C. Supplementing or enhancing other short-term rental assistance programs such as rapid rehousing services;

D. Creating supportive housing for people with disabilities, mental health challenges or substance use disorder using an approach that prioritizes providing permanent housing to people experiencing homelessness; and

E. Any other use that addresses housing emergencies in the State.

4. Reporting. Beginning February 1, 2023, the Maine State Housing Authority shall provide a quarterly report of expenditures from the fund and the goals and achievements of the program to the joint standing committee of the Legislature having jurisdiction over housing matters.

Sec. WW-2. Transfer from General Fund unappropriated surplus; Emergency Housing Relief Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer $22,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Emergency Housing Relief Fund, Other Special Revenue Funds account to provide rental assistance, supplement or create other programs addressing the needs of people experiencing homelessness or facing other immediate housing needs, supplement other short-term rental assistance programs, create supportive housing for people with disabilities, mental health challenges or substance use disorder using an approach that prioritizes providing permanent housing to people experiencing homelessness and support other uses that address housing emergencies in the State.

PART XX

Sec. XX-1. 5 MRSA §12004-I, sub-§2-I is enacted to read:

2-I.

Agriculture Advisory Committee on the Fund To Address PFAS Contamination Legislative Per Diem and Expenses for Legislators/Expenses Only for Other Members

7 MRSA §320-L

Sec. XX-2. 7 MRSA c. 10-D is enacted to read:

CHAPTER 10-D

FUND TO ADDRESS PFAS CONTAMINATION

§320-K. Fund To Address PFAS Contamination

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Advisory committee" means the Advisory Committee on the Fund To Address PFAS Contamination in section 320-L.

B. "Agricultural land" has the same meaning as in section 32, subsection 2.
C. "Commercial farm" means a farm that produces any farm product with the intent that the farm product be sold or otherwise disposed of to generate income.

D. "Farm product" has the same meaning as in section 52, subsection 3-A.

E. "Fund" means the Fund To Address PFAS Contamination established under subsection 2.

F. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" has the same meaning as in Title 32, section 1732, subsection 5-A.

G. "Septage" has the same meaning as in Title 38, section 1303-C, subsection 27.

H. "Sludge" has the same meaning as in Title 38, section 1303-C, subsection 28-A.

2. Fund established. The Fund To Address PFAS Contamination is established within the office of the commissioner as a nonlapsing account for the purposes specified in this chapter.

3. Sources of the fund. The fund is funded from money accepted by the commissioner or allocated or appropriated by the Legislature, including funds stipulated for deposit in the fund as part of the terms of settlement of legal actions relating to PFAS contamination against corporations, partnerships or individuals.

4. Purposes. Allocations from the fund may be made as determined by the department upon recommendation of the advisory committee and for the following purposes:

A. Monitoring the health of a person, and members of that person's household, whose agricultural land is found to be contaminated by PFAS;

B. Providing medical care to a person found to have blood levels of PFAS greater than the general population or health effects associated with exposure to PFAS;

C. Relocating a commercial farm when the agricultural land of the farm is found to be contaminated by PFAS;

D. Buying and selling agricultural land found to be contaminated by PFAS;

E. Investing in equipment, facilities and infrastructure to ensure that a commercial farm with land found to be contaminated by PFAS maintains profitability while the commercial farm transitions to an alternative cropping system or implements remediation strategies, technological adaptations, solar development or other modifications to its operations in response to PFAS contamination;

F. Assisting a commercial farm with land found to be contaminated by PFAS with developing enterprise budgets for alternative cropping systems, remediation strategies or technological adaptations or transitioning to alternative revenue streams, including but not limited to land use systems combining agricultural use of the land with solar energy production;

G. Providing short-term assistance to a person whose commercial farm is found to be contaminated by PFAS, including but not limited to income replacement and mortgage payments;

H. Evaluating the capacity of PFAS testing and data management in the State:
I. Conducting research that supports short-term farm management decisions and assesses future options for viable uses of agricultural land that has been contaminated with PFAS;

J. Conducting research that quantifies the impact of PFAS on commercial farms and agricultural communities in the State;

K. Conducting research on soil and water remediation systems and the viability of those systems for commercial farms;

L. Conducting research on alternative cropping systems, PFAS uptake of different crops, the use of livestock systems to mitigate exposure to and for remediation of PFAS and food safety criteria for food products;

M. Developing and implementing educational programs for landowners, including but not limited to determining best practices for informing residents about the potential of being near or on a site on which sludge or septage application was licensed or permitted by the State prior to 2019, and providing information and guidance on buying or selling agricultural lands that have had sludge or septage applied;

N. Long-term monitoring of PFAS contaminated sites and establishing a corresponding centralized data repository;

O. Establishing food safety criteria and guidance for farm products;

P. Assisting commercial farms and others in the agricultural sector not directly affected by PFAS contamination with marketing efforts whose branding and marketing may be affected by public perception of PFAS contamination in the State; and

Q. Regional planning with other states and the Federal Government to protect food supply and farmers in the State from out-of-state PFAS contamination.

