

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

subsection 4-A, paragraph A, B or C, or if a law enforcement officer knows that a person has an advance health care directive authorizing mental health treatment and the officer has probable cause to believe that the person lacks capacity, the law enforcement officer:

- A. May take the person into protective custody; and
- B. If the law enforcement officer does take the person into protective custody, shall deliver the person immediately for examination by a medical practitioner as provided in section 3862-A or 3863 or, for a person taken into protective custody who has an advance health care directive authorizing mental health treatment, for examination as provided in Title 18-C, section 5-803, subsection 4 to determine the individual's capacity and the existence of conditions specified in the advance health care directive for the directive to be effective.

When formulating probable cause, the law enforcement officer may rely upon information provided by a 3rd-party informant if the officer confirms that the informant has reason to believe, based upon the informant's recent personal observations of or conversations with a person, that the person may be mentally ill and that due to that condition the person ~~presents a threat of imminent and substantial physical harm to that person or to other persons~~ poses a likelihood of serious harm as defined in section 3801, subsection 4-A, paragraph A, B or C.

See title page for effective date.

**CHAPTER 378
H.P. 731 - L.D. 993**

An Act To Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19

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

Sec. 1. 20-A MRSA §13605 is enacted to read:

§13605. School administrative units to grant sick leave to public school employees affected by COVID-19

A school administrative unit shall grant up to 15 sick leave days used by a public school employee affected by the illness caused by infection with the coronavirus SARS-CoV-2, referred to in this section as "COVID-19," in accordance with the following.

1. Requirements. A public school employee who was affected by COVID-19 and used sick leave prior to the effective date of this section is entitled to have sick

leave time restored for those days used by that employee up to a maximum of 15 days if the employee:

- A. Was subject to a federal, state or local quarantine order related to COVID-19;
- B. Had been or was advised by a health care provider to self-quarantine for reasons related to COVID-19;
- C. Experienced symptoms of COVID-19 and sought a medical diagnosis;
- D. Cared for an individual subject to a federal, state or local quarantine order related to COVID-19; or
- E. Is a parent or guardian who provided care for a child whose school or place of child care was closed or unavailable due to precautions related to COVID-19.

2. Application. This section applies to any sick leave used by an employee from January 1, 2021 until the employee has been granted a maximum of 15 days of sick time for the purposes described in this section.

See title page for effective date.

**CHAPTER 379
S.P. 208 - L.D. 821**

An Act To Improve the Investigation and Prosecution of Cases That Involve Vulnerable Road Users

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

Sec. 1. 29-A MRSA §2251, sub-§12 is enacted to read:

12. Vulnerable users. A law enforcement officer who investigates a reportable accident involving a vulnerable user or an incident resulting in bodily injury or death to a vulnerable user and who has probable cause to believe that a traffic infraction, civil violation or criminal violation is connected to that accident or incident shall inform a district attorney of relevant jurisdiction about the investigation within 5 days of initiating the investigation. The law enforcement officer shall submit a final accident report to that district attorney including any evidence relevant to the potential prosecution of an alleged criminal violation or civil violation resulting from the investigation as soon as is practicable and no later than 60 days after the accident or incident. A law enforcement officer may submit any additional evidence as soon as it becomes available after the submission of the final accident report. Nothing in this subsection precludes evidence submitted later than 60 days after the accident or incident from being used in the prosecution of a criminal violation or civil violation. Failure of a law enforcement officer to inform a district

attorney in accordance with this subsection does not affect any authority of a district attorney to take any action or preclude a private citizen from notifying a district attorney about an accident or incident.

See title page for effective date.

**CHAPTER 380
S.P. 563 - L.D. 1710**

An Act To Require Prompt and Effective Use of the Renewable Energy Resources of Northern Maine

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

Sec. 1. 35-A MRSA §3210-H is enacted to read:

§3210-H. Northern Maine Renewable Energy Development Program

1. Program established. The Northern Maine Renewable Energy Development Program, referred to in this section as "the program," is established to remove obstacles to the use of and to promote development of the substantial renewable energy resources in northern Maine. As used in this section, "northern Maine" means Aroostook County and any other area of the State in which the retail market is administered by the independent system administrator for northern Maine.

The commission shall administer the program in accordance with this section and shall ensure that such administration accounts for and is designed to advance the renewable energy and climate policies and goals of the State and to:

A. Encourage the rapid development of renewable resources in northern Maine to achieve greenhouse gas emissions reductions in the State and realize direct and near-term economic benefits in northern Maine;

B. Develop the transmission infrastructure necessary for the State to expeditiously meet its renewable energy and climate goals using, to the extent practicable, renewable energy resources located in the State;

C. Transition the State's mandated renewable energy purchasing through contracting approved and ordered by the commission in accordance with this section for the purchase of capacity, renewable energy and renewable energy credits, or any combination thereof, in a manner designed to most effectively account for the changing seasonal, time of day and other electricity usage characteristics associated with beneficial electrification as defined

in section 10102, subsection 3-A over the duration of such contracts;

D. Promote energy equity with particular consideration given to the economic circumstances and opportunities in the State's socially vulnerable counties and communities. For the purposes of this paragraph, "socially vulnerable counties and communities" means those counties and communities in the State containing populations that are disproportionately burdened by existing social inequities or lack the capacity to withstand new or worsening burdens; and

E. Recognize that, in advancing the renewable energy and climate policies and goals of the State, the near-term development of the transmission and other infrastructure necessary to reduce greenhouse gas emissions is in the public interest.

2. Request for proposals; generation connection line. The commission shall issue a request for proposals for the development and construction of a 345-kilovolt double circuit generation connection line, or, in the commission's discretion, a transmission line or lines of greater capacity, to connect renewable energy resources located in northern Maine and developed pursuant to subsection 3 with the electric grid operated by the New England independent system operator, referred to in this section as "the ISO-New England system." The commission may issue preliminary requests for information from utilities and private developers or release draft requests for proposals to gather information to inform the program.

A. The proposals must be required to cover a contract term of 30 years, except that the commission may, in its discretion, approve a contract term of a different duration, and must include provisions for the construction, development and subsequent commercial operation of the line or lines described in this subsection.

B. The commission shall evaluate the proposals received based, at a minimum, on the following factors: cost, economic benefit to northern Maine, the qualifications of the bidder or bidders, the long-term viability of each proposal and the anticipated contribution of each proposal toward the achievement by the State of its renewable energy goals under section 3210. The commission shall disqualify any proposal that, in the commission's determination, fails to demonstrate the bidder's technical and financial capacity to successfully construct, develop and operate the line or lines described in this subsection and to pursue, negotiate and contract for its interconnection with the ISO-New England system.

C. The commission shall give preference to proposals that: