

# 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 213  
H.P. 876 - L.D. 1198**

**An Act Authorizing an  
Increase to the Maximum  
Annual Fund Balance for  
Public School Districts**

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

**Sec. 1. 20-A MRSA §15689-B, sub-§6,** as amended by PL 2009, c. 571, Pt. XXX, §1, is further amended to read:

**6. Balance of allocations.** Notwithstanding any other law, general operating fund balances at the end of a school administrative unit's fiscal year must be carried forward to meet the unit's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of ~~3%~~ 5% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy. School boards may carry forward unallocated balances in excess of ~~3%~~ 5% of the previous year's school budget and disburse these funds in the next year or over a period not to exceed 3 years. ~~For fiscal years 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14 and 2014-15 only, the carry forward of a school administrative unit's unallocated balances is not limited to 3% of the previous fiscal year's school budget. For fiscal years 2021-22, 2022-23, 2023-24 and 2024-25 only, unallocated balances in excess of 9% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy and school boards may carry forward unallocated balances in excess of 9% of the previous fiscal year's school budget and disburse these funds in the next year or over a period not to exceed 3 years.~~

See title page for effective date.

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**CHAPTER 214  
H.P. 920 - L.D. 1254**

**An Act Shielding Fire  
Departments That Install  
Smoke and Carbon Monoxide  
Detectors from Liability**

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

**Sec. 1. 14 MRSA §173** is enacted to read:

**§173. Installation of smoke and carbon monoxide detectors by fire departments**

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

A. "Device" means a battery-operated or plug-in smoke detector, carbon monoxide detector or combination smoke and carbon monoxide detector.

B. "Fire department" means the State Fire Marshal, a municipal fire department as defined in Title 30-A, section 3151, subsection 1, a volunteer fire association as defined in Title 30-A, section 3151, subsection 3 or a fire district under Title 30-A, chapter 164.

**2. Immunity.** Notwithstanding any provision of any public or private and special law to the contrary, a fire department or an employee or member of a fire department that delivers to or installs at residential premises a device or batteries for a device is not liable for damages for personal injury, wrongful death, property damage or other loss related to the device if:

A. The device is installed by the fire department and the device is new and meets all applicable current safety and manufacturing standards;

B. The device or the batteries in the device are installed by the fire department and the installation is performed in accordance with the manufacturer's instructions; and

C. The installation or delivery is performed in the fire department's official capacity and authorized by the municipal officers.

For purposes of this subsection, "installation" does not include the alteration or installation of electrical wiring.

**3. Records.** A fire department that installs or delivers a device or batteries for a device under this section shall keep a record of the installation or delivery for a period of 5 years after the installation or delivery.

**4. Application.** This section does not limit or otherwise affect an obligation or duty of an owner or occupier of residential premises receiving an installation or delivery of a device or batteries for a device under this section.

See title page for effective date.

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