

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

(3) The Joint Standing Committee on Innovation, Development, Economic Advancement and Business;

C. Two members of the public who represent low-income workers and recipients of public benefits, appointed by the President of the Senate;

D. One member of the public who represents business and industry, appointed by the Speaker of the House;

E. One member of the public who represents higher education, appointed by the Speaker of the House; and

F. One member of the public who represents a trade union, appointed by the Governor.

2. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the committee.

3. All appointments must be made no later than 30 days following the effective date of this section. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business.

4. The committee shall examine and assess the feasibility, economic impact and poverty reduction effect of providing basic income security through a direct cash payment system and other programs that are designed to help individuals and families become more economically secure.

The committee shall consider what the State can do to further the goal of helping individuals and families to become more economically secure and to move state residents towards improved economic security. The committee shall make recommendations about what the Federal Government can do to help achieve this goal.

In fulfilling its duties under this section, the committee shall as necessary invite input from the Department of Administrative and Financial Services, Maine Revenue Services and from the Governor's Office of Policy Innovation and the Future.

5. The Legislative Council shall provide necessary staffing services to the committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

6. No later than December 1, 2021, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Labor and Housing. The Joint Standing Committee on Labor

and Housing is authorized to report out a bill related to the report.

7. The committee shall seek funding contributions to fully fund the costs of the study including the hiring of an outside consultant to conduct a feasibility study or to provide the committee with additional staffing needs, if funding permits. The committee is authorized to use the balances from the study authorized in Resolve 2019, chapter 82. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this section, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds received from contributions for the costs to the Legislature of the Committee To Study the Feasibility of Creating Basic Income Security, including the costs of hiring an outside consultant.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,320	\$0
All Other	\$23,680	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$0

See title page for effective date.

CHAPTER 406

H.P. 1200 - L.D. 1611

An Act To Amend Maine's Harness Racing Laws Regarding Race Dates and Pari-mutuel Pools

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

Sec. 1. 8 MRSA §275-A, sub-§1, ¶A, as amended by PL 2019, c. 626, §9, is repealed and the following enacted in its place:

A. If the population of the region is 300,000 or more, based on the 1990 U.S. Census, conducted racing on more than 69 days in each calendar year after the track was initially licensed as a commercial track, unless a lesser number of days of racing was conducted in a year due to:

(1) Conditions beyond the control of the race-track owner or operator as approved by the commission; or

(2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of horsemen as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry; or

Sec. 2. 8 MRSA §275-A, sub-§1, ¶B, as amended by PL 2019, c. 626, §9, is repealed and the following enacted in its place:

B. If the population of the region is less than 300,000, based on the 1990 U.S. Census, conducted racing on more than 34 days in each calendar year after the track was initially licensed as a commercial track, unless a lesser number of days of racing was conducted in a year due to:

(1) Conditions beyond the control of the race-track owner or operator as approved by the commission; or

(2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of horsemen as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry.

Sec. 3. 8 MRSA §275-B, sub-§3 is enacted to read:

3. Facilities approved by commission. Notwithstanding any provision of this chapter to the contrary, a person licensed pursuant to section 271 to conduct harness horse racing with pari-mutuel betting may sell pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility if approved by the commission under this subsection. The commission may approve a facility under this subsection only if it is located within the same county as the commercial track where the race or races are conducted, it is not located within the same municipality as an off-track betting facility licensed under section 275-D and the municipal officers of the municipality in which the facility is located approve of the sale of pari-mutuel pools or common pari-mutuel pools at the facility. A person authorized to operate a facility that receives approval under this subsection shall provide the municipality in which the facility is located 5% of the track share of the commission allocated by section 286, subsection 5.

A person authorized to sell pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility under this subsection may conduct at the facility any other activities incidental to and permitted by that license under section 271.

This subsection is repealed January 1, 2024.

Sec. 4. 8 MRSA §275-C, sub-§1, as amended by PL 2011, c. 142, §2, is further amended to read:

1. Authority. A person authorized to sell pari-mutuel pools on horse racing may sell common pari-mutuel pools for simulcast races. The sale must be conducted within the enclosure of the licensee's racetrack, at the licensee's slot machine facilities licensed pursuant to section 1011 ~~or~~, at the licensee's off-track betting facility or at a facility approved by the commission in accordance with section 275-B, subsection 3.

See title page for effective date.

CHAPTER 407

S.P. 512 - L.D. 1619

An Act To Prohibit Offshore Wind Power Development in Territorial Waters and Submerged Lands of the State

Emergency preamble. **Whereas**, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, development of offshore wind power projects, particularly those which deploy deep-water, floating platform technology, in suitable locations off Maine's coast may provide significant economic and environmental benefits to the State by generating renewable energy needed to achieve the goals and objectives of the State's climate action plan adopted pursuant to the Maine Revised Statutes, Title 38, section 577 and related state economic and environmental goals and objectives developed by the Maine Climate Council pursuant to Title 38, section 577-A; and

Whereas, the siting, construction and operation of offshore wind power projects in Maine's territorial waters, as defined by Title 12, section 6001, subsection 48-B, may adversely affect resources, including scenic and aesthetic resources, and recreational and economic uses, including commercial fishing, which are more commonly found or take place in the State's submerged lands and territorial waters than in proximate federal waters; and

Whereas, Maine's renewable, natural resources-based commercial fishing industry contributed direct revenues of \$517 million to the State's economy in 2020 and is a vital part of the State's economy and cultural heritage and identity; and

Whereas, Maine's lobster fishery is active primarily in Maine's territorial waters, had landings valued in excess of \$405 million in 2020, had an additional statewide economic impact of \$1 billion and is among the most valuable fisheries in the United States; and

Whereas, there are outstanding questions regarding the manner in and extent to which the siting, construction and operation of offshore wind power projects