

# 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**

A. The accelerator may provide finance and investment services, including but not limited to:

- (1) Originating, evaluating, underwriting and closing financing and investment transactions in qualified projects;
- (2) Partnering with private capital providers and capital markets to attract co-investment from private banks, community development financial institutions, investors and others in order to drive new investment into underpenetrated markets, to increase the efficiency of private capital markets with respect to investing in greenhouse gas reduction projects and to increase total investment caused by the accelerator;
- (3) Managing the accelerator's portfolio of assets to ensure performance and monitor risk;
- (4) Ensuring appropriate debt and risk mitigation products are offered; and
- (5) Overseeing prudent, noncontrolling equity investments.

B. The accelerator may provide capital to qualified projects in the form of:

- (1) Debt financing;
- (2) Credit enhancements, including loan loss reserves and loan guarantees;
- (3) Aggregation and warehousing;
- (4) Equity capital; and
- (5) Any other financial product approved by the board.

**5. Zero-emissions fleet and related infrastructure financing program.** The accelerator shall explore the establishment of a program to provide low-interest and zero-interest loans, up to 30 years in length, to any school, municipal planning organization or nonprofit organization seeking financing for the acquisition of zero greenhouse gas emissions vehicle fleets or associated infrastructure to support zero greenhouse gas emissions vehicle fleets.

**6. Project prioritization and requirements.** The following provisions govern project prioritization and requirements.

- A. While investing in projects that mitigate greenhouse gas emissions, the accelerator shall maximize the reduction of greenhouse gas emissions in this State for every dollar deployed by the accelerator.
- B. The accelerator shall ensure that 40% of its investment activity is directed to serve vulnerable communities.

C. For any project exceeding \$100,000 in total costs that is financed in whole or in part by the accelerator, the accelerator shall ensure that, for those portions of the project that are funded by the accelerator, any workers employed by contractors and subcontractors conducting construction work on those portions are paid wages not less than those prevailing on similar construction in the locality.

**7. Administration.** The following provisions govern administration.

- A. The accelerator may be capitalized with federal funds available from a national clean energy and sustainability accelerator and may accept other federal funds as available.
- B. To sustain operations, the accelerator shall manage revenue from financing fees, interest, repaid loans and other types of funding.
- C. The accelerator shall create a publicly available annual report that describes the financial activities, greenhouse gas emissions reductions and private capital mobilization metrics of the accelerator for the previous year.
- D. The accelerator may not accept deposits.
- E. The accelerator may accept and use philanthropic funds.

See title page for effective date.

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**CHAPTER 359**  
**H.P. 1245 - L.D. 1674**

**An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities**

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

**Sec. 1. 34-A MRSA §3014** is enacted to read:

**§3014. Input into health care services**

**1. Input from clients.** The chief administrative officer of each correctional facility housing adult clients shall seek input from the clients of that facility on at least a quarterly basis relating to the adequacy of the medical and mental health services being provided and suggestions for the development, expansion and improvement of those services.

**2. Diversity of clients providing input.** The chief administrative officer of each correctional facility shall solicit input pursuant to subsection 1 from adult clients who are representative of the diversity of adult clients housed by the facility, including diversity with respect to race, ethnicity, age and gender, as well as security classification level.

**3. Documentation of input.** The chief administrative officer of each correctional facility shall document input under this section from the facility's clients in the facility's yearly reports.

**Sec. 2. 34-A MRSA §3031, sub-§2, ¶A-1** is enacted to read:

A-1. A client who is indigent is exempt from fees charged for requesting or obtaining records of medical, dental or mental health care provided to the client pursuant to this subsection.

**Sec. 3. 34-A MRSA §3031, sub-§2, ¶B,** as amended by PL 2015, c. 291, §5, is further amended to read:

B. Notwithstanding ~~paragraph~~ paragraphs A and A-1, the State may bring a civil action in a court of competent jurisdiction to recover the cost of medical, dental, psychiatric or psychological expenses incurred by the State on behalf of a client incarcerated in a facility. The following assets are not subject to judgment under this paragraph:

- (1) Joint ownership, if any, that the client may have in real property;
- (2) Joint ownership, if any, that the client may have in any assets, earnings or other sources of income; and
- (3) The income, assets, earnings or other property, both real and personal, owned by the client's spouse or family;

**Sec. 4. Policies on property searches, strip searches and body cavity searches.** The Commissioner of Corrections shall adopt policies distinguishing between searches of a client's physical property and cell or living space and searches of a client's person, including strip searches and body cavity searches, and establishing processes for conducting strip searches and body cavity searches. The policies must establish processes for conducting strip searches and body cavity searches in a trauma-informed and gender-responsive manner.

See title page for effective date.

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**CHAPTER 360**

**S.P. 549 - L.D. 1715**

**An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students**

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

**Sec. 1. 17-A MRSA §253, sub-§2, ¶F,** as amended by PL 2015, c. 509, §1, is further amended to read:

F. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual act. Violation of this paragraph is a Class C crime;

**Sec. 2. 17-A MRSA §253, sub-§2, ¶G,** as amended by PL 2013, c. 179, §2, is further amended to read:

G. The other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, child care facility, facility operated by a family child care provider, children's residential care facility, drug treatment center, youth camp licensed under Title 22, section 2495 or similar school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual act. Violation of this paragraph is a Class C crime;

**Sec. 3. 17-A MRSA §255-A, sub-§1, ¶K,** as amended by PL 2015, c. 509, §2, is further amended to read:

K. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual contact. Violation of this paragraph is a Class D crime;

**Sec. 4. 17-A MRSA §255-A, sub-§1, ¶L,** as amended by PL 2015, c. 509, §2, is further amended to read:

L. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student and the sexual contact includes penetration or the actor was a substitute teacher who had instructional, supervisory