

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

**CHAPTER 581
H.P. 1467 - L.D. 1972**

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Public Records
Exceptions Related to Research
and Aquaculture Leases**

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

Sec. 1. 12 MRSA §6072, sub-§10, ¶D, as amended by PL 2013, c. 512, §1, is further amended to read:

D. The lessee shall annually submit to the department a seeding and harvesting report for the past year and a seeding and harvesting plan for the coming year. Upon written request, the department shall provide a copy of the report to the municipality or municipalities in which or adjacent to which the lease is located. The seeding and harvesting reports submitted by a lessee under this paragraph are considered confidential statistics for the purposes of section 6173. A copy of a report provided to a municipality pursuant to this paragraph is confidential.

See title page for effective date.

**CHAPTER 582
H.P. 1476 - L.D. 1990**

**An Act Allowing Electric-
powered School Buses To Have
Distinctively Colored Bumpers,
Wheels and Rub Rails and
Allowing Public Service
Vehicles To Be Equipped with
a Flashing Green Auxiliary
Light**

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2021, c. 205, §1, is further amended by enacting a new subparagraph (2-B) to read:

(2-B) A public service vehicle may be equipped with a flashing green auxiliary light mounted on top of the vehicle in such a manner as to emit a green light over a 360-degree angle. A flashing green auxiliary light on a public service vehicle equipped in accordance with this subparagraph may be used only when assisting members of the public or law enforcement officers with a disabled vehicle.

loading a vehicle onto a wrecker, removing debris from a roadway or constructing, maintaining, inspecting or repairing utility infrastructure.

Sec. 2. 29-A MRSA §2302, sub-§1, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. Must have no other lettering on the front or rear, except lettering not more than 4 inches high indicating an emergency exit and a bus number and lettering from the original manufacturer;

Sec. 3. 29-A MRSA §2302, sub-§1, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. Must be painted national school bus glossy yellow, except that the hood may be lusterless black and the wheels and rub rails may be glossy black or, if the bus is an electric-powered school bus, the color painted by the original manufacturer;

Sec. 4. 29-A MRSA §2302, sub-§1, ¶D, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

D. Must have bumpers of glossy black unless painting is impracticable through use of rubber, reflective material or other devices or unless the bus is an electric-powered school bus and the bumpers were painted a different color by the original manufacturer;

See title page for effective date.

**CHAPTER 583
H.P. 1502 - L.D. 2020**

**An Act To Implement
Recommendations Regarding
the Regulation of Firefighting
or Fire-suppressing Foams to
Which Perfluoroalkyl and
Polyfluoroalkyl Substances
Have Been Intentionally Added**

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

Sec. 1. 38 MRSA §424-C, sub-§4, as enacted by PL 2021, c. 449, §1, is amended to read:

4. Manufacture, sale and distribution prohibited. Beginning January 1, 2022, a person may not manufacture, sell, offer for sale, distribute for sale or distribute for use in the State a firefighting or fire-suppressing foam to which PFAS have been intentionally added, except when:

A. Such foam is manufactured, sold or distributed for use at an oil terminal facility in the State. As

used in this paragraph, "oil terminal facility" has the same meaning as in section 542, subsection 7.

This paragraph is repealed January 1, 2025; ~~or~~

B. Such foam is manufactured, sold or distributed for use at an airport in the State, as long as the foam is required by federal law or regulation to be used at airports for firefighting or fire-suppressing purposes, including, but not limited to, as required by 14 Code of Federal Regulations, Section 139.317 as that section existed on January 1, 2021. If, on or after January 1, 2022, no federal law or regulation requires the use of such foam at airports for firefighting or fire-suppressing purposes, the exception in this paragraph to the prohibition in this subsection does not apply; ~~or~~

C. Such foam is manufactured, sold or distributed for a marine defense application and the use of the foam is required by the United States Department of Defense.

A person that manufactures for sale or distribution in the State a firefighting or fire-suppressing foam shall, upon the request of the department, provide the department with a certificate of compliance certifying that the foam does not contain intentionally added PFAS or is excepted from the prohibition in this subsection under paragraph A, B or C.

Sec. 2. 38 MRSA §424-C, sub-§5, as enacted by PL 2021, c. 449, §1, is amended to read:

5. Notice and recall. Except as provided in subsection 4, paragraph A ~~or~~, B or C, on or before January 1, 2022, a person that manufactures firefighting or fire-suppressing foam to which PFAS have been intentionally added and, prior to January 1, 2022, sold, offered for sale or distributed such foam for sale or use in the State shall:

A. Provide written notification regarding the prohibition in subsection 4 to any person in the State that, prior to January 1, 2022, received such foam from the manufacturer for sale, distribution or use in the State; and

B. Issue a recall of all such foam, which must include a process by which a person in the State that received such foam will be reimbursed by the manufacturer for the recalled foam.

See title page for effective date.

**CHAPTER 584
S.P. 167 - L.D. 379**

**An Act To Establish the Maine
State Cemetery Preservation
Commission**

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

Sec. 1. 5 MRSA §12004-I, sub-§2-H is enacted to read:

2-H.

Cemeteries Maine State Cemetery Not Authorized 13 MRSA
Preservation Commission §1374

Sec. 2. 13 MRSA §1374 is enacted to read:

§1374. Maine State Cemetery Preservation Commission

The Maine State Cemetery Preservation Commission, referred to in this section as "the cemetery preservation commission," is established by Title 5, section 12004-I, subsection 2-H to provide advice and education regarding matters related to preserving cemeteries.

1. Members. The cemetery preservation commission has the following 10 members:

A. Two members representing a statewide association dedicated to the preservation of neglected cemeteries, appointed by its board of directors;

B. Two members representing a statewide association of cemetery directors and supervisors, appointed by its board of directors;

C. One member representing a statewide association representing municipalities, appointed by its board of directors;

D. One member representing a statewide association of town clerks, appointed by its board of directors;

E. One member representing a statewide association of funeral directors, appointed by its board of directors;

F. The Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, or the director's designee;

G. One member representing a statewide association of real estate brokers, appointed by its board of directors; and

H. One member representing a statewide historical society, appointed by its board of directors.

2. Optional member. The tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at