

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

~~\$1,000,000~~ \$1,054,550. This subsection does not exempt:

A. Amounts contributed to the account or fund within 120 days before:

(1) The debtor files for bankruptcy if this exemption is being applied in a federal bankruptcy proceeding; or

(2) If this exemption is being applied in a proceeding other than a federal bankruptcy proceeding or for child support or spousal support covered by paragraph B, the earlier of the entry of judgment or other ruling against the debtor or the issuance of the levy, attachment, garnishment or other execution or order against which this exemption is being applied; or

B. Amounts in the account or fund necessary to satisfy child support or spousal support obligations;

14. Legal awards; life insurance benefits. The debtor's right to receive or property that is traceable to the following:

A. An award under a crime victim's reparation law;

B. A payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

C. A payment under a life insurance contract that insured the life of an individual of whom the debtor was a dependent on the date of the individual's death, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

D. A payment, not to exceed ~~\$12,500~~ \$20,000, on account of personal bodily injury, not including pain and suffering or compensation for actual pecuniary loss, of the debtor or an individual of whom the debtor is a dependent; or

E. A payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

15. Other property. The debtor's aggregate interest, not to exceed in value ~~\$400~~ \$500, in any property, whether or not otherwise exempt under this section;

16. Unused residence exemption for other exemptions. The debtor's interest, equal to any unused amount of the exemption provided under subsection 1 but not exceeding ~~\$6,000~~ \$10,500, in any property exempt under subsections 3 and 5 and subsection 14, paragraph D; and

17. Cash; bank account. The debtor's interest in cash or in deposit accounts or other accounts of a financial institution, equal to any amount in cash or in the deposit account or other account of financial institutions, but not exceeding \$3,000. The plaintiff, defendant or any other account owner may file an ex parte motion for dissolution of modification in the court in which a judgment or prejudgment order was entered for a hearing to establish how and to which account any exemption should be applied.

The exemptions set forth in this section are automatically adjusted to reflect changes by the percentage change, if any, from January 1st to December 31st of the preceding year in the Consumer Price Index for All Urban Consumers, Annual City Average, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, beginning April 1, 2024 and every 3 years thereafter. The Supreme Judicial Court shall publish the 3-year adjustment for an effective date of April 1st for the following year. Adjustments made pursuant to this paragraph must be rounded up to the next \$50.

Sec. 3. 14 MRSA §4426, as amended by PL 2011, c. 203, §1, is further amended to read:

§4426. Exemptions in bankruptcy proceedings

Notwithstanding anything to the contrary in ~~the 11~~ United States Code, ~~Title 11~~, Section 522(b), a debtor may exempt from property of the debtor's estate under 11 United States Code, ~~Title 11~~, only that property exempt under ~~the 11~~ United States Code, ~~Title 11~~, Section 522(b)(3)(A) and (B), except that any debtor eligible for a residence exemption under section 4422, subsection 1, paragraph B; A-1 may exempt the amount allowed in that paragraph.

See title page for effective date.

CHAPTER 383

H.P. 632 - L.D. 864

An Act To Protect Teachers' Privacy While Delivering Remote Instruction

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

Sec. 1. 20-A MRSA §6804-A is enacted to read:

§6804-A. Remote instruction

1. Definitions. For the purposes of this section, unless the context otherwise indicates, "remote instruction" means instruction provided using audio or video transmission of a teacher or of a classroom with a

teacher and participating students. "Remote instruction" includes real-time transmissions and recorded sessions.

2. Distribution or retransmission. Notwithstanding any provision of law to the contrary and except as authorized by a public or private school for the purposes of remote instruction, a person may not distribute or retransmit a recorded session of remote instruction or any part thereof without the express written consent of the public or private school.

3. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$200 nor more than \$500 may be adjudged.

See title page for effective date.

**CHAPTER 384
S.P. 299 - L.D. 884**

**An Act To Restrict the
Collection of Surveillance
Video, Information and Data
Regarding Lawful Firearm
Purchases**

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

Sec. 1. 25 MRSA §1510 is enacted to read:

§1510. Collection of information regarding lawful firearm purchases

Except as necessary for the purposes of investigating suspected criminal activity or terrorism, administering civil, criminal or juvenile justice pursuant to Title 16, chapter 9 or protecting a person's health and welfare under Title 34-B, chapter 3, subchapter 4, article 3, the State Police may not collect in its records any surveillance video, information or data concerning lawful firearm purchases obtained by the Maine Information and Analysis Center created by executive order of the Governor issued December 8, 2006.

See title page for effective date.

**CHAPTER 385
H.P. 878 - L.D. 1200**

**An Act To Bring Gender Parity
to Corporate Boards**

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

Sec. 1. 13-C MRSA §803, sub-§4 is enacted to read:

4. Corporate board gender parity. A publicly held domestic corporation subject to this Act shall comply with the board of directors gender parity requirements of this subsection.

A. No later than June 1, 2023, a domestic publicly held corporation subject to this Act shall have a minimum of one female director on its board of directors. A corporation may increase the number of directors on its board to comply with this subsection.

B. No later than June 1, 2024, a domestic publicly held corporation subject to this Act shall comply with this paragraph.

(1) If the number of directors on its board of directors is 6 or more, the corporation shall have a minimum of 3 female directors.

(2) If the number of directors on its board of directors is 5, the corporation shall have a minimum of 2 female directors.

(3) If the number of directors on its board of directors is 4 or fewer, the corporation shall have a minimum of one female director.

C. The Secretary of State shall publish the following reports on its publicly accessible website.

(1) No later than June 30, 2023, the Secretary of State shall publish a report with the names of the publicly held domestic corporations subject to this Act and whether each corporation has the required minimum of one female director on its board of directors as designated on the corporation's 2023 annual report under section 1621, subsection 1.

(2) No later than June 30, 2024 and annually thereafter, the Secretary of State shall publish a report with the names of the publicly held domestic corporations subject to this Act and whether each corporation has the required minimum number of female directors pursuant to paragraph B as designated on the corporation's last annual report under section 1621, subsection 1.

D. The Secretary of State shall adopt rules to implement this subsection. Rules adopted under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

E. For purposes of this subsection, the following terms have the following meanings.

(1) "Female" means an individual who self-identifies as a woman, without regard to the individual's designated sex at birth.

(2) "Publicly held domestic corporation" means a corporation with outstanding shares