

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2022

Rangeley, Strong and Wyman Township. The term of office of the commissioner from this district expires in 2022, and again in 2024.

2. Effective November 5, 2024. Beginning on November 5, 2024, Franklin County is divided into the following 5 districts.

A. Commissioner District Number 1 consists of the minor civil divisions of Temple and Wilton; and the following census units in the minor civil division of Farmington: Block 4029, Block 4030, Block 4031, Block 4032, Block 4033, Block 4034, Block 4035, Block 4037, Block 4038, Block 4039, Block 4040, Block 4041, Block 4042, Block 4043, Block 4044, Block 4045, Block 4046, Block 4047, Block 4048 and Block 4049 of Census Tract 9712.01; and Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020 and Block 2021 of Census Tract 9712.02. The term of office of the commissioner from this district expires in 2028 and every 4 years thereafter.

B. Commissioner District Number 2 consists of the following census units in the minor civil division of Farmington: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4022, Block 4023, Block 4024, Block 4025, Block 4026, Block 4027, Block 4028 and Block 4036 of Census Tract 9712.01; and Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4022, Block 4023, Block 4024, Block 4025, Block 4026, Block 4027, Block 4028, Block 4029 and Block 4030 of

Census Tract 9712.02. The term of office of the commissioner from this district expires in 2028 and every 4 years thereafter.

C. Commissioner District Number 3 consists of the minor civil divisions and unorganized territories of Avon, Carthage, Coplin Plantation, Eustis, North Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River Plantation, South Franklin, Strong, Weld and West Central Franklin. The term of office of the commissioner from this district expires in 2028 and every 4 years thereafter.

D. Commissioner District Number 4 consists of the minor civil divisions and unorganized territories of Carrabassett Valley, Dallas Plantation, East Central Franklin, Industry, Kingfield, New Sharon, New Vineyard and Wyman Township. The term of office of the commissioner from this district expires in 2026 and every 4 years thereafter.

E. Commissioner District Number 5 consists of the minor civil divisions of Chesterville and Jay. The term of office of the commissioner from this district expires in 2026 and every 4 years thereafter.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective January 5, 2022.

CHAPTER 493

H.P. 1315 - L.D. 1764

An Act To Make a Technical Correction Concerning Maine's Earned Income Tax Credit

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

Whereas, the State's earned income tax credit law needs to be corrected before the 90-day period expires to avoid a delay in the processing of income tax returns for 2021; and

Whereas, legislative action is immediately necessary to ensure correct administration of the State's earned income tax credit; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 36 MRSA §5219-S, sub-§2, as amended by PL 2021, c. 398, Pt. H, §4, is further amended to read:

2. Nonresident taxpayer. A nonresident individual who is an eligible individual is allowed a credit against the tax otherwise due under this Part in the amount of 25%, ~~or for taxable years beginning after December 31, 2020 and before January 1, 2022, 20%,~~ of the federal earned income credit for the same taxable year for a nonresident eligible individual who does not have a qualifying child and 12% of the federal earned income credit for the same taxable year for all other nonresident eligible individuals, ~~except that, for taxable years beginning after December 31, 2020 and before January 1, 2022, all nonresident eligible individuals are allowed a credit in the amount of 20% of the federal earned income credit for the same taxable year,~~ multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income, as modified by section 5122.

Sec. 2. 36 MRSA §5219-S, sub-§3, as amended by PL 2021, c. 398, Pt. H, §5, is further amended to read:

3. Part-year resident taxpayer. An eligible individual who files a return as a part-year resident in accordance with section 5224-A is allowed a credit against the tax otherwise due under this Part in the amount of 25%, ~~or for taxable years beginning after December 31, 2020 and before January 1, 2022, 20%,~~ of the federal earned income credit for the same taxable year for an eligible part-year individual who does not have a qualifying child and 12% of the federal earned income credit for the same taxable year for all other eligible part-year individuals, ~~except that, for taxable years beginning after December 31, 2020 and before January 1, 2022, all eligible part-year individuals are allowed a credit in the amount of 20% of the federal earned income credit for the same taxable year,~~ multiplied by a ratio, the numerator of which is the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph A for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph B for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income, as modified by section 5122.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective February 17, 2022.

**CHAPTER 494
H.P. 1317 - L.D. 1766**

An Act To Remove Watson's Bridge in the Town of Littleton from the List of Historic Bridges for Which the State Is Responsible for Maintenance and Rehabilitation

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

Sec. 1. 23 MRSA §603, first ¶, as amended by PL 2013, c. 36, §7, is further amended to read:

The State is responsible for the management of and all costs for maintenance and rehabilitation for the following historic bridges: Lovejoy Bridge, Andover; Robyville Bridge, Corinth; Hemlock Bridge, Fryeburg; Bennett Bridge, Lincoln Plantation; ~~Watson's Bridge, Littleton;~~ Artist's Bridge, Newry; Lowe's Bridge, Sangerville-Guilford; Babb's Bridge, Windham-Gorham; Wire Bridge, New Portland; Porter Bridge, Porter-Parsonsfield; Bailey Island Bridge, Harpswell; Sewall's Bridge, York; and Ryefield Bridge, Harrison-Otisfield.

See title page for effective date.

**CHAPTER 495
H.P. 1318 - L.D. 1767**

An Act To Ensure Tribal Representation in the Public Health Infrastructure

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

Sec. 1. 22 MRSA §412, sub-§5-A, as enacted by PL 2011, c. 306, §2, is amended to read:

5-A. Tribal district. The tribal district shall deliver components of essential public health services through the tribal district's public health liaisons, who are tribal employees or tribal district employees, and report to the tribes, the department's office of ~~minority health~~ population health equity and any other sources of funding. Responses to federal and state requests for applications may be issued by one tribe, 2 or more tribes collectively or the tribal district as the recipient of funds. The directors of the tribal health departments or health clinics serve as the tribal district coordinating council for public health in an advisory role to the tribal district. The council may establish subcommittees to work on specific projects approved by the council.

See title page for effective date.