

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

(3) Make energy efficiency programs more accessible to low-income, moderate-income and small business ratepayers, including those ratepayers that rent housing accommodations or commercial spaces; and

D. Identify any other methods that may improve the affordability of electricity.

3. Terms. The term of a member appointed to the council is 3 years, except that a vacancy during an unexpired term must be filled in the same manner as for the original member for the unexpired portion of the member's term.

4. Meetings. The council shall meet at least once a year.

5. Chair. The Public Advocate shall appoint a chair.

6. Public participation. Meetings of the council are public proceedings and may allow for public comment.

7. Staff assistance. The Public Advocate and the commission shall provide necessary administrative staffing services to the council.

8. Reports. By December 1st of each year, the Public Advocate shall submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the activities of the council and any recommendations the council made to the Public Advocate pursuant to subsection 2. The committee may report out a bill to the Legislature relating to the recommendation of the council.

Sec. 3. Electric Ratepayer Advisory Council; appointments; meetings. The Public Advocate shall make initial appointments to the Electric Ratepayer Advisory Council pursuant to the Maine Revised Statutes, Title 35-A, section 1714, subsection 1 no later than 60 days after the effective date of this Act. Notwithstanding Title 35-A, section 1714, subsection 4, during the 2022 calendar year the Electric Ratepayer Advisory Council shall hold its first meeting no later than July 1, 2022 and shall hold at least 5 meetings in total during that calendar year.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Public Advocate 0410

Initiative: Provides a one-time allocation for the cost of contracted services to develop a report on the activities and recommendations of the Electric Ratepayer Advisory Council.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$100,000

OTHER SPECIAL REVENUE	\$0	\$100,000
FUNDS TOTAL		

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

Effective April 18, 2022.

CHAPTER 624

H.P. 1473 - L.D. 1987

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2022-23

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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 enacted by the People of the State of Maine as follows:

Sec. 1. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2022-23 is as follows:

Fiscal Administration - Office of the State Auditor	\$272,457
Education	\$12,962,563
Forest Fire Protection	\$150,000
Human Services - General Assistance	\$60,000
Property Tax Assessment	\$1,224,615
Maine Land Use Planning Commission	\$616,833
TOTAL STATE AGENCIES	\$15,286,468
County Reimbursements for Services	
Aroostook	\$1,875,014

Franklin	\$1,308,216
Hancock	\$204,512
Kennebec	\$9,125
Lincoln	\$31,798
Oxford	\$1,645,000
Penobscot	\$1,521,141
Piscataquis	\$1,609,793
Somerset	\$2,246,513
Washington	\$1,464,444
TOTAL COUNTY SERVICES	\$11,915,556
COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND	
Tax Increment Financing Payments	\$3,218,057
TOTAL REQUIREMENTS	\$30,420,081
COMPUTATION OF ASSESSMENT	
Requirements	\$30,420,081
Less Revenue Deductions:	
General Revenue	
Municipal Revenue Sharing	\$220,000
Miscellaneous Revenue	\$210,000
Use of Unassigned Fund Balance	\$1,951,872
TOTAL GENERAL REVENUE DEDUCTIONS	\$2,381,872
Education Revenue	
Land Reserved Trust Interest	\$90,000
Tuition and School Transportation	\$130,000
Charges	
Special - Teacher Retirement	\$240,000
Funding from State	
TOTAL EDUCATION REVENUE DEDUCTIONS	\$460,000
TOTAL REVENUE DEDUCTIONS	\$2,841,872
TAX ASSESSMENT BEFORE COUNTY TAXES AND OVERLAY (Title 36, §1602)	\$27,578,209

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

Effective April 18, 2022.

CHAPTER 625

H.P. 419 - L.D. 574

An Act To Amend the Maine Food Sovereignty Act and To Recognize the Maine Food Sovereignty Act in Plantations and Unorganized Territories

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

Sec. 1. 7 MRSA §282, sub-§2, as enacted by PL 2017, c. 314, §1, is amended to read:

2. Food or food products. "Food or food products" means food or food products ~~intended that are~~ grown, produced, processed or prepared for human consumption, including, but not limited to, vegetables, fruit, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, cider or juice, acidified foods or canned fruits or vegetables.

Sec. 2. 7 MRSA §282, sub-§3, as enacted by PL 2017, c. 314, §1, is repealed.

Sec. 3. 7 MRSA §284, as enacted by PL 2017, c. 314, §1, is amended to read:

§284. Home rule authority Authority

Pursuant to the home rule authority granted to municipalities by Title 30-A, section 3001 and by the Constitution of Maine, Article VIII, Part Second, pursuant to the authority granted to plantations by Title 30-A, section 7051, and notwithstanding any provision of ~~state food law~~ regulating food in this Title or Title 22 to the contrary, except as contained in section 285, a municipality or plantation may adopt ordinances regarding direct producer-to-consumer transactions and the State shall recognize such ordinances by not enforcing those ~~state food laws or implementing rules~~ with respect to those direct producer-to-consumer transactions that are governed by the ordinance.

Pursuant to the authority granted to county commissioners by Title 30-A, section 7505 and notwithstanding any provision of law regulating food in this Title or Title 22 to the contrary, except as contained in section 285, a county may adopt ordinances regarding direct producer-to-consumer transactions within one or more unorganized territories within that county and the State shall recognize such an ordinance by not enforcing those laws or implementing rules with respect to those direct producer-to-consumer transactions that are governed by the ordinance.

Sec. 4. 7 MRSA §286, as enacted by PL 2017, c. 314, §1, is amended to read:

§286. Compliance with food safety regulations

An individual who grows, produces, processes or prepares food or food products for purposes other than direct producer-to-consumer transactions in a municipality ~~that adopts or amends, plantation or unorganized territory governed by an ordinance authorized~~ pursuant to section 284 shall grow, produce, process or prepare the food or food products in compliance with all applicable state and federal food safety laws, rules and regulations.

Sec. 5. 30-A MRSA §7051, sub-§11, as amended by PL 2019, c. 138, §1, is further amended to read: