

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

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**

Initiative: Adjusts allocation from updating the cost of production and target prices used to make payouts through the dairy stabilization program.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$0	\$4,088,815
OTHER SPECIAL REVENUE	\$0	\$4,088,815
FUNDS TOTAL		

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

Effective April 22, 2024.

CHAPTER 175

H.P. 1480 - L.D. 2291

Resolve, Approving the 2024 Draft and Arrangement of the Constitution of Maine Incorporating Amendments Approved at Referendum in 2023 and Providing for Its Publication and Distribution

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

Whereas, 2 amendments to the Constitution of Maine were approved by the voters at referendum in November 2023; and

Whereas, pursuant to Resolve 2023, chapter 127, the Chief Justice of the Supreme Judicial Court was authorized to arrange the Constitution of Maine to include the 2 amendments approved at the November 2023 referendum and submit the arrangement to the Legislature; and

Whereas, the Chief Justice has completed the arrangement; and

Whereas, the arrangement as approved by the Legislature must be made available to the public as soon as possible and before the expiration of the 90-day period; 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. Constitution; approval of 2024 draft and arrangement; enrollment; distribution. Resolved: That the draft and arrangement of the Con-

stitution of Maine, as amended, made by the Chief Justice of the Supreme Judicial Court pursuant to the Constitution of Maine, Article X, Section 6 and Resolve 2023, chapter 127 is approved and that the same be enrolled on parchment or other suitable material and deposited in the office of the Secretary of State.

Sec. 2. Enrollment on durable material. Resolved: That the Secretary of State shall cause the Constitution of Maine, as amended and arranged, to be enrolled on parchment or other suitable material and upon final approval of the Chief Justice of the Supreme Judicial Court to attest to the correctness of that enrollment under the seal of the State.

Sec. 3. Publication. Resolved: That the Secretary of State shall cause to be published in pamphlet form, subject to the approval of the Chief Justice of the Supreme Judicial Court, copies of the Constitution of Maine in such numbers as the Secretary of State determines necessary and that one copy of the pamphlet be forwarded to the municipal officers of each city and town and to the assessors of each plantation within the State.

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

APPENDIX A

CONSTITUTION OF THE STATE OF MAINE

(Arranged by the Chief Justice of the Maine Supreme Judicial Court pursuant to the Constitution of Maine, Article X, Section 6 and Resolves 2023, c. 127, with 2024 Rearrangement Notes)
(Includes CR 2023, c. 1 and CR. 2023, c. 2)

PREAMBLE.

Objects of government. We the people of Maine, in order to establish justice, insure tranquility, provide for our mutual defense, promote our common welfare, and secure to ourselves and our posterity the blessings of liberty, acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Universe in affording us an opportunity, so favorable to the design; and, imploring God's aid and direction in its accomplishment, do agree to form ourselves into a free and independent State, by the style and title of the State of Maine and do ordain and establish the following Constitution for the government of the same.