

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

that the transferor may choose to allow the license holder receiving the transferor's quota to retain the income and assume the tax burden of the sale of the transferred quota.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 181
H.P. 594 - L.D. 947**

**An Act to Support the
Distribution of Free Summer
Lunches for Children**

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

Sec. 1. 20-A MRSA §6602, sub-§5, as amended by PL 2011, c. 379, §6, is further amended to read:

5. Rules. The commissioner shall adopt or amend, with the state board's approval, rules under this subchapter, including rules about the qualifications of food service programs' personnel and rules to implement the federal summer food service program for children under subsection 1, paragraph C. To the extent allowed under federal law, rules adopted under this subchapter must allow for the greatest amount of flexibility in meal times and packaging of meals to send home with students.

See title page for effective date.

**CHAPTER 182
S.P. 434 - L.D. 1065**

**An Act to Improve the
Telecommunications Relay
Services Council by Reducing
Its Membership and Allowing
for the Hiring of an Executive
Director**

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

Sec. 1. 35-A MRSA §8704, sub-§1, as amended by PL 2017, c. 408, §6, is further amended to read:

1. Membership. The council consists of ~~42~~ 11 voting members as follows:

A. The Director of the Division for the Deaf, Hard of Hearing and Late Deafened, Bureau of Rehabilitation Services, Department of Labor, or a designee;

B. The chair of the Commission for the Deaf, Hard of Hearing and Late Deafened established by Title 5, section 12004-J, subsection 17, or a designee;

C. One member from the Public Utilities Commission, appointed by the commissioners;

C-1. One member from the Maine Connectivity Authority, as established in Title 5, section 12004-G, subsection 33-H, appointed by the president of the authority;

D. One member from the office of the Public Advocate, appointed by the Public Advocate; and

E. ~~Eight~~ Six members appointed by the Governor as follows:

(1) One member from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf;

(2) One member from a statewide association for the deaf;

(3) One member from a disability rights organization in this State;

(4) One member from the largest incumbent local exchange carrier providing telecommunications relay service in this State; and

~~(5) One member of a telephone association in this State, except that the representative under this subparagraph may not be a representative of the carrier under subparagraph (4);~~

(6) Two members from the general public who use telecommunications devices for the deaf that operate in connection with telecommunications relay services as their primary means of telecommunications; and

~~(7) One member representing a company that provides telecommunications relay services through the Internet, wireless telecommunications or cable telecommunications.~~

The executive director shall serve as a nonvoting member of the council in accordance with subsection 3-A, paragraph E.

Sec. 2. 35-A MRSA §8704, sub-§3-A is enacted to read:

3-A. Executive director. The council shall, within its allowable annual budget established by subsection 6, hire a part-time executive director to assist in carrying out the powers and duties of the council. The executive director shall:

A. Assist in the preparation and submission of the budget of the council required pursuant to subsection 6;

B. Prepare and submit the report required pursuant to subsection 8;

- C. Assist the council with contract negotiations;
- D. Assist the council with processing invoices;
- E. Serve as a nonvoting member of the council; and
- F. Perform all other duties necessary to assist the council in performing its powers and duties pursuant to subsection 5.

Sec. 3. 35-A MRSA §8704, sub-§4, as amended by PL 2017, c. 408, §6, is further amended to read:

4. Appointment Election of chair and vice-chair. Every 2 years, the members shall elect a chair and a vice-chair from among the membership. The vice-chair shall serve as acting chair in the absence of the chair. The council shall meet at the call of the chair but no fewer than 4 times during the calendar year. The chair may delegate, as necessary, duties to members of the council, either individually or through the formation of subcommittees, to carry out the functions of the council.

See title page for effective date.

CHAPTER 183

H.P. 684 - L.D. 1089

An Act to Require Presentation of the Maine Charter School Commission's Annual Report

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

Sec. 1. 20-A MRSA §2405, sub-§8, ¶E is enacted to read:

E. The commission, or a representative of the commission, shall appear annually in January before the joint standing committee of the Legislature having jurisdiction over education matters to present the annual report required in subsection 4. The commission's appearance before the joint standing committee of the Legislature having jurisdiction over education matters must be in person unless otherwise authorized by the committee.

See title page for effective date.

CHAPTER 184

S.P. 561 - L.D. 1394

An Act to Expand and Strengthen the Competitive Skills Scholarship Program

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

Sec. 1. 26 MRSA §1166, sub-§1, ¶B, as amended by PL 2007, c. 506, §1, is further amended to read:

B. "Competitive Skills Scholarship Fund planned yield" means the percentage of wages, as defined in section 1043, subsection 19, equal to ~~02%~~ .034% of the total wages for each contributing employer subject to this chapter.

Sec. 2. 26 MRSA §2033, sub-§1, ¶A-1 is enacted to read:

A-1. "Certified preapprenticeship training program" means a preapprenticeship training program certified by the Maine Apprenticeship Program pursuant to section 3213.

Sec. 3. 26 MRSA §2033, sub-§1, ¶D-1 is enacted to read:

D-1. "Preapprenticeship training program" has the same meaning as in section 3201, subsection 15-A.

Sec. 4. 26 MRSA §2033, sub-§4, ¶C is enacted to read:

C. A registered apprenticeship program approved pursuant to section 3202 is deemed to have met the requirements of this subsection.

Sec. 5. 26 MRSA §2033, sub-§6, ¶A, as amended by PL 2007, c. 352, Pt. A, §3, is amended to read:

A. The program must provide to a participant, in accordance with rules adopted by the department, when education, training and support are not reasonably available from another recognized program and are necessary to carry out that participant's plan:

- (1) Books, supplies, tools and equipment required by the participant's plan;
- (2) Child care, transportation and other necessary support as determined by the department; ~~and~~
- (3) Assistance needed to obtain remedial or prerequisite education necessary for the participant to participate successfully in the program; ~~and~~
- (4) Related costs of licensing or certification necessary to practice in an occupation for which the individual is qualified.

Money for mandatory fees or tuition may not be provided unless the participant is not eligible for necessary funds from other public grants or scholarships reasonably available to the participant for this purpose.

Registered apprentices and individuals participating in a plan that includes a certified preapprenticeship training program approved pursuant to subsec-