

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

~~information and must document the NAIC's legal authority to maintain confidentiality;~~

~~(2) A provision that prohibits the NAIC from storing the information shared pursuant to this section in a permanent database after the underlying analysis is completed;~~

~~(3) A provision requiring the NAIC to provide prompt notice to the superintendent, in addition to the notice to the domestic insurance carrier or insurance group required by section 216, regarding any subpoena, request for disclosure or request for production of the domestic insurance carrier's or insurance group's CGAD related information; and~~

~~(4) A provision expressly requiring the written consent of the domestic insurance carrier before any information shared pursuant to this section may be made public.~~

E. The superintendent may share confidential information provided or obtained under this section with an independent consultant only in accordance with a written agreement that makes compliance with the confidentiality requirements of this section one of the consultant's duties as a state contractor and includes all protections that the NAIC is required to provide in an agreement entered into under ~~paragraph D~~ subsection 4-A.

Sec. 26. 24-A MRSA §951-A, sub-§2, as enacted by PL 2013, c. 238, Pt. C, §2, is repealed.

Sec. 27. 24-A MRSA §992, sub-§2, as enacted by PL 2007, c. 281, §2 and affected by §3, is repealed.

Sec. 28. 24-A MRSA §6451, sub-§5, as enacted by PL 1993, c. 634, Pt. A, §1, is repealed.

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

Effective March 29, 2022.

CHAPTER 522

H.P. 1359 - L.D. 1826

**An Act To Require Reporting
by the Interagency Task Force
on Invasive Aquatic Plants and
Nuisance Species Regarding
Recommendations To Reduce
the Threat of Further
Infestations**

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

Sec. 1. 38 MRSA §1871, first ¶, as amended by PL 2013, c. 300, §16, is further amended to read:

The Interagency Task Force on Invasive Aquatic Plants and Nuisance Species, as established by Title 5, section 12004-D, subsection 6 and referred to in this chapter as "the task force," is established to advise the department, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Legislature on matters pertaining to research, control and eradication of invasive aquatic plants and nuisance species.

Sec. 2. 38 MRSA §1871, sub-§4, as amended by PL 2013, c. 300, §17, is further amended to read:

4. Duties. The task force ~~may make~~ shall develop findings and recommendations ~~to the department, including any suggested legislation, on any of the following matters and, pursuant to subsection 4-A, submit a report that includes those findings and recommendations to the department, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Legislature:~~

A. The importation and transportation of invasive aquatic plants and nuisance species;

B. Monitoring and educational programs aimed at the control of invasive aquatic plants and nuisance species;

C. A comprehensive state invasive aquatic plants and nuisance species management plan that meets the requirements of the National Invasive Species Act of 1996, 16 United States Code, Section 4722;

D. A statewide inventory of invasive aquatic plants and nuisance species;

E. Methods to improve cooperation of state, provincial, federal and nongovernmental agencies in the area of invasive aquatic plants and nuisance species prevention and control;

F. Recommendations on the feasibility of implementing lake protection assessment districts that allow residents and owners of land within 250 feet of inland waters to assess themselves to raise funds to assist in the prevention and control of invasive aquatic plants; and

G. Other recommendations as necessary to control the introduction of invasive aquatic plants and nuisance species in the State.

In developing findings and recommendations under this subsection, the task force shall convene a stakeholder group that includes, but is not limited to, task force members, state natural resources agency staff and other persons with relevant experience or expertise including representatives of local and regional lake associations and representatives of lake protection organizations.

Sec. 3. 38 MRSA §1871, sub-§4-A is enacted to read:

4-A. Report. On or before January 15, 2023, and biennially thereafter, the task force shall submit to the department, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the joint standing committees of the Legislature having jurisdiction over environment and natural resources matters, inland fisheries and wildlife matters and marine resources matters a report containing its findings and recommendations, including any suggested legislation, developed pursuant to subsection 4. After reviewing the report, each joint standing committee may report out legislation related to the report.

