

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

of the project's consistency with the master plan to the Capitol Planning Commission.

Sec. 5. Outdoor lighting. Resolved: That the Maine Revised Statutes, Title 5, section 1769 does not apply to lighting on the East Campus or West Campus.

Sec. 6. Prior master plan. Resolved: That the master plan supersedes the previous plan adopted by the 120th Legislature in Resolve 2001, chapter 34.

See title page for effective date.

CHAPTER 144

H.P. 1394 - L.D. 2179

Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education and the Maine Municipal Bond Bank

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 64: Maine School Facilities Program and School Revolving Renovation Fund, a provisionally adopted major substantive rule of the Department of Education and the Maine Municipal Bond Bank that has 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 March 19, 2024.

CHAPTER 145

S.P. 798 - L.D. 1962

Resolve, to Direct the Public Utilities Commission to Adopt Rules Regarding Utility Shut-offs

Sec. 1. Adopt rules governing transmission and distribution utility and gas utility terminations and disconnections. Resolved: That, in accordance with its authority under the Maine Revised Statutes, Title 35-A, sections 111 and 704, the Public Utilities Commission shall adopt rules governing transmission and distribution utility and gas utility service terminations and disconnections due to unpaid bills for utility service.

1. For residential customers of transmission and distribution utilities and gas utilities, the rules must:

A. Prohibit the termination or disconnection of utility service for unpaid utility bills during extreme weather or temperature conditions, including extreme heat or humidity, between April 16th and November 14th; and

B. Establish a threshold dollar amount greater than \$50 owed by a customer who does not pay or make a payment arrangement on an undisputed overdue utility bill at or above which the utility may terminate or disconnect utility service; and

2. For low-income customers of a transmission and distribution utility, the rules must prohibit the utility from:

A. Charging a restoration or reconnection fee or requiring a security deposit for a restoration of service; and

B. Charging late fees that accrued prior to the termination or disconnection.

For the purposes of this subsection, "low-income customer" means a residential customer of a transmission and distribution utility who, as determined by the commission, receives low-income financial assistance pursuant to Title 35-A, section 3214, subsection 2 or low-income home energy assistance pursuant to the program described in Title 30-A, section 4722, subsection 1, paragraph W or who is enrolled in an arrearage management program implemented pursuant to Title 35-A, section 3214, subsection 2-A.

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

See title page for effective date.

**CHAPTER 146
S.P. 511 - L.D. 1274**

Resolve, to Establish the Task Force to Support Commercial Dairy Farms in the State

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

Whereas, market instability, labor shortages, inflation, limits on milk production, supply chain delays and distribution disruptions are driving dairy farmers in the State out of business; and

Whereas, the State has lost approximately 1/3 of its dairy farms since 2020, and dairy farms are integral to the State's rural communities and agricultural economy; and

Whereas, this resolve establishes the Task Force to Support Commercial Dairy Farms in the State to study and report on these issues; and

Whereas, it is necessary to immediately begin the work to examine the dairy stabilization program, also known as the tier program, to determine what can be done to strengthen the program and to address some of the challenges to its success; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order to complete the study and make recommendations to the Legislature; 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. Task force established. Resolved: That the Task Force to Support Commercial Dairy Farms in the State, referred to in this resolve as "the task force," is established.

Sec. 2. Task force membership. Resolved: That the task force consists of at least 10 members and no more than 15 members, one of whom is the Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee. The commissioner shall invite the following to participate as members of the task force:

1. The chair of the board of directors of the Maine Dairy Industry Association or the chair's designee;
2. The Executive Director of the Maine Milk Commission;
3. One representative of a milk processor;
4. One representative of a Maine milk retailer familiar with dairy purchasing on the national market;
5. One representative from each of the 4 milk pricing tiers;
6. An economist with expertise in dairy markets and policy; and
7. At the discretion of the commissioner, up to 5 additional at-large members, who may be invited if they possess specific knowledge or technical skills useful for accomplishing the duties of the task force.

Sec. 3. Convening of task force; chair. Resolved: That all invitations to join the task force must be made pursuant to section 2 no later than 30 days following the effective date of this resolve. The commissioner or commissioner's designee shall call and convene the first meeting of the task force, at which the members shall elect a member to serve as chair.

Sec. 4. Compensation. Resolved: That members of the task force are not entitled to reimbursement for their expenses.

Sec. 5. Duties. Resolved: That the task force shall review and provide recommendations on potential investments and policies to support the long-term sustainability and resiliency of the State's dairy sector, including but not limited to:

1. The development of in-state milk processing capacity, including for value-added products;
2. The development of new or enhancements to existing state grant, loan and other funding support programs, market development and access programs and technical assistance programs; and
3. Recommendations to preserve and enhance the effectiveness of the current dairy stabilization program, also known as the tier program, established in the Maine Revised Statutes, Title 7, section 3153-B.

The department may work with a 3rd-party organization to accomplish these duties if existing resources allow.

Sec. 6. Staff assistance. Resolved: That, within existing resources, the Department of Agriculture, Conservation and Forestry shall provide staffing services to the task force.

Sec. 7. Report. Resolved: That, no later than January 6, 2025, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over agricultural