

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

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

Augusta, Maine
2021

perceptual, communication and social interaction skills; and

C. Interventions and procedures to promote or enhance safety and performance in activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

(1) Therapeutic use of occupations, exercises and activities;

(2) Training in self-care, self-management, home management, community and work integration and reintegration, school activities and work performance;

(3) Development, remediation or compensation of physical, mental and cognitive functions, neuromuscular and sensory functions, pain tolerance and management, developmental skills and behavioral skills;

(4) Therapeutic use of self, including one's personality, insights, perceptions and judgments, as part of the therapeutic process;

(5) Education and training of other individuals, including family members and caregivers;

(6) Care coordination, case management and transition services;

(7) Consultative services to groups, programs, organizations and communities;

(8) Modification of environments such as home, school, workplace and community settings and adaptation of processes, including the application of ergonomic principles;

(9) Assessment, design, fabrication, application, fitting and training in assistive technology, adaptive devices and orthotic devices and training in the use of prosthetic devices;

(10) Assessment, recommendation and training in techniques to enhance functional mobility, including seating and positioning and wheelchair management;

(11) Driver rehabilitation and community mobility;

(12) Management of feeding, eating and swallowing to enable eating and feeding performance; and

(13) Application of physical agent modalities and use of a range of specific therapeutic procedures to enhance performance skills; techniques to enhance sensory, perceptual and cognitive processing; and manual therapy techniques.

Sec. 3. 32 MRSA §2283, sub-§4 is enacted to read:

4. Continuing education requirements for license renewal. As a condition of renewal of a license, the board shall prescribe by rule continuing education requirements as authorized under Title 10, section 8003, subsection 5-A, paragraph D.

See title page for effective date.

**CHAPTER 279
H.P. 1251 - L.D. 1682**

**An Act To Require
Consideration of Climate
Impacts by the Public Utilities
Commission and To
Incorporate Equity
Considerations in Decision
Making by State Agencies**

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

Sec. 1. 35-A MRSA §101, as amended by PL 2013, c. 369, Pt. F, §1, is further amended to read:

§101. Statement of purpose

The purpose of this Title is to ensure that there is a regulatory system for public utilities in the State and for other entities subject to this Title that is consistent with the public interest and with other requirements of law and to provide for reasonable licensing requirements for competitive electricity providers. The basic purpose of this regulatory system as it applies to public utilities subject to service regulation under this Title is to ensure safe, reasonable and adequate service, to assist in minimizing the cost of energy available to the State's consumers and, to ensure that the rates of public utilities subject to rate regulation are just and reasonable to customers and public utilities and to reduce greenhouse gas emissions to meet the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A.

Sec. 2. 35-A MRSA §103-A is enacted to read:

§103-A. Climate requirements

In executing its duties, powers and regulatory functions under this Title, the commission, while ensuring system reliability and resource adequacy, shall facilitate the achievement by the State of the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A.

Sec. 3. Office of Policy Innovation and the Future to incorporate equity considerations and develop related definitions; report. The Office of Policy Innovation and the Future, referred to in this section as "the office," in consultation with other state offices and agencies shall:

1. Develop methods of incorporating equity considerations in decision making at the Department of Environmental Protection, the Public Utilities Commission and other state agencies; and

2. Develop definitions for "environmental justice," "environmental justice populations," "frontline communities" and any other terms determined by the office to be necessary for the incorporation of equity considerations in decision making at the department, the commission and other state agencies.

In developing methods of incorporating equity considerations and the definitions pursuant to this section, the office shall allow for input from the public and stakeholders.

On or before February 15, 2022, the office shall submit a report to the Joint Standing Committee on Environment and Natural Resources and the Joint Standing Committee on Energy, Utilities and Technology that includes any recommendations regarding methods of incorporating equity considerations developed under subsection 1 and the definitions developed under subsection 2, including any suggested legislation. The committees may each report out a bill to the Second Regular Session of the 130th Legislature based on the report.

See title page for effective date.

**CHAPTER 280
S.P. 76 - L.D. 188**

**An Act Regarding the
Transportation of Products in
the Forest Products Industry**

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

Sec. 1. 10 MRSA §2364-B, sub-§1, ¶H, as enacted by PL 1997, c. 648, §2, is amended to read:

H. The destination of the wood, both town and customer; ~~and~~

Sec. 2. 10 MRSA §2364-B, sub-§1, ¶I, as enacted by PL 1997, c. 648, §2, is amended to read:

I. The signature of the truck driver; ~~and~~

Sec. 3. 10 MRSA §2364-B, sub-§1, ¶J is enacted to read:

J. An affirmation by the owner of the land from which the wood was harvested that the load of wood is being transported in a legal manner consistent with state law.

Sec. 4. 10 MRSA §2364-B, sub-§6, as enacted by PL 2003, c. 454, §1 and amended by PL 2011, c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §23, is further amended to read:

6. Presentation of trip ticket to forest ranger. Upon request, a truck driver or an owner or manager of any log yard or mill site shall present a copy of the trip ticket to a forest ranger in any log yard or mill site. Upon request, a wood scaler shall present the record of measurement including a copy of the trip ticket or information contained on the trip ticket to a forest ranger. A forest ranger may request and use this information for the purpose of enforcing and investigating alleged violations of Title 12, section 8006 and Title 12, section 8883; Title 14, section 7552; and Title 17, section 2510. For purposes of this subsection, "forest ranger" means a person employed by the Department of Agriculture, Conservation and Forestry, Bureau of Forestry under Title 12, section 8901. A truck driver, an owner or manager of any log yard or mill site or a wood scaler who fails to comply with the provisions of this subsection is subject to the penalties provided in section 2368.

Sec. 5. 12 MRSA §8003, sub-§3, ¶R is enacted to read:

R. The director shall enforce section 8006 for those violations discovered as part of the inspection process pursuant to Title 10, section 2364-B, subsection 6 and within the existing resources of the bureau.

Sec. 6. 12 MRSA §8006 is enacted to read:

§8006. Intrastate transportation of forest products by nonresidents

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

A. "Forest land" has the same meaning as in Title 36, section 573, subsection 3.

B. "Forest products" has the same meaning as in section 8881, subsection 3.

C. "Landowner" means a person that owns 50,000 acres or more of forest land in this State.

D. "Motor carrier" means a contract carrier, a common carrier or a private carrier of property by motor vehicle.

E. "Resident of the United States" does not include a person eligible to be in the United States under the United States H-2A visa program.

2. Prohibition; landowner. A landowner may not hire, or contract with a person to hire, a motor carrier to transport forest products that are harvested from the landowner's land from a location in the State to another location in the State unless the motor carrier is operated by a resident of the United States.

A landowner who violates this subsection commits a civil violation and is subject to a penalty of \$1,000 for