

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

interim order issued under this chapter must be attempted within 48 hours after receiving notice of that order from the court. Service of a protection from abuse order that is not in compliance with a policy adopted under this subsection does not affect the validity of the service or the order.

See title page for effective date.

CHAPTER 76
S.P. 637 - L.D. 1605

An Act to Amend the Terms of the Members of the Maine Space Corporation Board of Directors by Requiring Staggered Terms

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 Space Corporation was established by Public Law 2021, chapter 631; and

Whereas, the Governor is directed to appoint 11 members to the corporation's board of directors, and these appointments must be made as soon as possible in order for the board of directors to convene and conduct its business, including establishing bylaws for the corporation; 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. 5 MRSA §13203, sub-§4, ¶C, as enacted by PL 2021, c. 631, §1, is amended by amending the first blocked paragraph to read:

The terms of the members of the board of directors who are not ex officio members must be staggered as specified in the bylaws of the corporation are appointed for 3-year terms. A vacancy must be filled in the same manner as the original appointment in accordance with this paragraph for the balance of the unexpired term. A member of the board of directors continues to hold office until a successor is appointed and qualified, but the term of the successor is not altered from the original expiration date of the holdover member's term.

Sec. 2. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 5, section 13203, subsection 4, paragraph C, with regard to the initial appointments of the members of the Board of Directors of the

Maine Space Corporation, the Governor shall appoint 4 members to a one-year term, 4 members to a 2-year term and 3 members to a 3-year term.

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

Effective May 11, 2023.

CHAPTER 77
S.P. 100 - L.D. 194

An Act to Update and Clarify the Public Utilities Commission's Reporting Requirements

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

Sec. 1. 35-A MRSA §120, sub-§3, as amended by PL 2001, c. 137, §1, is further amended to read:

3. Regional issues. The commission's efforts undertaken in accordance with its authority under this Title to promote and protect consumer interests through participation in and presentations before regional entities and federal agencies with jurisdiction over regional marketplaces that affect the State's consumers, including, but not limited to, the efforts described in section 1911. The commission must provide an assessment of staffing requirements to undertake these responsibilities;

Sec. 2. 35-A MRSA §120, sub-§4, as amended by PL 2009, c. 122, §8, is repealed.

Sec. 3. 35-A MRSA §120, sub-§6, as amended by PL 2021, c. 236, §1, is further amended to read:

6. Significant developments. Any significant developments in the utility sectors or other areas of commission oversight; including, but not limited to, the developments described in the following provisions:

A. Section 3195, subsection 5; and

B. Section 4706, subsection 9;

Sec. 4. 35-A MRSA §120, sub-§7, as enacted by PL 2009, c. 122, §11, is amended to read:

7. Other. All other subjects that the commission is required to include in the annual report pursuant to law; including, but not limited to, the following provisions:

A. Title 25, section 2927, subsection 5;

B. Section 3144, subsection 5;

C. Section 3214, subsection 6;

D. Section 3217, subsection 4;

E. Section 4706-B, subsection 4; and

F. Section 6102-A, subsection 2.

Sec. 5. 35-A MRSA §1911, as amended by PL 2015, c. 445, §7, is further amended to read:

§1911. Reports

The commission shall include in its annual report under section 120, subsection 3 a description of its efforts to pursue, in appropriate regional and federal forums, market and rule changes that will reduce the basis differential for natural gas coming into New England ~~and data and analysis regarding leak emissions of greenhouse gases from liquefied natural gas storage that has been contracted for through a physical energy storage contract.~~

Sec. 6. 35-A MRSA §3143, sub-§9, as enacted by PL 2009, c. 539, §2, is repealed.

Sec. 7. 35-A MRSA §3210-C, sub-§3, as amended by PL 2019, c. 476, §2, is further amended by amending the 6th blocked paragraph to read:

By January 1st of each year, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the procurement of transmission capacity, capacity resources, energy and renewable energy credits in the preceding 12 months under this subsection, ~~the Community-based Renewable Energy Act~~ and deep-water offshore wind energy pilot projects under Public Law 2009, chapter 615, Part A, section 6, as amended by Public Law 2013, chapter 369, Part H, sections 1 and 2 and chapter 378, sections 4 to 6. The report must contain information, including, but not limited to, the number of requests for proposals by the commission for long-term contracts, the number of responses to requests for proposals pursuant to which a contract has been finalized, the number of executed term sheets or contracts resulting from the requests for proposals, the commission's initial estimates of ratepayer costs or savings associated with any approved term sheet, actual ratepayer costs or savings for the previous year associated with any procurement, the total ratepayer costs or savings at the time of the report and the megawatt-hours, renewable energy credits or capacity produced or procured through contracts. The report must include actual ratepayer costs or savings for the previous year associated with any contract executed under the Community-based Renewable Energy Act. The report must also include a plan for the succeeding 12 months pertaining to the procurement of capacity resources, energy and renewable energy credits, including dates for requests for proposals, and types of resources to be procured.

Sec. 8. 35-A MRSA §3217, sub-§1, as amended by PL 2009, c. 122, §15, is repealed.

Sec. 9. 35-A MRSA §3607, as enacted by PL 2009, c. 329, Pt. A, §4, is repealed.

Sec. 10. 35-A MRSA §7508, sub-§4, as amended by PL 2009, c. 122, §18, is repealed.

See title page for effective date.

CHAPTER 78

H.P. 296 - L.D. 479

**An Act to Amend the Laws
Governing the Membership of
the Palliative Care and Quality
of Life Interdisciplinary
Advisory Council**

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

Sec. 1. 22 MRSA §1726, sub-§2, ¶E, as enacted by PL 2015, c. 203, §2, is amended to read:

E. Two persons appointed by the member of the House of Representatives who is the leader of the minority party in the House. One person must be a spiritual counselor with experience working with persons with serious illnesses and their family members. One person must represent persons 55 years of age and older; ~~and~~

Sec. 2. 22 MRSA §1726, sub-§2, ¶F, as enacted by PL 2015, c. 203, §2, is amended to read:

F. The executive director of the Maine Hospice Council, established in section 8611, who serves as a nonvoting member; ~~and~~

Sec. 3. 22 MRSA §1726, sub-§2, ¶G is enacted to read:

G. One person who is an individual receiving palliative care, or a primary caregiver of an individual receiving palliative care, appointed by the Governor.

See title page for effective date.

CHAPTER 79

S.P. 264 - L.D. 596

**An Act to Exempt Certain
Conservation Lots from
Municipal Subdivision Review**

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

Sec. 1. 30-A MRSA §4401, sub-§4, ¶J is enacted to read:

J. Unless the intent of a transferor is to avoid the objectives of this subchapter, the division of a tract or parcel of land accomplished by the transfer of