

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

for school activities by students and staff but not including land used primarily for nonschool activities, such as golf courses, farms and museums.

Sec. 2. Medical advisory committee; herbicides applied on school grounds. The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, within existing resources from Other Special Revenue Funds accounts, shall establish a medical advisory committee to evaluate the potential impact of herbicides used on school grounds on human health. The board shall submit a report no later than February 1, 2022, with findings and recommendations, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. Following receipt and review of the report, the Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill concerning the subject matter of the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 198
S.P. 224 - L.D. 537

**An Act To Dedicate Sections of
Maine's State Highway System
to Fallen State Troopers**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 23 MRSA §1952 is enacted to read:

§1952. Fallen State Trooper Dedication Program

The Fallen State Trooper Dedication Program is established. The Department of Transportation, in collaboration with the Department of Public Safety, shall designate one mile of the state highway system to a state police officer who dies in the performance of that officer's duty within one year of the death. The one-mile section must be located as close as possible to the patrol area of the fallen officer, and the Department of Transportation shall install appropriate signs in both directions of the roadway. The Department of Transportation and the Department of Public Safety shall share responsibility for expenses related to the maintenance of signs installed under this section.

The State Police shall notify the Department of Transportation of a deceased state police officer who is eligible for designation under this section.

Sec. 2. Fallen State Trooper Dedication Program. Notwithstanding the Maine Revised Statutes, Title 23, section 1952, the State Police shall notify the Department of Transportation of the identity of any state police officer who died in the performance of that officer's duty before the effective date of this Act and

who is eligible for the Fallen State Trooper Dedication Program established under that section, and the department shall designate one mile of the state highway system to that officer as required under that program.

See title page for effective date.

CHAPTER 199
S.P. 236 - L.D. 597

**An Act To Establish the
Thermal Energy Investment
Program**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRSA §3210, sub-§9, as amended by PL 2019, c. 477, §1, is further amended to read:

9. Alternative compliance payment. The commission shall allow competitive electricity providers to satisfy the portfolio requirements for Class I resources under subsection 3-A, Class IA resources under subsection 3-B and thermal renewable energy credits under subsection 3-C through an alternative compliance payment mechanism in accordance with this subsection.

A. The commission shall set the alternative compliance payment rate by rule, which may not be greater than \$50, and shall publish the alternative compliance payment rate by January 31st of each year. In setting the rate, the commission shall take into account prevailing market prices, standard-offer service prices for electricity, reliance on alternative compliance payments to meet the requirements of subsections 3-A, 3-B and 3-C and investment in Class I and Class IA resources and thermal renewable energy credits in the State during the previous calendar year.

B. The commission shall collect alternative compliance payments to meet the requirements of subsections 3-A and 3-B made by competitive electricity providers and shall deposit all funds collected under this paragraph in the Energy Efficiency and Renewable Resource Fund established under section 10121, subsection 2 to be used to fund research, development and demonstration projects relating to renewable energy technologies and to fund rebates for cost-effective renewable energy technologies.

C. The commission shall collect alternative compliance payments to meet the requirements of subsection 3-C made by competitive electricity providers and shall deposit all funds collected under this paragraph in the Thermal Energy Investment Fund established under section 10128, subsection 2 to be used to fund incentives and low-interest or no-

interest loans to businesses, municipalities, educational institutions and nonprofit entities in the State for the installation of new thermal energy-derived projects.

The commission shall adopt rules to implement this subsection. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 35-A MRSA §10128 is enacted to read:
§10128. Thermal Energy Investment Program

1. Establishment; purpose. The Thermal Energy Investment Program is established within the trust to provide incentives and low-interest or no-interest loans to strengthen the State's forest products industry and lower energy costs by increasing the efficient use of thermal energy production.

2. Thermal Energy Investment Fund. There is established in the custody of the trust a special nonlapsing fund, to be known as the Thermal Energy Investment Fund. The Thermal Energy Investment Fund consists of the following:

A. Sums the commission collects from alternative compliance payments made by competitive electricity providers to satisfy the portfolio requirements for thermal renewable energy credits established in section 3210, subsection 3-C;

B. Funds that the trust may receive from the State or from the Federal Government or funds from other agreements whose purpose is consistent with this section;

C. Principal and interest received from the repayment of loans made from the Thermal Energy Investment Fund; and

D. Interest earned from the investment of Thermal Energy Investment Fund balances.

3. Program details. The trust, through the Thermal Energy Investment Program established in subsection 1, shall provide incentives and low-interest or no-interest loans to businesses, municipalities, educational institutions and nonprofit entities in the State for the installation of new thermal energy-derived projects from the Thermal Energy Investment Fund established in subsection 2. The trust shall require Thermal Energy Investment Program participants to substantially share in the cost of projects funded under this section. The trust shall seek to maximize the Thermal Energy Investment Program's impact per dollar of expenditure from the Thermal Energy Investment Fund and shall set limits it determines prudent on the size of incentives. The trust may not provide incentives or loans from the Thermal Energy Investment Fund for the refurbishment or maintenance of existing facilities.

The trust shall develop activities promoting the Thermal Energy Investment Program in consultation with the Finance Authority of Maine, established in Title 10, chapter 110. The trust shall consult with the Finance Authority of Maine, when appropriate, in its decisions to award incentives and loans. To the extent that funding is available, the trust shall offer technical assistance to eligible projects in a manner that is coordinated and consistent with other trust programs.

For purposes of this subsection, "new thermal energy-derived project" means a project that produces thermal energy and thermal renewable energy credits, including, but not limited to, wood-fueled combined heat and power cogeneration boiler installations; colocation development that increases the efficient use of wood for energy production; conversion of fossil fuel-fired boilers to wood-fueled boilers or boilers using biofuels derived from wood; and the installation of new wood-fueled boilers or boilers using biofuels derived from wood. As used in this paragraph, "thermal energy" has the same meaning as in section 3210, subsection 2, paragraph D and "thermal renewable energy credit" has the same meaning as in section 3210, subsection 2, paragraph E.

See title page for effective date.

CHAPTER 200
H.P. 749 - L.D. 1011

**An Act To Include Excluded
Individuals on Insurance Cards**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §1601, sub-§10 is enacted to read:

10. Excluded persons. Beginning January 1, 2022, if a person is explicitly excluded by endorsement from coverage on a policy that constitutes proof of financial responsibility under this chapter, the evidence of insurance or financial responsibility under subsection 2 must list the person as a person excluded by the policy. The requirements of this subsection do not apply to a policy that constitutes proof of financial responsibility under this chapter underwritten on a commercial policy form approved for use in this State.

See title page for effective date.
