

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

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

Title 7, section 3910-B, referred to in this section as "the fund" and the department's low-income spay and neuter program known as the Help Fix ME program, referred to in this section as "the program." The initial contract with the administrator chosen under this section must be for 36 months. The commissioner shall select an administrator that:

1. Demonstrates a dedication to spay and neuter companion animals and feral cats and target low-income communities and populations to the extent possible;
2. Has the technical expertise to operate the program;
3. Commits to maintain the staff necessary to field telephone calls in a timely manner and to provide vouchers to program applicants within 7 business days of receipt of copayment and satisfactory proof of eligibility, except that copayment may not be required for the spaying and neutering of feral cats;
4. Will ensure the privacy of the information of program applicants; and
5. Commits to providing strong customer service when administering the fund and program.

Sec. 6. Evaluation of initial contract for administration of the Companion Animal Sterilization Fund. The Department of Agriculture, Conservation and Forestry shall conduct an evaluation of the initial 36-month contract entered into pursuant to this Act for the Companion Animal Sterilization Fund created under the Maine Revised Statutes, Title 7, section 3910-B. Criteria for the evaluation must include whether the administrator spent approximately 90% of the fund each fiscal year; increased and then maintained the number of areas in the State in which spay and neuter surgeries are performed under the low-income spay and neuter program, also known as the Help Fix ME program; increased and then maintained the number of veterinarians participating in the program; and decreased the amount of time between submission of a request for funds and receipt of a voucher for sterilization services by an applicant. Upon completion of the evaluation and no later than January 1, 2026, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over animal welfare matters. The joint standing committee may submit a bill to the Second Regular Session of the 132nd Legislature relating to the subject matter of the report.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF
Animal Welfare Fund 0946

Initiative: Allocation for Personal Services is increased in the Animal Welfare Fund and offset by a decrease in All Other allocation.

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$0	\$27,083
All Other	\$0	(\$27,083)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Animal Welfare Fund 0946

Initiative: Allocation for Personal Services is decreased in the Companion Animal Sterilization Fund and offset by an increase in All Other allocation to allow a 36-month contract with an outside entity to administer the Companion Animal Sterilization Fund.

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$0	(\$27,083)
All Other	\$0	\$27,083
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF
DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

See title page for effective date.

CHAPTER 524

S.P. 680 - L.D. 1940

An Act To Ensure That Building Codes Allow the Installation and Use of Refrigeration and Air Conditioning Products and Equipment That Use Certain Federally Regulated Refrigerants

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

Sec. 1. 10 MRSA §9722, sub-§6, ¶I, as amended by PL 2021, c. 293, Pt. A, §18, is further amended to read: