolve, To Temporarily Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the current legal times for raising and hauling lobster traps are determined based upon sunrise and sunset; and