

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

transmission and distribution utility's filing of a request for the determination of damages or an appeal of such determination to the Superior Court, the county commissioners or the court shall award the owner reasonable attorney's fees, litigation expenses, appraisal fees, other experts' fees and other related costs in addition to other compensation authorized by this section.

B. If the award for damages is at least 20%, but not more than 40%, and at least \$10,000 greater than the last written offer of compensation, the county commissioners or the court may award reasonable fees and expenses described in paragraph A.

C. No attorney's fees may be awarded under this subsection if the award of damages is \$25,000 or less.

D. If the award of damages is less than 20% greater than the last written offer of compensation, the owner of the property is responsible for the owner's own costs.

For the purposes of this subsection, "last written offer of compensation" means the last offer of compensation made by the transmission and distribution utility and, in the case of a taking of only a portion of a lot or parcel of real property, the last offer made for the portion of the property sought by the transmission and distribution utility. "Last written offer of compensation" does not include the offer for the taking of title to the entire property in fee simple absolute as required by subsection 4.

Sec. 9. 35-A MRSA §3136, sub-§9 is enacted to read:

9. Definition. For the purposes of this section, "high-impact electric transmission line" means a transmission line of any length that is:

A. Constructed to transmit direct current electricity; or

B. Capable of operating at 345 kilovolts or more; and

(1) Is not a generator interconnection transmission facility as defined in section 3132, subsection 1-B; and

(2) Is not constructed primarily to provide electric reliability, as determined by the commission.

Sec. 10. 38 MRSA §485-A, sub-§1-D is enacted to read:

1-D. Hearing required; transmission line. If an application for the development and construction of a transmission line or lines requiring approval under this article is received by the department, the department or the board, as applicable, shall hold a hearing in accordance with section 486-A and may not issue an order without a hearing.

Sec. 11. 38 MRSA §486-A, sub-§2-A is enacted to read:

2-A. Developer; route analysis public participation. The department shall require an applicant who has submitted an application pursuant to section 485-A related to the development and construction of a transmission line or lines requiring approval under this article to demonstrate to the department that the applicant conducted one or more public meetings regarding the transmission line or lines prior to the submission of its application. Such public meetings must include the presentation of information regarding the proposed transmission line or lines, including, but not limited to, proposed route information, and provide an opportunity for public participation and comment. Information presented and public comments received at the public meetings must be made publicly available and be part of the record of any department or board proceeding.

Sec. 12. Rulemaking. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall adopt major substantive rules pursuant to the Maine Revised Statutes, Title 12, section 598-C to provide, in the case of a high-impact electric transmission line crossing or utilizing land designated under Title 12, chapter 202-A, or a portion of such designated land, that is a rail trail or recreational corridor or land of similar configuration, criteria for determining that the high-impact electric transmission line would not cause the land to be reduced or the uses of the land to be substantially altered. The bureau shall submit the provisionally adopted rules to the 132nd Legislature for review.

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

Effective April 22, 2024.

**CHAPTER 645
H.P. 1431 - L.D. 2229**

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025

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 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Motor Vehicle Inspection 0329

Initiative: Provides funding for the approved range change of the following positions: State Police Trooper positions from range 21 to range 23; State Police Sergeant positions from range 24 to range 27; State Police Corporal positions from range 22 to range 25; State Police Detective positions from range 22 to range 24; State Police Detective Corporal positions from range 23 to range 26; State Police Specialist positions from range 22 to range 24; State Police Polygraph Examiner positions from range 23 to range 25; State Police Polygraph Examiner Supervisor positions from range 25 to range 27; State Police Pilot positions from range 24 to range 26; State Police Pilot Supervisor positions from range 26 to range 28; and State Police Lieutenant positions from range 27 to range 29. This initiative also provides funding for related All Other costs. Position detail is on file with the Bureau of the Budget.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$15,694
All Other	\$0	\$302
HIGHWAY FUND TOTAL	\$0	\$15,996

