

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

coverage required by the Maine Revised Statutes, Title 24-A, section 4320-S can be incorporated as part of the essential health benefit package as defined in Title 24-A, section 4320-D or whether the federal Centers for Medicare and Medicaid Services would determine that the transfer of costs defrayed by the State to the federal Centers for Medicare and Medicaid Services pursuant to 42 United States Code, Section 18031(d)(3)(B) would be required. The superintendent shall report by December 31, 2022 to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters concerning its consultation with the federal Centers for Medicare and Medicaid Services and the outcome of that consultation. The joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters may report out a bill based on the evaluation under this section to the First Regular Session of the 131st Legislature.

Sec. 3. Application. This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2024. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 693

S.P. 456 - L.D. 1579

An Act To Transition State and Local Motor Vehicle Fleets to Plug-in Hybrid Vehicles and Zero-emission Vehicles

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

Sec. 1. 5 MRSA §1830, sub-§12 is enacted to read:

12. Vehicle emissions goals. The Central Fleet Management Division and the Department of Public Safety in acquiring by purchase or lease and managing light-duty motor vehicles shall to the extent practicable do so in a manner designed to meet the following goals:

A. By 2025, increase the percentage of plug-in hybrid electric vehicles and zero-emission vehicles acquired annually to 50% of the annual acquisitions of light-duty motor vehicles; and

B. By 2030, increase the percentage of plug-in hybrid electric vehicles and zero-emission vehicles acquired annually to 100% of the annual acquisitions of light-duty motor vehicles.

For purposes of this subsection, "light-duty motor vehicle" means any vehicle with a gross vehicle weight rat-

ing of less than 10,000 pounds and "plug-in hybrid electric vehicle" has the same meaning as in Title 35-A, section 10126, subsection 1, paragraph D.

Sec. 2. 20-A MRSA §5401, sub-§15, ¶C, as amended by PL 2005, c. 2, Pt. D, §18 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

C. A school board may obtain a short-term loan or enter into a lease-purchase agreement to acquire school buses if the loan is approved by the unit's legislative body or if funds that can be used for the initial lease-purchase payment have been appropriated by the unit's legislative body. The term of a loan or a lease-purchase agreement may not exceed 5 years except that the term may be up to 15 years for zero-emission school buses. The commissioner shall establish a maximum amount for annual-term purchases in excess of the amount established in paragraph A. Beginning in fiscal year 2005-06, these expenditures must be subsidized in accordance with chapter 606-B.

Sec. 3. 20-A MRSA §5401, sub-§15-A is enacted to read:

15-A. Zero-emission public school bus fleet goal. The commissioner in approving school bus purchases, contracts and leases under subsection 15 shall to the extent practicable grant such approvals in a manner designed to result by 2035 in at least 75% of annual school bus acquisitions being zero-emission vehicles.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 25 MRSA §2918 is enacted to read:

§2918. Vehicle emissions goals

The Department of Public Safety in acquiring and managing light-duty motor vehicles shall do so in accordance with Title 5, section 1830, subsection 12.

Sec. 5. 30-A MRSA §125, sub-§2 is enacted to read:

2. Vehicle emissions goals. In acquiring by purchase or lease light-duty motor vehicles a county shall to the extent practicable do so in a manner designed to increase by 2035 the percentage of plug-in hybrid electric vehicles and zero-emission vehicles acquired annually to 100% of the annual acquisitions of light-duty motor vehicles.

For purposes of this subsection, "light-duty motor vehicle" means any vehicle with a gross vehicle weight rating of less than 10,000 pounds and "plug-in hybrid electric vehicle" has the same meaning as in Title 35-A, section 10126, subsection 1, paragraph D.

Sec. 6. 30-A MRSA §3111 is enacted to read:

§3111. Vehicle emissions goals

In acquiring by purchase or lease light-duty motor vehicles a municipality shall to the extent practicable do so in a manner designed to increase by 2035 the percentage of plug-in hybrid electric vehicles and zero-emission vehicles acquired annually to 100% of the annual acquisitions of light-duty motor vehicles.

For purposes of this section, "light-duty motor vehicle" means any vehicle with a gross vehicle weight rating of less than 10,000 pounds and "plug-in hybrid electric vehicle" has the same meaning as in Title 35-A, section 10126, subsection 1, paragraph D.

Sec. 7. 35-A MRSA §10104, sub-§4, ¶F, as repealed and replaced by PL 2021, c. 209, §1, is amended by amending subparagraph (8) to read:

(8) Promoting the purchase of battery electric vehicles and plug-in hybrid electric vehicles to achieve by 2030 the goal of at least ~~120,000~~ 220,000 such vehicles registered in the State.

For the purposes of this subparagraph, "plug-in hybrid electric vehicle" has the same meaning as in section 10126, subsection 1, paragraph D.

Sec. 8. Working group convened. The Office of Policy Innovation and the Future, as established under the Maine Revised Statutes, Title 5, section 3102, shall convene an interagency working group, referred to in this section as "the working group," to develop a plan to achieve the increase established in Title 20-A, section 5401, subsection 15-A for zero-emission school buses. The working group must, at a minimum, consist of representatives from the Governor's Energy Office, as established under Title 2, section 9, the Department of Education, the Department of Transportation, the Department of Environmental Protection, the Public Utilities Commission and the Efficiency Maine Trust and at least one member representing school administrative units.

1. Duties. In developing the plan, the working group shall:

- A. Review different types of zero-emission school buses and the benefits and challenges associated with the different technologies;
- B. Review options for financing the acquisition of zero-emission school buses in a cost-effective manner for school administrative units;
- C. Engage electric utilities and other private entities that have an interest in partnering with school administrative units to acquire zero-emission school buses;
- D. Engage school administrative units and other stakeholders in planning for the deployment of charging infrastructure to support zero-emission school buses; and

E. Assess the need for training and education that school administrative units will require to maintain zero-emission school buses.

2. Report. The working group shall submit its plan and report with findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than December 7, 2022. Following receipt and review of the report, the committee may submit a bill concerning the subject matter of the report to the First Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 694

H.P. 1271 - L.D. 1716

An Act To Ensure Full Payment of the State's Salary Supplement Obligation to Teachers with National Board Certification

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

Sec. 1. 20-A MRSA §13007, sub-§2, ¶D, as amended by PL 2017, c. 235, §6 and affected by §41, is further amended to read:

D. Report and pay ~~no more than \$335,000~~ in each fiscal year from fees collected pursuant to subsection 1 to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education an amount sufficient to fund all salary supplements for national board-certified teachers as described in section 13013-A, subsections 1 and 2. If the fees are insufficient to fully fund the annual national board certification salary supplements, general purpose aid must be appropriated to fund the balance.

Sec. 2. 20-A MRSA §15689-A, sub-§7, as enacted by PL 2005, c. 2, Pt. D, §61 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

7. Disbursement limitations. The funds disbursed in accordance with this section are limited to the amounts appropriated by the Legislature for these purposes except as provided in subsection 12.

Sec. 3. 20-A MRSA §15689-A, sub-§12, as amended by PL 2011, c. 702, §3, is further amended to read:

12. National board certification salary supplement. The commissioner ~~may~~ shall pay annual salary supplement payments to school administrative units or a publicly supported secondary school for payment to school teachers who have attained certification from the