

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

immune from termination proceedings for deferred disposition violations as described in chapter 67, subchapter 4 or termination from community confinement monitoring as described in Title 30-A, section 1659-A, if:

A. The grounds for the revocation or termination proceeding against the protected person are obtained as a result of a medical professional's or law enforcement officer's responding to a request for medical assistance; or

B. The identity of the protected person is learned or the protected person is identified as a person subject to a revocation or termination proceeding as a result of a medical professional's or law enforcement officer's responding to a request for medical assistance.

4. Motion to determine immunity. A criminal defendant may move that the court prior to trial determine whether the defendant is immune from prosecution or revocation or termination proceedings pursuant to subsection 2 or 3. Once the defendant has filed a motion and has presented evidence to establish immunity, the prosecution has the burden of proving by clear and convincing evidence that the grounds for immunity do not apply to the defendant. The court may hear testimony and shall make factual and legal findings as necessary to determine immunity.

See title page for effective date.

CHAPTER 725

H.P. 1395 - L.D. 1885

An Act To Increase Maine's Veterinary Workforce

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

Sec. 1. 20-A MRSA §12121, sub-§3, as enacted by PL 2009, c. 488, §14 and amended by PL 2011, c. 657, Pt. W, §6, is further amended to read:

3. Insufficient veterinary services. "Insufficient veterinary services" means an insufficient number of practitioners of veterinary medicine in a veterinary specialty related to livestock or emergency and critical care, as determined by the Commissioner of Agriculture, Conservation and Forestry.

Sec. 2. 20-A MRSA §12121, sub-§6 is enacted to read:

6. Underserved geographic region. "Underserved geographic region" means a geographic region of the State in which there is an insufficient number of practitioners of veterinary medicine, as determined by the Commissioner of Agriculture, Conservation and Forestry.

Sec. 3. 20-A MRSA §12122, sub-§1, as enacted by PL 2009, c. 488, §14, is amended to read:

1. Establishment. The Maine Veterinary Medicine Loan Program is established. The authority shall administer the program. Beginning January 1, 2011 and until December 31, 2022, the chief executive officer shall, as resources allow, award up to 2 loans annually up to an aggregate of 8. Beginning January 1, 2023, the chief executive officer shall, as resources allow, award up to 8 loans annually up to an aggregate of 32. At least half, and no fewer than 2, of the annual loans awarded must be awarded to applicants who have demonstrated a likelihood to practice livestock veterinary medicine in the State unless the authority does not receive enough qualified applicants to meet this requirement, in which case the chief executive officer may award the remaining loans to other eligible applicants. Loans are available to Maine residents enrolled in a school of veterinary medicine.

Sec. 4. 20-A MRSA §12122, sub-§3, ¶C, as enacted by PL 2009, c. 488, §14, is amended to read:

C. Demonstrates an interest in practicing in an area of the State with insufficient veterinary services or in an underserved geographic region.

Sec. 5. 20-A MRSA §12122, sub-§4, as enacted by PL 2009, c. 488, §14, is amended to read:

4. Maximum amount. The maximum loan amount available under the program to each participant is ~~\$25,000~~ \$35,000 per year for a period of up to 4 years.

Sec. 6. 20-A MRSA §12122, sub-§5, ¶A, as enacted by PL 2009, c. 488, §14, is amended by amending subparagraph (2) to read:

(2) A loan recipient who, upon conclusion of the loan recipient's professional education, including any fellowships, elects to serve as a veterinarian in an area of the State with insufficient veterinary services or in an underserved geographic region is forgiven 25% of the original outstanding indebtedness for each year of that practice. A loan recipient who practices in an area of the State with insufficient veterinary services or in an underserved geographic region less than full time may receive prorated loan forgiveness. A loan recipient who is not practicing in an underserved geographic region and who devotes less than 50% of the recipient's practice to the care of livestock or to emergency and critical care may receive prorated loan forgiveness.

Sec. 7. 20-A MRSA §12122, sub-§5, ¶A, as enacted by PL 2009, c. 488, §14, is amended by amending subparagraph (3) to read:

(3) A loan recipient must make a commitment to undertake specific training, including clinical experiences in livestock medicine or emergency and critical care medicine.

Sec. 8. 20-A MRSA §12122, sub-§5, ¶C, as enacted by PL 2009, c. 488, §14 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

C. A veterinarian requesting forgiveness ~~or an interest rate benefit~~ under this section shall report annually to the Department of Agriculture, Conservation and Forestry on the portion of the veterinarian's practice dedicated to livestock or emergency and critical care, the location of the veterinarian's practice and the geographic region served by the veterinarian's practice.

Sec. 9. 20-A MRSA §12122, sub-§6, as enacted by PL 2009, c. 488, §14, is amended to read:

6. Default. A loan recipient under the program who agrees to practice in an area of the State with insufficient veterinary services or in an underserved geographic region and who fails to complete the period of service required to pay off the loan is liable to the authority for an amount equal to the sum of the total amount paid by or on behalf of the authority to or on behalf of the recipient under the agreement plus interest at a rate determined by the authority. Credit for practicing in an area with insufficient veterinary services or in an underserved geographic region is awarded for each consecutive 12-month period served. Exceptions may be made by the authority in accordance with subsection 7.

