

# 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.**

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**Augusta, Maine**  
**2024**

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

matters. The joint standing committee is authorized to report out a bill to the 132nd Legislature in 2025 based on the recommendations of the task force.

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

Effective March 25, 2024.

**CHAPTER 147  
H.P. 1428 - L.D. 2227**

**Resolve, Regarding Legislative Review of Portions of Chapter 80: Reduction of Toxics in Packaging, a Late-filed 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 outside the legislative rule acceptance period; 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 80: Reduction of Toxics in Packaging, 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 outside the legislative rule acceptance period, is authorized.

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

Effective March 25, 2024.

**CHAPTER 148  
S.P. 418 - L.D. 1049**

**Resolve, Directing the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to Enter into a Memorandum of Understanding to Address Aquatic Invasive Species**

**Sec. 1. Department of Inland Fisheries and Wildlife and Department of Marine Resources to enter into memorandum of understanding. Resolved:** That, by December 15, 2024, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources, referred to jointly in this resolve as "the departments," shall enter into a memorandum of understanding to establish a process to plan for actions to control and prevent the further spread of aquatic invasive species as fish passages are improved and fish barriers are removed statewide.

**Resolved:** That, by December 15, 2024, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources, referred to jointly in this resolve as "the departments," shall enter into a memorandum of understanding to establish a process to plan for actions to control and prevent the further spread of aquatic invasive species as fish passages are improved and fish barriers are removed statewide.

**Sec. 2. Review and update of memorandum of understanding. Resolved:** That the departments shall include in the memorandum of understanding under section 1 a requirement that the memorandum be reviewed and updated at least every 5 years to coincide with the renewal of the memorandum. The memorandum must also include a provision authorizing the departments to review and update the memorandum at more frequent intervals when significant changes are planned with respect to how fish passages and fish barriers are managed. The review must include an assessment of the departments' progress on actions to control and prevent the further spread of aquatic invasive species and initiatives identified in the memorandum to ensure timely progress and completion, as well as identification of any new supporting initiatives.

**Sec. 3. Departments' progress report to joint standing committee. Resolved:** That the departments shall include in the memorandum of understanding under section 1 a requirement that the departments submit a report on the departments' progress under the memorandum to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters at least every 5 years, to coincide with the renewal of the memorandum under section 2.

**Sec. 4. Other updates to joint standing committee. Resolved:** That the departments shall include in the memorandum of understanding under section 1 a requirement that, if changes are planned that reduce commitments outlined in the memorandum to control and prevent the further spread of aquatic invasive species at the dam on the Penobscot River in the Town of Medway or the dam on the Piscataquis River at Brown's Mill in the Town of Dover-Foxcroft, the departments