

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

- B. Monitor motor vehicle manufacturer compliance with standards adopted by the entity;
- C. Develop and monitor policies for the evolving use and availability of data generated by the operations of motor vehicles;
- D. Create policies for compliance with relevant laws, regulations, standards, technologies and best practices related to motor vehicle data, with consideration given to privacy and cybersecurity concerns; and
- E. Adopt rules necessary for implementation and enforcement of Title 29-A, section 1810 and to enforce the requirements of that law consistent with those rules.

3. On or before February 28, 2025, the Attorney General shall submit to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters a report containing the findings and recommendations of the working group under this section. After reviewing the report, the committee may report out legislation relating to the report to the 132nd Legislature in 2025.

See title page for effective date.

CHAPTER 172

H.P. 1323 - L.D. 2061

Resolve, Authorizing the Director of the Bureau of Parks and Lands to Convey Peacock Beach State Park to the Town of Richmond

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House; and

Whereas, certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, section 1814; and

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

Whereas, Peacock Beach State Park is a waterfront park, including a small sand beach on Pleasant Pond, located in the Town of Richmond;

Whereas, the Town of Richmond would like to make improvements to the park prior to the summer months when the park is commonly visited by local community members; 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. Director of Bureau of Parks and Lands authorized to convey certain land known as Peacock Beach State Park. Resolved:

That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may gift by quitclaim deed without covenant, and on such other terms and conditions as the director may direct, all the State's interest in a parcel of land approximately 32 acres in size in Richmond known as Peacock Beach State Park, together with the buildings and improvements, and all the appurtenant rights and easements located on that property, which is currently the subject of a 25-year lease between the Bureau of Parks and Lands and the Town of Richmond, to the Town of Richmond.

Sec. 2. Restrictions. Resolved: That the instrument transferring the interests of the State in the property referenced in section 1 must include the following terms and restrictions:

1. The property must continue to be used and managed for noncommercial public recreational use as a public park, subject to the terms of the federal Land and Water Conservation Fund. If the property is used otherwise, title to the property automatically reverts to the Department of Agriculture, Conservation and Forestry, but only on those terms and conditions as the Director of the Bureau of Parks and Lands may direct;
2. If the Town of Richmond proposes to transfer an interest in the property, in whole or in part, to a 3rd party not affiliated with the Town of Richmond, the Department of Agriculture, Conservation and Forestry has a right of first refusal to take back the property at no cost and upon those terms and conditions as the Director of the Bureau of Parks and Lands may direct; and
3. Notwithstanding any decision by the Department of Agriculture, Conservation and Forestry not to exercise its right of first refusal, the department continues to hold the right of first refusal in perpetuity, and this right is a servitude on the property and runs with the land and is binding upon the Town of Richmond and its successors and assigns forever.

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

Effective April 22, 2024.

**CHAPTER 173
H.P. 1395 - L.D. 2180**

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty-Two, a Major Substantive Rule of the Department of Education

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 101: Maine Unified Special Education Regulation Birth to Age Twenty-Two, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized, and the Department of Education may make grammatical, formatting, punctuation and other technical, non-substantive editing changes to the rule as necessary prior to final adoption.

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

Effective April 22, 2024.

**CHAPTER 174
H.P. 1402 - L.D. 2188**

Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission

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 26: Producer Margins, a provisionally adopted major substantive rule of the Maine Milk Commission 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 following changes are made to the 4 levels of target prices for milk producers:

1. For the first 16,790 hundredweight produced per year by each producer, the target price is \$24.51 per hundredweight;
2. For production over 16,790 hundredweight to 49,079 hundredweight per year, the target price is \$23.37 per hundredweight;
3. For production over 49,079 hundredweight to 76,800 hundredweight per year, the target price is \$22.60 per hundredweight; and
4. For production over 76,800 hundredweight per year, the target price is \$21.88 per hundredweight.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF
Milk Commission 0188**