Sec. 4. Interagency Task Force on Invasive Aquatic Plants and Nuisance Species; report. The Interagency Task Force on Invasive Aquatic Plants and Nuisance Species established pursuant to the Maine Revised Statutes, Title 5, section 12004-D, subsection 6 shall include in the report required by Title 38, section 1871, subsection 4-A and due January 15, 2023 additional findings and recommendations on:

1. Methods to expedite and improve the process for treating lakes infested with invasive aquatic plants with newly developed herbicide treatments or vegetation removal processes;
2. Methods to expedite and improve restrictions limiting the use of watercraft on areas of lakes infested with invasive aquatic plants;
3. The feasibility of requiring inspections of watercraft put into or taken out of lakes infested with invasive aquatic plants or lakes identified by the Department of Environmental Protection to be at risk of infestation; and
4. The permit requirements for recreational and sporting events held on lakes infested with invasive aquatic plants or lakes identified by the department to be at risk of infestation.

See title page for effective date.

CHAPTER 523

S.P. 644 - L.D. 1828

An Act Requiring a Contract for the Administration of the Department of Agriculture, Conservation and Forestry's Low-cost Spaying and Neutering Program

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

Sec. 1. 7 MRSA §3910-B, sub-§1, as amended by PL 2009, c. 148, §3, is further amended to read:

1. Establishment. There is established the Companion Animal Sterilization Fund, an interest-bearing

account, referred to in this section as "the fund." The fund receives money deposited by the Treasurer of State pursuant to Title 36, section 5284-A, revenues generated in accordance with this section, all revenue from the surcharges collected under section 3933, subsection 4, revenue received from surcharges in accordance with section 714, subsection 4 and any money contributed voluntarily to the fund. All money deposited in the fund and the earnings on that money remain in the fund to be used for the spaying or neutering of companion animals owned by persons meeting income limit standards and for the spaying or neutering of a feral cat regardless of a person's income and for the necessary direct administrative and personnel costs associated with the management of the fund and may not be deposited in the General Fund or any other fund except as specifically provided by law. The fund may not be charged for indirect costs under a departmental indirect cost allocation plan.

Sec. 2. 7 MRSA §3910-B, sub-§1-A, as enacted by PL 2007, c. 539, Pt. CCCC, §2, is amended to read:

1-A. ~~Option to contract for administration~~ Administration of the fund. The commissioner ~~may~~ shall contract the administration of the fund to a suitable animal welfare organization or individual selected through a competitive process. The contracting organization ~~or individual~~ shall administer the fund in accordance with procedures and eligibility standards established under subsection 2. The contracting organization ~~or individual~~ may not expend more than 15% of the fund annually for administrative costs. In the event that the commissioner cannot find a suitable animal welfare organization, the department shall administer the fund.

Sec. 3. 7 MRSA §3910-B, sub-§2, as enacted by PL 2003, c. 682, §4, is amended to read:

2. Subsidies; development of standards. The commissioner shall develop procedures and eligibility standards for the awarding of subsidies to low-income persons for the spaying or neutering of those persons' companion animals. Procedures and eligibility standards must be developed in consultation with veterinarians and representatives of humane societies and animal shelters. The commissioner shall develop procedures to pay a person, regardless of income, 100% of the cost of spaying or neutering a feral cat.

Sec. 4. 7 MRSA §3910-B, sub-§4, as enacted by PL 2007, c. 539, Pt. CCCC, §3, is repealed.

Sec. 5. Contract for administration of the Companion Animal Sterilization Fund; rules. The Commissioner of Agriculture, Conservation and Forestry shall, in consultation with the Animal Welfare Advisory Council established by the Maine Revised Statutes, Title 5, section 12004-I, subsection 2-C, issue a request for proposals no later than August 1, 2022 from animal welfare organizations to administer the Companion Animal Sterilization Fund created under