State Police 0291

Initiative: Provides one-time funding for the retroactive payment for an approved reclassification and provides funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$4,262	\$0
All Other	\$82	\$0
HIGHWAY FUND TOTAL	\$4,344	\$0

State Police 0291

Initiative: Provides funding for the approved reclassification of one Public Service Manager II position from

range 32 to range 33, retroactive to May 16, 2023, and provides funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$2,366	\$1,982
All Other	\$7	\$38
HIGHWAY FUND TOTAL	\$2,373	\$2,020

State Police 0291

Initiative: Establishes 16 State Police Trooper positions, 4 State Police Corporal positions, 3 State Police Detective positions, 8 State Police Sergeant-E positions and one State Police Major position and provides funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$1,931,251
All Other	\$0	\$242,741
HIGHWAY FUND TOTAL	\$0	\$2,173,992

State Police 0291

Initiative: Provides funding for the approved range change of the following positions: State Police Trooper positions from range 21 to range 23; State Police Sergeant positions from range 24 to range 27; State Police Corporal positions from range 22 to range 25; State Police Detective positions from range 22 to range 24; State Police Detective Corporal positions from range 23 to range 26; State Police Specialist positions from range 22 to range 24; State Police Polygraph Examiner positions from range 23 to range 25; State Police Polygraph Examiner Supervisor positions from range 25 to range 27; State Police Pilot positions from range 24 to range 26; State Police Pilot Supervisor positions from range 26 to range 28; and State Police Lieutenant positions from range 27 to range 29. This initiative also provides funding for related All Other costs. Position detail is on file with the Bureau of the Budget.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$1,948,153
All Other	\$0	\$37,541
HIGHWAY FUND TOTAL	\$0	\$1,985,694

Traffic Safety 0546

Initiative: Provides funding for the approved range change of the following positions: State Police Trooper positions from range 21 to range 23; State Police Sergeant positions from range 24 to range 27; State Police Corporal positions from range 22 to range 25; State Police Detective positions from range 22 to range 24; State Police Detective Corporal positions from range 23 to range 26; State Police Specialist positions from range 22 to range 24; State Police Polygraph Examiner positions from range 23 to range 25; State Police Polygraph Examiner Supervisor positions from range 25 to range 27; State Police Pilot positions from range 24 to range 26; State Police Pilot Supervisor positions from range 26 to range 28; and State Police Lieutenant positions

from range 27 to range 29. This initiative also provides funding for related All Other costs. Position detail is on file with the Bureau of the Budget.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$66,839
All Other	\$0	\$1,288
HIGHWAY FUND TOTAL	\$0	\$68,127

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Provides funding for the approved range change of the following positions: State Police Trooper positions from range 21 to range 23; State Police Sergeant positions from range 24 to range 27; State Police Corporal positions from range 22 to range 25; State Police Detective positions from range 22 to range 24; State Police Detective Corporal positions from range 23 to range 26; State Police Specialist positions from range 22 to range 24; State Police Polygraph Examiner positions from range 23 to range 25; State Police Polygraph Examiner Supervisor positions from range 25 to range 27; State Police Pilot positions from range 24 to range 26; State Police Pilot Supervisor positions from range 26 to range 28; and State Police Lieutenant positions from range 27 to range 29. This initiative also provides funding for related All Other costs. Position detail is on file with the Bureau of the Budget.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$747,736
All Other	\$0	\$14,409
HIGHWAY FUND TOTAL	\$0	\$762,145

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2023-24	2024-25
HIGHWAY FUND	\$6,717	\$5,007,974
DEPARTMENT TOTAL - ALL FUNDS	\$6,717	\$5,007,974

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

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Eliminates one vacant Customer Representative Associate I position and associated All Other costs. This position is being eliminated as part of a realignment of responsibilities in the Bureau of Motor Vehicles supporting the strategic plan.

