

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

provide the student with an adult staff or volunteer mentor to facilitate the student's transition.

Sec. 13. 20-A MRSA §5164, last ¶, as enacted by PL 2013, c. 439, §15, is amended to read:

If it is determined by the responsible school and the student that the student cannot meet the school's requirements for graduation by the end of the student's 4th year of secondary school, the responsible school shall provide the student information about applying for a Department of Education diploma and shall assist the student in making the application. In accordance with section 257-A, subsection 3, the responsible school shall provide support for and assist in the completion and submission of the application on the request of the student's parent or guardian or on the request of the student if the student is at least 18 years of age or is a student experiencing homelessness. Community providers may also assist in the application process.

Sec. 14. 20-A MRSA §5165 is enacted to read:

§5165. Graduation of a student experiencing education disruption who is enrolled in more than one school after the student's 2nd year in high school

1. Course credit or waiver. If a student who is experiencing or has experienced education disruption attends more than one school after the student's 2nd year of high school and is unable to fulfill a diploma course requirement of the responsible school but has completed a similar course elsewhere, the responsible school may award credit for the similar course or waive the requirement. If the responsible school does not award credit for the similar course or waive the requirement, the responsible school shall provide an alternative means for the student to complete the required course for on-time graduation.

2. Award of diploma from previously attended school. If a student experiencing education disruption who attends more than one school after the student's 2nd year in high school cannot meet the graduation requirements of the responsible school but can meet those of the previously attended school, the student must be awarded a diploma by the previously attended school. The responsible school and the previously attended school shall work together to ensure the student is supported in completing any specific remaining requirements.

3. Department of Education diploma. Nothing in this section may be construed to limit a student's eligibility to apply for a Department of Education diploma if the student is unable to complete the diploma requirements of either the responsible school or previously attended school.

Sec. 15. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

School and Student Supports Z270

Initiative: Provides one-time funds for the costs to contract for temporary services to assist with processing the anticipated increase in the number of applications for a diploma.

GENERAL FUND	2021-22	2022-23
All Other	\$19,110	\$0
GENERAL FUND TOTAL	\$19,110	\$0

See title page for effective date.

CHAPTER 446

H.P. 1084 - L.D. 1468

An Act To Support All-terrain Vehicle Trail Improvement

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

Sec. 1. 23 MRSA §4210-B, sub-§7-A, as amended by PL 2017, c. 375, Pt. E, §1, is further amended to read:

7-A. Sales tax revenue. Beginning July 1, 2012 and every July 1st thereafter, except as provided in Title 36, section 1820, the State Controller shall transfer to the Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5. Beginning on October 1, 2012 and every October 1st thereafter, except as provided in Title 36, section 1820, the State Controller shall transfer to the Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law.

Sec. 2. 36 MRSA §1820 is enacted to read:

§1820. Tax on rental of all-terrain vehicles

By the 20th day of each month beginning January 1, 2022, the assessor shall notify the State Controller and the Treasurer of State of the amount of revenue attributable to the tax collected under this Part on the rental of all-terrain vehicles as defined in Title 12, section 13001, subsection 3. When notified by the assessor, the State Controller shall transfer 90% of that amount to the ATV Recreational Management Fund established in Title 12, section 1893, subsection 2 and 10% to the Multimodal Transportation Fund established in Title 23, section 4210-B.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Off-Road Recreational Vehicles Program Z224

Initiative: Provides allocation for additional revenue from an all-terrain vehicle short-term rental tax.

Table with 3 columns: OTHER SPECIAL REVENUE FUNDS, 2021-22, 2022-23. Rows include All Other and FUNDS TOTAL.

See title page for effective date.

CHAPTER 447 H.P. 1100 - L.D. 1486

An Act To Improve Investigations of Child Sexual Abuse

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

Sec. 1. 17-A MRSA §18 is enacted to read:

§18. Crimes involving minors

A person who poses as a minor is deemed a minor for the purposes of a crime under chapter 11, 12 or 35 that has as an element or aggravating factor that the victim or person other than the actor is a minor.

Sec. 2. 17-A MRSA §855, sub-§1, ¶A, as enacted by PL 2005, c. 444, §1, is amended to read:

A. The person, in return for another's prostitution, gives or agrees to give a pecuniary benefit either to the person whose prostitution is sought or to a 3rd person and the person whose prostitution is sought has not in fact attained 18 years of age or the person knows or believes that the person whose prostitution is sought has not attained 18 years of age. Violation of this paragraph is a Class D C crime; or

Sec. 3. 17-A MRSA §855, sub-§1, ¶B, as enacted by PL 2005, c. 444, §1, is repealed.

Sec. 4. 17-A MRSA §1802, sub-§1, ¶B, as enacted by PL 2019, c. 113, Pt. A, §2, is amended by amending subparagraph (7) to read:

(7) A Class D or Class E crime under section 556, section 853, or section 854, excluding subsection 1, paragraph A, subparagraph (1); or section 855;

Sec. 5. 34-A MRSA §11273, sub-§15, ¶C, as enacted by PL 2011, c. 663, §3, is amended to read:

C. Title 17-A, section 855, subsection 1, paragraph B A; and

See title page for effective date.

CHAPTER 448 S.P. 478 - L.D. 1491

An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Office of Victim Services 0046

Initiative: Provides funding for partial reimbursement of certified batterers' intervention programs for indigent participant fees.

Table with 3 columns: GENERAL FUND, 2021-22, 2022-23. Rows include All Other and GENERAL FUND TOTAL.

Office of Victim Services 0046

Initiative: Provides funding for increased administrative expenses associated with additional funding for certified batterers' intervention program expenses.

Table with 3 columns: GENERAL FUND, 2021-22, 2022-23. Rows include All Other and GENERAL FUND TOTAL.

Office of Victim Services 0046

Initiative: Provides funding for training programs to sustain and expand the accessibility of certified batterers' intervention programs.

Table with 3 columns: GENERAL FUND, 2021-22, 2022-23. Rows include All Other and GENERAL FUND TOTAL.