Sec. 10. 20-A MRSA §12123, as enacted by PL 2009, c. 488, §14, is amended to read:

§12123. Selection committee for students of veterinary medicine

The chief executive officer shall annually convene a selection committee of not fewer than 3 members to advise the authority in developing application materials designed to identify students likely to practice livestock veterinary medicine, emergency and critical care veterinary medicine or in an underserved geographic region in the State and to make recommendations to the authority regarding the priority of applicants for loans to students of veterinary medicine. The selection committee must include the state veterinarian and a representative of a statewide association of veterinarians.

Sec. 11. 20-A MRSA §12124, as enacted by PL 2009, c. 488, §14 and amended by PL 2011, c. 657, Pt. W, §6, is further amended to read:

§12124. Rules

The authority shall establish rules necessary to implement this chapter. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to establish criteria for determining areas of insufficient veterinary

services for livestock or emergency and critical care, a definition definitions of "livestock" and "emergency and critical care," criteria for determining underserved geographic regions and a method for determining the percent percentage of a practice that is devoted to livestock or emergency and critical care. In establishing criteria for determining areas of insufficient veterinary services for emergency and critical care and criteria for determining underserved geographic regions, the commissioner shall give priority consideration to regions within Aroostook County, Oxford County, Penobscot County, Piscataquis County, Somerset County and Washington County. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 12. 20-A MRSA §12125 is enacted to read:

§12125. Report by the Finance Authority of Maine

1. Report. The authority shall include in its annual report under Title 10, section 974, subsection 1 the following information regarding the program:

- A. The number of applications received each year;
- B. The number of loans awarded each year;
- C. The total amount disbursed through the program;
- D. The total amount of loan forgiveness awarded through the program;
- E. The total number of veterinary students assisted by loans through the program;
- F. The total number of veterinarians awarded loan forgiveness through the program;
- G. The number of current program participants working in a veterinary specialty related to livestock;
- H. The number of current program participants working in a veterinary specialty related to emergency and critical care;
- I. The number of current program participants working in an underserved geographic region; and
- J. The location of each current program participant's veterinary practice.

Sec. 13. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Student Financial Assistance Programs 0653

Initiative: Provides additional ongoing funding for the Maine Veterinary Medicine Loan Program to increase the number of loans awarded annually from 2 to 3 and to increase the maximum loan amount available under

the program to each participant from \$25,000 to \$35,000 per year for a period of 4 years.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$220,000
GENERAL FUND TOTAL	\$0	\$220,000

See title page for effective date.

CHAPTER 726

H.P. 1401 - L.D. 1891

An Act To Continue Supporting Safe Drinking Water for Maine Families

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

Sec. 1. Grants for well water treatment. The Maine State Housing Authority shall provide grants to eligible owners of single-family homes or landlords with private well water that shows evidence of contamination for the treatment of that water. Up to 10% of the funds provided in section 2 may be used for program administration. For purposes of this section, "contamination" means that the level of microorganisms, disinfectants, disinfection by-products, inorganic chemicals, organic chemicals or radionuclides exceeds maximum contaminant levels for public water systems established by the national primary drinking water regulations, 40 Code of Federal Regulations, Part 141, or similar standards applicable to public water systems in the State pursuant to state law or rule, and "private well water" means water from a private drinking water well as defined in the Maine Revised Statutes, Title 38, section 1392, subsection 8.

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

HOUSING AUTHORITY, MAINE STATE

Housing Authority - State 0442

Initiative: Provides one-time funds for grants to eligible owners of single-family homes or landlords with private well water that shows evidence of contamination.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$400,000
GENERAL FUND TOTAL	\$0	\$400,000

See title page for effective date.

**CHAPTER 727
H.P. 1436 - L.D. 1929**

An Act To Provide Assistance to Areas Severely Infested with Browntail Moths

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

Sec. 1. 12 MRSA c. 803, sub-c. 3-A is enacted to read:

SUBCHAPTER 3-A

BROWNTAIL MOTH CONTROL

§8321. Browntail moth control

1. Program. The bureau shall administer a program to assist a government entity or nonprofit organization, upon application by that government entity or nonprofit organization to the bureau, with the control of browntail moths. This program must include the provision of resources, which may include resources for the mechanical, cultural or chemical control of the browntail moths; education campaigns; and other activities to mitigate browntail moth populations.

2. Rules. The bureau shall adopt routine technical rules, as described in Title 5, chapter 375, subchapter 2-A, to implement the provisions of this section.

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF
Forest Resource Management Z233**

Initiative: Provides funding for one limited-period Entomologist I position and one limited-period Senior Entomology Technician position and associated All Other costs. These positions end June 8, 2024.

GENERAL FUND	2021-22	2022-23
Personal Services	\$0	\$158,074
All Other	\$0	\$31,000
GENERAL FUND TOTAL	\$0	\$189,074

Forest Resource Management Z233

Initiative: Provides one-time funding for the administration of a program to assist a government entity or nonprofit organization with controlling browntail moths.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$150,000
GENERAL FUND TOTAL	\$0	\$150,000

Office of the Commissioner 0401