

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

All Other	4,432,852
TOTAL	\$15,415,423
Public Safety and Special Services	
Personal Services	\$642,640
All Other	7,612,755
TOTAL	\$8,255,395
Building Maintenance	
Personal Services	\$716,688
All Other	667,567
TOTAL	\$1,384,255
Subtotal of Line Items Budgeted	\$45,625,976
General Contingency - 10% of line items budgeted for 2022 (10% allowed)	\$4,562,598
MAINE TURNPIKE AUTHORITY TOTAL REVENUE FUNDS	\$50,188,574

Sec. 2. Transfer of allocations. Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

Sec. 3. Encumbered balance at year-end. At the end of each calendar year, encumbered balances may be carried to the next calendar year.

Sec. 4. Supplemental information. As required by the Maine Revised Statutes, Title 23, section

1961, subsection 6, the following statement of the revenues in 2022 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2022, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

**Turnpike Revenue Bond
Resolution Adopted April 18,
1991; Issuance of Bonds
Authorized Pursuant to the Maine
Revised Statutes, Title 23, section
1968, subsections 1 and 2-A**

2022

Debt Service Fund	\$41,243,000
Reserve Maintenance Fund	40,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	20,678,953
Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A	2,446,000
TOTAL	\$104,367,953

See title page for effective date.

**CHAPTER 4
H.P. 329 - L.D. 453**

**An Act To Establish a
Permanent Appointment of a
Member of the Wabanaki
Tribes to the Board of Trustees
of the University of Maine
System**

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

Sec. 1. P&SL 1865, c. 532, §4, sub-§2, as amended by PL 1983, c. 799, §4, is further amended to read:

2. Members appointed by the Governor. Fourteen members ~~shall~~ must be appointed for 5-year terms by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Legislature. Each term ~~shall expire~~ expires on May 26th of the appropriate year, except that the retiring member ~~shall~~

~~serve~~ serves until a successor is appointed by the Governor and confirmed by the Legislature. ~~No~~ A person accepting ~~such an~~ an appointment under this subsection may not be a member of the State Board of Education. In making appointments, the Governor shall strive to achieve a membership ~~which that~~ that is representative of the population of this State. In so far as feasible when selecting qualified nominees to the board, the Governor shall consider affirmative action criteria, professional education and experience and an equitable geographical representation among the members. At least one member appointed by the Governor must be a member of a federally recognized Indian nation, tribe or band in the State. The appointment of the member of a federally recognized Indian nation, tribe or band in the State must be based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the tribal governments do not make a unanimous joint recommendation, the Governor shall appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State. Trustees may serve a maximum of 2 terms, except that an individual appointed to fill an unexpired term of 3 years or less is eligible for appointment to 2 full terms. Vacancies shall must be filled by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Legislature, for the unexpired balance of the term. In order to restore and maintain rotation of terms of office of trustees, an incumbent trustee who was appointed for a term of 5 years at a time subsequent to the expiration of the term of his that trustee's predecessor in office shall be is deemed to have commenced his that trustee's 5-year term upon the date of the expiration of the term of office of his that trustee's predecessor rather than from the date of his that trustee's appointment and qualification. