

# 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**

charitable or nonprofit organization for free distribution is immune from civil or criminal liability arising from injury, illness or death due to the condition of the menstrual products, unless the injury, illness or death is a direct result of intentional misconduct of the donor. Nothing in this subsection prevents a licensed hospital or health care facility from receiving the immunity provided in subsection 2 if the donor qualifies for immunity under the terms of that subsection.

See title page for effective date.

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**CHAPTER 179  
H.P. 837 - L.D. 1159**

**An Act To Amend the  
Membership Requirements of  
the Board of Pesticides Control**

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

**Sec. 1. 22 MRSA §1471-B, sub-§1,** as amended by PL 2019, c. 192, §1, is further amended to read:

**1. Board established.** The Board of Pesticides Control is established by Title 5, section 12004-D, subsection 3, within the Department of Agriculture, Conservation and Forestry. Except as provided in this chapter, the board must be composed of 7 members, appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over agricultural matters and confirmation by the Senate. To provide the knowledge and experience necessary for carrying out the duties of the board, the board must consist of the following members: one person with practical experience and knowledge regarding the agricultural use of chemicals; one person who has practical experience and knowledge regarding the use of chemicals in forest management; one person from the medical community; a scientist from the University of Maine System specializing in agronomy, entomology or plant pathology having practical experience and expertise in integrated pest management; one commercial applicator; and 2 persons appointed to represent the public. ~~One of the~~ The 2 members appointed to represent the public must have ~~practical experience and knowledge of methods of sustainable management of indoor or outdoor pests a demonstrated interest in environmental protection. A member appointed to represent the public may not have a financial interest in activities regulated by the board and may not be an individual who has been or is licensed, certified or given a permit in this State or any other state for activities regulated by the board.~~ The term must be for 4 years, except that of the initial appointees, 2 serve 4-year terms, 2 serve 3-year terms, 2 serve 2-year terms and one serves a one-year term. Any vacancy must be filled by an appointment for the remainder of the unexpired term.

**Sec. 2. Transition.** The Governor shall appoint members of the board representing the public who meet the criteria of this Act within 60 days of the effective date of this Act. Notwithstanding the term limits of members of the board in section 1, a member of the board representing the public who does not meet the criteria for a member representing the public under section 1 serving on the effective date of this Act serves until the member's replacement has been confirmed by the Senate.

See title page for effective date.

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**CHAPTER 180  
H.P. 850 - L.D. 1172**

**An Act To Delay State-  
mandated Teacher and  
Principal Evaluation**

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

**Sec. 1. Temporary waiver of educator performance evaluations.** Notwithstanding any provision of law to the contrary, except for teachers in the 2nd year of a probationary period as described in the Maine Revised Statutes, Title 20-A, section 1055, subsection 10, a school administrative unit is not required to evaluate an educator as defined in Title 20-A, section 13701, subsection 1 pursuant to a performance evaluation and professional growth system developed in accordance with Title 20-A, chapter 508 during the 2021-2022 school year.

See title page for effective date.

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**CHAPTER 181  
H.P. 891 - L.D. 1216**

**An Act To Amend the State  
Tax Laws**

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

**PART A**

**Sec. A-1. 20-A MRSA §12545,** as amended by PL 2015, c. 328, §1, is further amended to read:

**§12545. Report**

By February 1, ~~2024~~ 2022, each accredited Maine community college, college and university, as defined in section 12541, subsection 1, shall report to the department on efforts to promote the program and to train admissions and financial aid staff about the program. By ~~March~~ February 1, 2024 ~~2022~~, the department shall report findings and recommendations regarding the program to the joint standing committee of the Legislature