

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

E. Any other person that the commission determines necessary to ensure that all interests related to interconnection issues are fairly represented.

4. By December 6, 2023, the commission shall submit a report summarizing the working group's activities under this section to the joint standing committee of the Legislature having jurisdiction over energy matters. The commission shall submit to the committee an additional report by December 6, 2024 and a final report of the working group by December 6, 2025. The committee may report out a bill to the Second Regular Session of the 132nd Legislature regarding the contents of the final report.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides one-time allocations for expenditures related to contracted consulting services and related STA-CAP.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$110,210	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$110,210	\$0

PUC - Interconnection Ombudsman Fund N467

Initiative: Provides allocations to establish one Utility Analyst position to serve as the Interconnection Ombudsman and associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$118,414	\$122,203
All Other	\$15,391	\$15,391
OTHER SPECIAL REVENUE FUNDS TOTAL	\$133,805	\$137,594

PUC - Interconnection Ombudsman Fund N467

Initiative: Provides allocations to establish the program and account.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

PUBLIC UTILITIES COMMISSION DEPARTMENT TOTALS

2023-24	2024-25
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OTHER SPECIAL REVENUE FUNDS	\$244,515	\$138,094
DEPARTMENT TOTAL - ALL FUNDS	\$244,515	\$138,094

See title page for effective date.

CHAPTER 308

H.P. 271 - L.D. 438

An Act to Clarify and Amend the Department of Inland Fisheries and Wildlife Licensing Laws

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

Sec. 1. 12 MRSA §10153, sub-§1, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. Four representatives of the public, with no more than 3 holding a license under chapter 927, to be appointed by the Governor for a term of 3 years to reflect a wide diversity of guiding experience. At least 2 members must be chosen for their expertise in outdoor recreation. ~~The public members must be compensated as provided in Title 5, chapter 379; and~~

Sec. 2. 12 MRSA §10153, sub-§2, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. At the request of the commissioner, to conduct oral examinations of applicants for guide licenses; and

Sec. 3. 12 MRSA §10153, sub-§2, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. To advise the commissioner on granting and revoking guide licenses; ~~and.~~

Sec. 4. 12 MRSA §10153, sub-§2, ¶D, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 5. 12 MRSA §10153, sub-§4 is enacted to read:

4. Compensation. All members of the board except state employees are entitled to receive compensation as provided in Title 5, chapter 379.

Sec. 6. 12 MRSA §10153, sub-§5 is enacted to read:

5. Examiners. The board shall designate examiners for the purpose of conducting oral examinations pursuant to section 12855, subsection 6. Examiners must

be selected from active or retired members of the Bureau of Warden Service, current or former board members, active or retired members of the marine patrol or currently licensed Maine guides. Designated examiners are entitled to \$150 per day plus per diem.

Sec. 7. 12 MRSA §10155, sub-§8 is enacted to read:

8. Examiners. The board shall designate examiners for the purpose of conducting oral examinations pursuant to section 12953. Examiners must be selected from active or retired members of the Bureau of Warden Service, current or former board members or currently licensed Maine taxidermists. Designated examiners are entitled to \$150 per day plus per diem.

Sec. 8. 12 MRSA §11156, sub-§4, as amended by PL 2005, c. 12, Pt. III, §15, is further amended to read:

4. Fee. The fee for a pheasant hunting permit is ~~\$18~~ ~~\$29~~, ~~\$1~~ ~~\$2~~ of which is retained by the commissioner's authorized agent.

Sec. 9. 12 MRSA §12855, sub-§5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

5. Fee. The examination fee is ~~\$100~~ ~~\$125~~. ~~An applicant may retake the examination once without paying an additional fee.~~ The fee is nonrefundable.

Sec. 10. 12 MRSA §12855, sub-§6, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

6. Oral examination. If an oral examination is administered, the examination must be conducted by at least 2 trained examiners designated pursuant to section 10153, subsection 2, ~~paragraph D~~ ~~5~~ who are approved by the commissioner or members of the Advisory Board for the Licensing of Guides.

Sec. 11. 12 MRSA §12953, sub-§3, ¶C, as amended by PL 2015, c. 281, Pt. F, §1, is further amended to read:

C. The application must be accompanied by a non-refundable fee of ~~\$50~~ ~~\$125~~. This fee also applies to examinations for general classification under department rules.

Sec. 12. 12 MRSA §12953, sub-§6, as amended by PL 2017, c. 72, §4, is further amended to read:

6. License and fee. License applicants who successfully meet the qualifications set forth in this section must be issued a license upon payment of a \$77 fee for a 3-year license. This fee is in addition to the ~~\$50~~ ~~\$125~~ application fee required for a first-time applicant and an application for general classification under department rules.

Sec. 13. 12 MRSA §13104, sub-§1, ¶A, as amended by PL 2005, c. 1, §1, is further amended to read:

A. A registration is not required for a snowmobile operated over the snow on land on which the owner lives or ~~on land on which the owner~~ that the snowmobile operator owns or leases, regardless of where that snowmobile operator is domiciled, provided as long as the snowmobile is not operated elsewhere within the jurisdiction of this State.

Sec. 14. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 12, section 11156, subsection 4 takes effect January 1, 2024.

See title page for effective date, unless otherwise indicated.

CHAPTER 309

H.P. 413 - L.D. 636

An Act to Authorize the Department of Health and Human Services to License and Ensure the Quality of Personal Care Agencies

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

Sec. 1. 22 MRSA §1717, as amended by PL 2015, c. 494, Pt. A, §15, is further amended by amending the section headnote to read:

§1717. ~~Registration~~ Licensing of personal care agencies and placement agencies

Sec. 2. 22 MRSA §1717, sub-§1, ¶C, as amended by PL 2015, c. 196, §2 and c. 299, §2, is further amended to read:

C. "Personal care agency" means a business entity or subsidiary of a business entity that is ~~not otherwise~~ licensed by the ~~Division of Licensing and Regulatory Services~~ department's division of licensing and certification and that hires and employs direct access personnel or individuals who work in direct contact with clients, patients or residents to provide ~~assistance with activities of daily living and related tasks~~ home care services to individuals in the places in which they reside, either permanently or temporarily. An individual who hires and employs direct access personnel or individuals who work in direct contact with clients, patients or residents to provide care for that individual is not a personal care agency, except when permitted by rule of the department. "Personal care agency" does not include a home health care provider licensed under chapter 419.