

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

the ~~selectmen~~ select boards of towns. Treasurers, collectors and constables of plantations must give the same bond as similar officials of towns are required to give, to be approved in the same manner. The valuation of property for the assessment of taxes in plantations, as well as the assessment, collection and disposal of taxes, ~~shall~~ must be the same as in towns.

Sec. 53. 32 MRSA §83, sub-§17-B, ¶A, as enacted by PL 2015, c. 6, §1, is amended to read:

A. The ~~selectmen~~ members of the select board or councillors of a town; or

Sec. 54. 36 MRSA §501, sub-§4 is amended to read:

4. Municipal officers. "Municipal officers" ~~shall mean~~ means the mayor, councillors and aldermen of cities, the ~~selectmen~~ members of the select board of towns and the assessors of plantations.

Sec. 55. 36 MRSA §703, as amended by PL 1991, c. 270, §4, is further amended to read:

§703. ~~Selectmen~~ Select board to act as assessors

If any municipality does not choose assessors and is not a part of a primary assessing area, the ~~selectmen~~ members of the select board are the assessors, and each of them must be sworn as an assessor. A ~~selectman~~ member of the select board who is an assessor pursuant to this paragraph may resign the position of assessor without resigning the office of ~~selectman~~ as a member of the select board. The position of assessor must then be filled by appointment pursuant to Title 30-A, section 2602, subsection 2.

See title page for effective date.

CHAPTER 276

S.P. 514 - L.D. 1621

An Act To Reform Payments to Legislators by Political Action Committees and Ballot Question Committees

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

Sec. 1. 21-A MRSA §1054-B, as amended by PL 2019, c. 21, §1 and c. 563, §9, is repealed and the following enacted in its place:

§1054-B. Payments to Legislators by political action committees and ballot question committees

1. Payments to Legislators. If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action commit-

tee or a ballot question committee, the committee is subject to the following restrictions regarding payments to that Legislator.

A. Except as provided in paragraphs B and C, the committee may not compensate the Legislator for services provided to the committee.

B. The committee may pay for or reimburse the Legislator for travel expenses incurred in the proper performance of the Legislator's legislative duties and in volunteering for the committee. If the Legislator uses the Legislator's vehicle when conducting the activities described in this paragraph, the committee may pay the Legislator mileage reimbursement at a rate established by the commission by rule but may not pay for or reimburse the Legislator for the direct costs of repairing or maintaining the Legislator's vehicle.

C. The committee may pay for or reimburse the Legislator for other expenses incurred in the proper performance of the Legislator's legislative duties and for purchases made by the Legislator on behalf of the committee.

D. Notwithstanding any other provision of this section, the committee may not pay for or reimburse the Legislator for any expenses that have been or will be paid for or reimbursed by the Legislature or any other source of payment or reimbursement.

E. The committee may not make any payments for or reimburse the Legislator for any expenses that are determined by the commission to be for the purpose of personal financial enrichment of the Legislator.

2. Payments to immediate family members and businesses. If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action committee or a ballot question committee, the committee is subject to the following restrictions regarding payments to an immediate family member of the Legislator or a business owned or operated by the Legislator or an immediate family member of the Legislator.

A. The committee may not compensate an immediate family member of the Legislator for services provided to the committee.

B. The committee may not make payments to or distribute, loan, advance, deposit or give money or anything of value to or compensate a business owned or operated by the Legislator or an immediate family member of the Legislator.

C. The committee may not make any payments for or reimburse the immediate family member of a Legislator for any expenses that are determined by

the commission to be for the purpose of personal financial enrichment of the immediate family member of the Legislator.

3. Commingling of funds. If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action committee or a ballot question committee, the committee's funds may not be commingled with the personal funds of the Legislator or the funds of a business owned or operated by the Legislator or any other person.

4. Penalties. A political action committee or ballot question committee that violates subsection 1, 2 or 3 commits a civil violation for which a fine of not more than \$500 or the amount of the impermissible payment or reimbursement, whichever is greater, may be imposed by the commission according to the procedures set forth in section 1004-A. A Legislator who accepts a payment or reimbursement from a committee that is prohibited by subsection 1 or who violates subsection 3 commits a civil violation for which a fine of not more than \$500 or the amount of the impermissible payment or reimbursement, whichever is greater, may be imposed by the commission according to the procedures set forth in section 1004-A.

5. Rules. The commission may adopt rules as necessary to implement this section, including rules establishing mileage reimbursement rates, record-keeping requirements and reporting requirements and rules related to reimbursable travel expenses. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 277
S.P. 529 - L.D. 1644**

**An Act To Improve the
Disability Retirement Program
of the Maine Public Employees
Retirement System**

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

Sec. 1. 3 MRSA §701, sub-§11-A, as enacted by PL 2017, c. 88, §1, is repealed.

Sec. 2. 3 MRSA §734, as amended by PL 2017, c. 88, §2, is repealed.

Sec. 3. 4 MRSA §1201, sub-§6-A, ¶B, as enacted by PL 1989, c. 133, §17, is amended to read:

B. Regardless of age or marital status, any other progeny certified by the medical board an independent health care provider or the medical review

service provider to be permanently mentally incompetent or permanently physically incapacitated and determined by the executive director to be unable to engage in any substantially gainful employment.

Sec. 4. 4 MRSA §1201, sub-§10-A is enacted to read:

10-A. Health care provider. "Health care provider" means an appropriately licensed, certified or registered provider of mental or physical health care, in either the public or private sector.

Sec. 5. 4 MRSA §1201, sub-§12-A, as enacted by PL 2017, c. 88, §4, is repealed.

Sec. 6. 4 MRSA §1201, sub-§12-B is enacted to read:

12-B. Medical review service provider. "Medical review service provider" means an entity with whom the executive director has contracted for the review of medical records and the provision of recommendations, opinions and certifications under this chapter by health care providers employed by the entity.

Sec. 7. 4 MRSA §1234, as amended by PL 2017, c. 88, §5, is further amended to read:

§1234. Medical board review of disability

A medical board of the other programs of the Maine Public Employees Retirement System established in section 17106, subsection 1 is the medical board of the Judicial Retirement Program. The medical board shall arrange for and pass upon all medical examinations required under this chapter with respect to disability retirements and shall report in writing to the Supreme Judicial Court its conclusions and recommendations upon all the matters referred to it. The board of trustees may designate other medical health care providers to provide medical consultation on judicial disability cases.

Sec. 8. 4 MRSA §1353, sub-§1, as amended by PL 2017, c. 88, §6, is further amended to read:

1. Conditions. Any member who becomes disabled while in service may receive a disability retirement allowance by order of at least 5 Justices of the Supreme Judicial Court or upon written application to the executive director, ~~review and report of the application by the medical board~~ and approval of that application by at least 5 of the Justices of the Supreme Judicial Court if that member is mentally or physically incapacitated to the extent that it is impossible for that member to perform the duties as a judge and the incapacity is expected to be permanent, as shown by medical examination or tests. A qualified medical health care provider mutually agreed upon by the executive director and member shall conduct the examinations or tests at an agreed upon place, and the costs must be paid by the Maine Public Employees Retirement System.