

# 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.**

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**Augusta, Maine**  
**2021**

**CHAPTER 2  
H.P. 118 - L.D. 162**

**An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2021**

**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 90-day period may not terminate until after the beginning of the next fiscal year; and

**Whereas,** certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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 enacted by the People of the State of Maine as follows:**

**PART A**

**Sec. A-1. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Buildings and Grounds Operations 0080**

Initiative: Reduces funding to align with projected actual expenses for fuel costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$22,500)	\$0	\$0
HIGHWAY FUND TOTAL	(\$22,500)	\$0	\$0

**Buildings and Grounds Operations 0080**

Initiative: Reduces funding by managing materials and supplies expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$18,000)	\$0	\$0

HIGHWAY FUND	(\$18,000)	\$0	\$0
TOTAL			

**Buildings and Grounds Operations 0080**

Initiative: Reduces funding by deferring planned maintenance of buildings and grounds. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$12,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$12,000)	\$0	\$0

**Buildings and Grounds Operations 0080**

Initiative: Reduces funding to align with projected actual expenses for electricity costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$4,376)	\$0	\$0
HIGHWAY FUND TOTAL	(\$4,376)	\$0	\$0

**Revenue Services, Bureau of 0002**

Initiative: Reduces funding by allocating position costs from the Highway Fund to the General Fund to better reflect actual work percentages. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$50,047)	\$0	\$0
All Other	(\$3,210)	\$0	\$0
HIGHWAY FUND TOTAL	(\$53,257)	\$0	\$0

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS**

	2020-21	2021-22	2022-23
HIGHWAY FUND	(\$110,133)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$110,133)	\$0	\$0

**Sec. A-2. Appropriations and allocations.** The following appropriations and allocations are made.

**MUNICIPAL BOND BANK, MAINE**

**TransCap Trust Fund Z064**

Initiative: Recognizes revenue changes approved by the Revenue Forecasting Committee in its report dated December 1, 2020.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	\$599,823	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$599,823</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-3. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Motor Vehicle Inspection 0329**

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$71,651)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$71,651)</b>	<b>\$0</b>	<b>\$0</b>

**State Police 0291**

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$6,393,340)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$6,393,340)</b>	<b>\$0</b>	<b>\$0</b>

**Traffic Safety 0546**

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$490,021)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$490,021)</b>	<b>\$0</b>	<b>\$0</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$2,100,945)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$2,100,945)</b>	<b>\$0</b>	<b>\$0</b>

**PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS**

HIGHWAY FUND	2020-21	2021-22	2022-23
	(\$9,055,957)	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$9,055,957)</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-4. Appropriations and allocations.** The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles 0077**

Initiative: Reduces funding one time to reflect projected actual expenses for contracted information technology services for hardware and software. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$120,000)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$120,000)</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Reduces funding one time by managing one vacant Staff Development Specialist IV position until April 2021. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$61,826)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$61,826)</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Reduces funding one time by managing miscellaneous professional fees and services expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$13,632)	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$13,632)</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Reduces funding one time to reflect projected actual expenses for out-of-state travel expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$4,542)	\$0	\$0
HIGHWAY FUND TOTAL	(\$4,542)	\$0	\$0

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	\$984,645	\$0	\$0
HIGHWAY FUND TOTAL	\$984,645	\$0	\$0

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for contracted services to modernize driver's license and vehicle services systems. These funds do not lapse but must be carried forward to the next fiscal year to be used for the same purpose.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	\$1,919,990	\$0	\$0
HIGHWAY FUND TOTAL	\$1,919,990	\$0	\$0

**SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS**

	2020-21	2021-22	2022-23
HIGHWAY FUND	\$2,704,635	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,704,635	\$0	\$0

**Sec. A-5. Appropriations and allocations.** The following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF**

**Administration 0339**

Initiative: Reduces funding by managing the equivalent of 6 position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$381,610)	\$0	\$0
HIGHWAY FUND TOTAL	(\$381,610)	\$0	\$0

**Highway and Bridge Capital 0406**

Initiative: Reduces funding by managing the equivalent of 45% of 36 position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
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Personal Services	(\$991,553)	\$0	\$0
HIGHWAY FUND TOTAL	(\$991,553)	\$0	\$0

**Highway and Bridge Capital 0406**

Initiative: Provides an allocation for flexible federal highway funds contained in the so-called Coronavirus Response and Relief Supplemental Appropriations Act of 2021 within the federal Consolidated Appropriations Act, 2021.

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
Capital Expenditures	\$15,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$15,000,000	\$0	\$0

**Highway Light Capital Z095**

Initiative: Provides an allocation for flexible federal highway funds contained in the so-called Coronavirus Response and Relief Supplemental Appropriations Act of 2021 within the federal Consolidated Appropriations Act, 2021.

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
Capital Expenditures	\$6,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$6,000,000	\$0	\$0

**Local Road Assistance Program 0337**

Initiative: Reduces funding to municipalities for maintenance or improvement of public roads in order to meet the requirement in the Maine Revised Statutes, Title 23, section 1803-B that the Local Road Assistance Program be funded at 9% of the Department of Transportation Highway Fund allocations. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$1,066,382)	\$0	\$0
HIGHWAY FUND TOTAL	(\$1,066,382)	\$0	\$0

**Maintenance and Operations 0330**

Initiative: Reduces funding by deferring the planned purchasing of heavy trucks in the Fleet Services program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$2,000,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$2,000,000)	\$0	\$0

**Maintenance and Operations 0330**

Initiative: Reduces funding by managing payments to the Fleet Services program within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$1,700,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$1,700,000)	\$0	\$0

**Maintenance and Operations 0330**

Initiative: Reduces funding by deferring planned payments to the Facility Fund program for maintenance of Department of Transportation facilities. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$500,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$500,000)	\$0	\$0

**Maintenance and Operations 0330**

Initiative: Reduces funding by managing small equipment purchases within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Capital Expenditures	(\$300,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$300,000)	\$0	\$0

**Multimodal - Freight Rail 0350**

Initiative: Reduces funding by allocating Highway Fund Multimodal - Freight Rail program support to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$603,599)	\$0	\$0
HIGHWAY FUND TOTAL	(\$603,599)	\$0	\$0

**Multimodal - Island Ferry Service Z016**

Initiative: Reduces funding by allocating Highway Fund Multimodal - Island Ferry Service program support to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$6,091,588)	\$0	\$0
HIGHWAY FUND TOTAL	(\$6,091,588)	\$0	\$0

**TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS**

	2020-21	2021-22	2022-23
HIGHWAY FUND	(\$13,634,732)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$21,000,000	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$7,365,268	\$0	\$0

**PART B**

**Sec. B-1. Transfer of funds; Department of Transportation, Local Road Assistance Program.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$21,712,948 by June 30, 2021 from the unencumbered balance of the Local Road Assistance Program, Highway Fund account in the Department of Transportation to the unallocated surplus of the Highway Fund.

**PART C**

**Sec. C-1. Transfer of funds; Department of Transportation, Bond Interest-Highway account.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$70,109 by June 30, 2021 from the unencumbered balance of the Bond Interest-Highway Highway Fund account in the Department of Transportation to the unallocated surplus of the Highway Fund.

**PART D**

**Sec. D-1. Transfer of funds; Department of Secretary of State, Administration - Motor Vehicles program.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$2,904,635 by June 30, 2021 from the unencumbered balance in the Department of Secretary of State, Administration - Motor Vehicles program, Highway Fund account to the Highway Fund unallocated surplus.

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

Effective March 17, 2021.

**CHAPTER 3**

**S.P. 94 - L.D. 205**

**An Act To Extend the Ability of Restaurants and Bars To Serve Alcohol To Go**

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