

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

to Title 5, section 7507 or under national service laws including the federal National and Community Service Act of 1990, as amended, 42 United States Code, Section 12501 et seq. and the federal Domestic Volunteer Service Act, as amended, 42 United States Code, Section 4950 et seq.;

Sec. 5. Transfer of settlement funds; fiscal year 2022-23. Notwithstanding any provision of law to the contrary, no later than June 30, 2023, the State Controller shall make a one-time transfer of \$120,000 from the funds received under the Maine Revised Statutes, Title 5, section 203-A for antitrust enforcement and enforcement of the Maine Unfair Trade Practices Act to the Department of Education. The funds must be used to support 4 eligible participants of the Maine Climate Corps Program, established in Title 5, section 7507.

Sec. 6. Transfer of settlement funds; fiscal year 2022-23. Notwithstanding any provision of law to the contrary, no later than June 30, 2023, the State Controller shall make a one-time transfer of \$30,000 from the funds received under the Maine Revised Statutes, Title 5, section 203-A for antitrust enforcement and enforcement of the Maine Unfair Trade Practices Act to the Department of Education. The funds must be used to increase the opportunities for individuals to devote a year of service to communities in this State.

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

EDUCATION, DEPARTMENT OF

Maine Climate Corps Program - Maine Commission for Community Service N413

Initiative: Provides ongoing funds to support one Maine Climate Corps Program leadership position.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$81,310
GENERAL FUND TOTAL	\$0	\$81,310

Maine Climate Corps Program - Maine Commission for Community Service N413

Initiative: Allocates one-time funds to support 4 eligible participants of the Maine Climate Corps Program using funds transferred from the Office of the Attorney General from settlement funds received for antitrust enforcement and the enforcement of the Maine Unfair Trade Practices Act.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$120,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$120,000

Maine Service Fellows Program Z311

Initiative: Allocates one-time funds to increase the opportunities for individuals to devote a year of service to communities in the State using funds transferred from the Office of the Attorney General from settlement funds received for antitrust enforcement and the enforcement of the Maine Unfair Trade Practices Act.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$30,000

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$81,310
OTHER SPECIAL REVENUE FUNDS	\$0	\$150,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$231,310

See title page for effective date.

CHAPTER 729

S.P. 717 - L.D. 1998

An Act To Establish a Fund for Farmers Adversely Affected by Drought Conditions

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

Sec. 1. 7 MRSA c. 8-A, sub-c. 4 is enacted to read:

SUBCHAPTER 4

FARMERS DROUGHT RELIEF GRANT PROGRAM

§220-A. Farmers Drought Relief Grant Program

1. Grant program established. The Farmers Drought Relief Grant Program, referred to in this section as "the program," is established in the department to assist farmers in the State to overcome the adverse effects of drought conditions by providing grants in accordance with this section.

2. Eligibility. A farmer in the State may apply for a grant under the program if the farmer needs to establish a source for irrigation water to alleviate the risk of crop losses due to drought. The source for irrigation water must be sustainable, environmentally sound and affordable.

3. Farmers Drought Relief Grant Program Fund. The Farmers Drought Relief Grant Program Fund is established as a nonlapsing fund to provide

funding to achieve the purposes of the program. The fund consists of any funds received from private and public sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year.

4. Rules. The department shall adopt rules to implement the program. The rules must include grant eligibility requirements, grant application and award procedures and grant funding limits. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Department of Agriculture, Conservation and Forestry to examine ways to streamline permitting new sources of water for farmers. The Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources shall work with the Department of Environmental Protection and the Maine Land Use Planning Commission and other appropriate agencies to examine the permitting process for farmers seeking to secure permits for new sources of water for irrigation and to develop recommendations, including suggested legislation, to streamline the permitting process. No later than January 1, 2023, the department shall submit a report with findings and recommendations to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. The joint standing committee may submit a bill to the First Regular Session of the 131st Legislature relating to the subject matter of the report.

Sec. 3. Transfer. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$75,000 from the reserve for tax relief fund for Maine residents established within the Office of the Treasurer of State to the unappropriated surplus of the General Fund no later than June 30, 2023.

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

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Bureau of Agriculture 0393

Initiative: Provides one-time funding for contractual services to complete rulemaking, coordinate with other state agencies on strategies to streamline the irrigation permitting process and report back on findings.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$75,000
GENERAL FUND TOTAL	\$0	\$75,000

Farmers Drought Relief Grant Program Fund N947

Initiative: Provides allocations to establish the fund and to allow for acceptance of funding from private and public sources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF		
DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$75,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$75,500

See title page for effective date.

CHAPTER 730

S.P. 228 - L.D. 575

An Act To Establish a Conditional Presumption of Compensability for Certain Employees in Cases of Impairment from Hypertension or Heart Disease

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

Sec. 1. 39-A MRSA §328-C is enacted to read:

§328-C. Heart disease or hypertension suffered by certain employees

There is a rebuttable presumption that an employee of the State whose regular or incidental duties require the care, supervision or custody of a person confined in a prison or state correctional facility pursuant to an order of a court or as a result of an arrest and who contracts heart disease or hypertension has contracted the heart disease or hypertension in the course of employment and as a result of that employment, that sufficient notice of the heart disease or hypertension has been given and that the heart disease or hypertension was not occasioned by any willful act of that employee to cause the heart disease or hypertension, as long as the employee successfully passed a physical examination upon entry into that employment or during the time of that employment that failed to reveal any evidence of heart disease or hypertension.

See title page for effective date.