

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

deidentify the data and remove any potential personal identifying information of the juveniles. The data must be organized by region of the State and broken down by age, gender and race.

Sec. 5. 34-A MRSA §7010 is enacted to read:

§7010. Reports regarding juvenile justice system

1. Annual report regarding reducing detention rates and expanding community-based alternatives. By February 15th of each year, the department shall provide an annual report in person to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must include detailed information regarding:

A. The efforts of the department and the Department of Health and Human Services to offer diversion options for juveniles involved in the juvenile justice system and to reduce the rates of detention and commitment of youths across the State;

B. The successes and challenges of the department and the Department of Health and Human Services in expanding access to community-based therapeutic services or programs for the purpose of diverting juveniles involved in the juvenile justice system from detention and commitment;

C. A summary of the Long Creek Youth Development Center, including, but not limited to, the number of staff as of the December 1 preceding the report, staffing levels and the challenges at the facility;

D. The strategic plan developed by the department and the Department of Health and Human Services and the Department of Corrections in consultation with the task force established by the Juvenile Justice Advisory Group;

E. The specific juvenile-focused community-based programs and services receiving funding from the department, including the amount of funding received by the community-based organizations providing the programs and services;

F. The successes and challenges of the department in expanding juvenile-focused community-based programs and services; and

G. Any other information the department determines is relevant to the report.

2. Annual report regarding possible locations for secure, therapeutic residences for detained and committed youths. By January 1st of each year, the department shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the status of the identification and development of 2 small, secure, therapeutic residences for youths for the purpose of providing detention and confinement for

committed youths in a therapeutic setting. These 2 residences shall provide for a maximum occupancy of 20 youths. The report must include rationale for the consideration of each identified residence, as well as an estimate on the number of youths that will be served at the residence, an estimate of the cost for construction and operation of the residence and staffing options for providing services at the residence to youths living at the residence, including therapeutic programs and educational services.

Sec. 6. PL 2021, c. 398, §KKKK-4 is repealed.

Sec. 7. PL 2021, c. 398, §KKKK-5 is repealed.

See title page for effective date.

CHAPTER 426

H.P. 105 - L.D. 164

An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects

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

Sec. 1. 38 MRSA §480-N, as amended by PL 1989, c. 890, Pt. A, §40 and Pt. B §§79 and 80, is further amended to read:

§480-N. Lake Water Quality Restoration and Protection Fund

1. Fund purposes and administration. There is established a nonlapsing Lake Water Quality Restoration and Protection Fund, referred to in this section as "the fund," from which the commissioner may pay up to 50% of the eligible costs incurred in a lake water quality restoration or protection project, except that eligible costs for projects addressing technical assistance, watershed surveys, watershed plan development, public education or research issues may be paid up to 100%. Eligible costs include all costs except those related to land acquisition, legal fees and debt service. All money The commissioner may use money credited to that the fund must be used by the commissioner for only for the purposes described in subsections 3, 4 and 6 and for projects to improve or maintain the quality of lake waters in the State and for no other purpose. The commissioner may authorize the State Controller to draw a warrant for such funds as may be necessary to pay the lawful expenses of the lake water quality restoration or protection project, up to the limits of the money duly authorized. Any balance remaining in the fund must continue without lapse from year to year and remain available only for the purpose purposes for which the fund is established and for no other purpose.

2. Money Prohibited expenditures. Money in the Lake Restoration and Protection Fund may not be

~~used~~ The commissioner may not use money in the fund to pay costs for projects in or on lakes for which public access is not provided.

3. Intensive staffing program Staffing support. The commissioner ~~shall establish an intensive staffing program to provide adequate staffing at both the state and regional levels. The commissioner shall provide technical information and guidance and the regional agencies shall assist with the adoption of revised comprehensive plans, standards and local ordinances by local governments~~ may use money in the fund for state, regional or local staffing to support administration and implementation of activities authorized under this section.

4. Public education program. The commissioner ~~shall~~ may use money in the fund to develop a coordinated public education program for school children involving extensive use of the media.

5. Research. ~~The commissioner shall encourage internal research focused on the following statewide topics:~~

- ~~A. Lake vulnerability, particularly as it relates to noncultural features of the watershed;~~
- ~~B. The effectiveness and design of the best management practices to control phosphorous pollution; and~~
- ~~C. New lake and watershed diagnostic tools.~~

6. Research. The commissioner may use money in the fund to conduct internal or external assessments and research focused on lake water quality restoration or protection.

7. Funding sources. The fund may receive money from any source, public or private.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Lake Water Quality Restoration and Protection Fund N422

Initiative: Provides one-time funding for projects that meet specific criteria and improve or maintain the quality of lake waters in the State.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$200,000
GENERAL FUND TOTAL	\$0	\$200,000

Lake Water Quality Restoration and Protection Fund N422

Initiative: Provides a base allocation in the event that outside funding is received for projects that meet specific criteria and improve or maintain the quality of lake waters in the State.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$0	\$200,000
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$500	\$200,500

See title page for effective date.

CHAPTER 427

S.P. 136 - L.D. 315

An Act to Provide Funding for Programs Benefiting Maine Farmers

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

Sec. 1. Contracted services regarding water withdrawal permitting process. Notwithstanding any provision of law to the contrary, of the funds transferred to the Department of Agriculture, Conservation and Forestry, Farmers Drought Relief Grant Program Fund program, Other Special Revenue Funds account in Public Law 2023, chapter 17, Part G, \$35,000 must be used for contracted services to review and overhaul the current water withdrawal permitting process.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Maine Land Use Planning Commission Z236

Initiative: Establishes one limited-period Environmental Specialist II position and provides funding for related All Other costs. This position ends June 7, 2025.

GENERAL FUND	2023-24	2024-25
Personal Services	\$0	\$88,400
All Other	\$0	\$3,500
GENERAL FUND TOTAL	\$0	\$91,900

See title page for effective date.