HIGHWAY FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$74,817)
All Other	\$0	(\$3,568)

HIGHWAY FUND TOTAL	\$0	(\$78,385)
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Motor Vehicle Detective position to a Senior Motor Vehicle Detective position and also adjusts funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$16,646
All Other	\$0	\$794
HIGHWAY FUND TOTAL	\$0	\$17,440

Administration - Motor Vehicles 0077

Initiative: Establishes one Public Service Executive II position and provides funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$153,936
All Other	\$0	\$19,083
HIGHWAY FUND TOTAL	\$0	\$173,019

Administration - Motor Vehicles 0077

Initiative: Provides funding for the ongoing contract expenses for the branch office scheduling software for customer appointments.

HIGHWAY FUND	2023-24	2024-25
All Other	\$6,810	\$16,344
HIGHWAY FUND TOTAL	\$6,810	\$16,344

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Office Specialist I Supervisor position to a Public Service Coordinator I position and also adjusts funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$17,224
All Other	\$0	\$821
HIGHWAY FUND TOTAL	\$0	\$18,045

Administration - Motor Vehicles 0077

Initiative: Provides funding for increased leasing costs of new vehicles for the motor vehicle driver license examiners.

HIGHWAY FUND	2023-24	2024-25
All Other	\$0	\$99,435
Capital Expenditures	\$0	\$49,203
HIGHWAY FUND TOTAL	\$0	\$148,638

Administration - Motor Vehicles 0077

Initiative: Provides funding for the planned increase in International Registration Plan membership dues.

HIGHWAY FUND	2023-24	2024-25
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All Other	\$0	\$8,591
HIGHWAY FUND TOTAL	\$0	\$8,591

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Customer Representative Associate II - Motor Vehicle position to a Motor Vehicle Registration Enforcement Compliance Inspector position and also adjusts funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$4,940
All Other	\$0	\$236
HIGHWAY FUND TOTAL	\$0	\$5,176

Administration - Motor Vehicles 0077

Initiative: Provides funding for the planned increase in software licenses and maintenance expenses for the American Association of Motor Vehicle Administrators, Unified Network Interface system to act as a clear-inhouse for license information.

HIGHWAY FUND	2023-24	2024-25
All Other	\$10,114	\$20,229
HIGHWAY FUND TOTAL	\$10,114	\$20,229

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of 7 Inventory & Property Associate I positions to 7 Inventory & Property Associate II positions and also adjusts funding for related All Other costs.

HIGHWAY FUND	2023-24	2024-25
Personal Services	\$0	\$34,174
All Other	\$0	\$1,630
HIGHWAY FUND TOTAL	\$0	\$35,804

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2023-24	2024-25
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HIGHWAY FUND	\$16,924	\$364,901
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DEPARTMENT TOTAL - ALL FUNDS	\$16,924	\$364,901
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Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Capital 0406

Initiative: Increases funding to align allocations with projected available resources.

FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$10,000,000	\$10,000,000

FEDERAL EXPENDITURES	\$10,000,000	\$10,000,000
FUND TOTAL	\$10,000,000	\$10,000,000

Multimodal Transportation Fund Z017

Initiative: Adjusts funding to align with revenue projections from the March 1, 2024 revenue forecast.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$0	\$165,611
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$165,611

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2023-24	2024-25
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FEDERAL EXPENDITURES FUND	\$10,000,000	\$10,000,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$165,611

DEPARTMENT TOTAL - ALL FUNDS	\$10,000,000	\$10,165,611
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PART B

Sec. B-1. Continuation of limited-period positions. Notwithstanding any provision of law to the contrary, all limited-period positions throughout State Government that are scheduled to expire during June 2024, are already funded through the end of fiscal year 2023-24 and are proposed to continue in fiscal year 2024-25 are authorized to continue until August 1, 2024.

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

Effective April 22, 2024.

**CHAPTER 646
H.P. 1478 - L.D. 2290**

**An Act to Correct
Inconsistencies, Conflicts and
Errors in the Laws of Maine**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, acts of this and previous Legislatures have resulted in certain technical inconsistencies, conflicts and errors in the laws of Maine; and

Whereas, these inconsistencies, conflicts and errors create uncertainties and confusion in interpreting legislative intent; and