5. Administration. The department shall administer the fund allocations in accordance with a plan that establishes funding priorities, administration and oversight and with the review and advice of the advisory committee. The department may contract for professional services to carry out the purposes of this section.

6. Rules. The department may adopt rules to implement this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. Reports. Beginning March 1, 2023, and annually thereafter, the department shall submit a report on the plan under subsection 5 and on the uses of the fund to the joint standing committees of the Legislature having jurisdiction over agriculture, conservation and forestry, environment and natural resources and health and human services matters. The report must include information on the status of carrying out the purposes of the fund as described in subsection 4, additional needs identified by the agricultural community, what funds have been disbursed from the fund and for what purpose those funds were disbursed. The report must include the activities of the advisory committee, including, but not limited to, the number of meetings held, a summary of each meeting and recommendations for legislation from the advisory committee.

§320-L. Advisory Committee on the Fund To Address PFAS Contamination
The Advisory Committee on the Fund To Address PFAS Contamination is established pursuant to Title 5, section 12004-I, subsection 2-I to make recommendations to the department regarding administration of the fund and to report to the Legislature. In order to develop recommendations for the department, the advisory committee may form working groups that include and seek input from subject matter experts from the public and private sectors to deliberate issues relating to the purposes of the fund as described in section 320-K, subsection 4, including, but not limited to, health monitoring, short-term financial aid for farmers, research priorities, solar siting, long-term environmental monitoring and land acquisition.

1. Membership. The advisory committee consists of:

   A. Two members of the Senate, appointed by the President of the Senate, including one member of the party holding the largest number of seats in the Senate and one member of the party holding the 2nd largest number of seats in the Senate;

   B. Two members of the House of Representatives, appointed by the Speaker of the House of Representatives, including one member of the party holding the largest number of seats in the House and one member of the party holding the 2nd largest number of seats in the House;

   C. The commissioner or the commissioner's designee;

   D. The Commissioner of Environmental Protection or the commissioner's designee;

   E. The Commissioner of Health and Human Services or the commissioner's designee;

   F. The dean of the Maine Agricultural and Forest Experiment Station at the University of Maine, College of Natural Sciences, Forestry, and Agriculture or the dean of the University of Maine Cooperative Extension, appointed by the President of the University of Maine;

   G. One member of the public representing the financial sector and with expertise in agricultural finance and lending, appointed by the commissioner;

   H. Five members of the public representing the agricultural sector, appointed by the commissioner; and

   I. One member of the public with expertise in public health, appointed by the commissioner.

The 7 members of the public appointed by the commissioner serve on the advisory committee for terms of 3 years. Members may be appointed for consecutive terms. Members who are Legislators are appointed for the duration of the legislative terms of office for which they were appointed.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the advisory committee.

3. Reports. The advisory committee shall hold at least 2 public hearings annually to seek input from the public on efforts to meet the purposes of the fund. All proceedings of the advisory committee are public proceedings within the meaning of Title 1, chapter 13, subchapter 1. Notwithstanding Title 1, section 403, subsection 6, all records of proceedings of the advisory committee are public and subject to the requirements of Title 1, section 403, subsection 2. The advisory committee shall report to the joint standing committee of the
Legislature having jurisdiction over agricultural matters and the joint standing committee of the Legislature having jurisdiction over environmental matters annually, beginning March 1, 2023, on the input from subject matter experts under subsection 1 and members of the public on issues relating to the purposes and the use of the fund. The joint standing committee of the Legislature having jurisdiction over agricultural matters and the joint standing committee of the Legislature having jurisdiction over environmental matters may report out legislation related to each annual report to the Legislature in the session when the report is received.

Sec. XX-3. Initial plan priorities; programs. The Department of Agriculture, Conservation and Forestry, referred to in the section as "the department," shall develop and implement an initial plan that prioritizes funding and implementation of the following programs consistent with the purposes in the Maine Revised Statutes, Title 7, section 320-K, subsection 4. The department shall seek public comment on a draft proposal before final adoption of the plan. For the purposes of this section, "PFAS," "commercial farm" and "agricultural land" have the same meanings as in Title 7, section 320-K, subsection 1.

1. The department shall establish a program as soon as practicable to provide short-term assistance to a person whose commercial farm is found to be contaminated by PFAS that may include income replacement and mortgage payments.

2. The department may establish a program to fund long-term assistance for commercial farms with agricultural land that is found to be contaminated by PFAS. The program must address a range of alternative strategies including assisting farmers with investing in equipment, facilities and infrastructure to maintain profitability during a transition to alternative cropping systems, remediation strategies, technological adaptations, solar development or other modifications to its operations; purchasing agricultural land found to be contaminated by PFAS; assisting farmers with renegotiating mortgages and lines of credit; and assisting farmers whose land is found to be contaminated by PFAS with purchasing of alternative land.

3. The department may establish, in coordination with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, a PFAS medical monitoring and blood levels of PFAS testing program for persons whose drinking water or agricultural land is found to be contaminated by PFAS. If the department establishes a program under this subsection, the department may not require a person to show a present injury or disease to qualify for the program.

   A. In accordance with rules adopted by the department under Title 7, section 320-K, subsection 6, the program may include payment by the department for annual testing of blood levels of PFAS and related services and diagnostic evaluations for an affected person who does not have sufficient health coverage for testing under this paragraph and related services. The program must allow the drawing of blood for the testing in a health care provider’s office or by a laboratory. The program must allow a blood sample taken by a health care provider or laboratory to test for blood levels of PFAS to be sent to a facility approved by the Department of Health and Human Services.

   B. The department may develop criteria for funding medical monitoring and health care for persons found to have blood levels of PFAS greater than the general population and when it is medically relevant to undergo periodic medical examination and health care.
Sec. XX-4. Long-term plan for the administration of the funds. In implementing the Fund To Address PFAS Contamination, under the Maine Revised Statutes, Title 7, section 320-K, the Department of Agriculture, Conservation and Forestry shall, with the advice of the Advisory Committee on the Fund To Address PFAS Contamination:

1. Review examples in other state, federal and international jurisdictions of compensatory, research or public health monitoring program parameters;

2. Consult with experts and participants in similar programs;

3. Consult with stakeholders affected by PFAS contamination by holding public hearings and receiving public comments;

4. Develop methods for determining parameters of the fund components, including, but not limited to, determining financial assistance offerings, evaluating agricultural land valuation, establishing research priorities and assessing research proposals and establishing the need for and scope of long-term health monitoring and land monitoring, and offer recommendations to alter the fund components;

5. Develop processes and criteria to be used to determine funding awards;

6. Create a time frame for the implementation of the fund and for the consideration of applications for fund programs and issuance of payments, including, but not limited to, land appraisals and income tax statements;

7. Recommend changes to the administration of the fund and corresponding programs to the Legislature, if necessary;

8. Establish rules in accordance with Title 7, section 320-K, subsection 6 to ensure that applicants for fund programs are able to participate in the process;

9. Assess where and how the fund would be best housed and operated within State Government in the future; and

10. Take into consideration recommendations, including suggested legislation, of the advisory committee.

Sec. XX-5. Advisory committee to consider findings and recommendations. By March 1, 2023, the Advisory Committee on the Fund To Address PFAS Contamination established in the Maine Revised Statutes, Title 7, section 320-L shall consider the Department of Agriculture, Conservation and Forestry February 4, 2022 report "Findings and Recommendations for a PFAS Study Plan Supporting L.D. 558" when developing advisory committee recommendations, including but not limited to funding for research, regarding administration of the Fund To Address PFAS Contamination.

Sec. XX-6. Transfer to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program; on or before May 1, 2022. Notwithstanding any provision of law to the contrary, on or before May 1, 2022, the State Controller shall transfer $5,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program, Fund To Address PFAS Contamination, Other Special Revenue Funds account for the purposes as provided under the Maine Revised Statutes, Title 7, section 320-K, subsection 4.
Sec. XX-7. Transfer to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program; on or before June 30, 2023. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer $55,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program, Fund To Address PFAS Contamination, Other Special Revenue Funds account for the purposes as provided under the Maine Revised Statutes, Title 7, section 320-K, subsection 4.

Sec. XX-8. Advisory committee; initial terms. Notwithstanding the Maine Revised Statutes, Title 7, section 320-L, subsection 1, the Commissioner of Agriculture, Conservation and Forestry shall appoint initial public members to the Advisory Committee on the Fund To Address PFAS Contamination as follows: 2 members of the public for 2-year terms, 3 members of the public for 3-year terms and 2 members of the public for 4-year terms.

Sec. XX-9. Appointments; convening of advisory committee. All appointments to the Advisory Committee on the Fund To Address PFAS Contamination established in the Maine Revised Statutes, Title 7, section 320-L must be made no later than 15 days following the effective date of this Part. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the advisory committee. If 15 days or more after the effective date of this Part a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the advisory committee to meet and conduct its business.

PART YY

Sec. YY-1. 7 MRSA c. 419, as amended, is repealed.

Sec. YY-2. 36 MRSA c. 725, as amended, is repealed.

Sec. YY-3. PL 2019, c. 548, §3 is repealed.

Sec. YY-4. Transfer from Tick Laboratory and Pest Management Fund; Bureau of Revenue Services. On or before June 1, 2022, the State Controller shall transfer $40,000 from the University of Maine System, Tick Laboratory and Pest Management Fund, Other Special Revenue Funds account to the Department of Administrative and Financial Services, Bureau of Revenue Services, Other Special Revenue Funds account for reimbursement of administrative costs associated with the pesticide container fee established under the Maine Revised Statutes, Title 36, section 4941 and the costs associated with the repeal of the pesticide container fee in this Part.

Sec. YY-5. Transfer from Tick Laboratory and Pest Management Fund; Board of Pesticides Control. On or before June 1, 2022, the State Controller shall transfer $60,000 from the University of Maine System, Tick Laboratory and Pest Management Fund, Other Special Revenue Funds account to the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, Other Special Revenue Funds account.