

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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**

---

---

**RESOLVES OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST SPECIAL SESSION OF THE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
2023**

---

---

**CHAPTER 6  
H.P. 241 - L.D. 390**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
25: Standards for Placing  
Wood into Stream Channels to  
Enhance Cold Water Fisheries  
Habitat, a Major Substantive  
Rule of the Department of  
Agriculture, Conservation and  
Forestry, Bureau of Forestry**

**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 Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** a major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 25: Standards for Placing Wood into Stream Channels to Enhance Cold Water Fisheries Habitat, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized as long as the effective date specified in the rule is removed so that, pursuant to Title 5, section 8072, subsection 8, the rule takes effect 30 days after filing with the Secretary of State.

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

Effective April 10, 2023.

---

---

**CHAPTER 7  
H.P. 226 - L.D. 375**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
570: Uniform Reporting  
System for Prescription Drug  
Price Data Sets, a Major  
Substantive Rule of the Maine  
Health Data Organization**

**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 Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** a major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a provisionally adopted major substantive rule of the Maine Health Data Organization that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the rule is amended in Section 2(C)(1)(a) to correct a cross-reference.

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

Effective April 21, 2023.

---

---

**CHAPTER 8  
H.P. 243 - L.D. 392**

**Resolve, Regarding Legislative Review of Portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection**

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

See title page for effective date.

---

---

**CHAPTER 9  
H.P. 328 - L.D. 523**

**Resolve, Regarding Legislative Review of Chapter 5, Section 63: Home Based Supports and Services for Older and Disabled Adults and Chapter 11: Consumer Directed Personal Assistance Services, Major Substantive Rules of the Department of Health and Human Services, Office of Aging and Disability Services**

**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 Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** major substantive rules have been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rules; 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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 5, Section 63: Home Based Supports and Services for Older and Disabled Adults and Chapter 11: Consumer Directed Personal Assistance Services, provisionally adopted major substantive rules of the Department of Health and Human Services, Office of Aging and Disability Services that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 24, 2023.

---

---

**CHAPTER 10  
H.P. 46 - L.D. 71**

**Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection**

**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 Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** a major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 171: Control of Petroleum Storage Facilities, a provisionally adopted major substantive rule of the Department of Environmental Protection that has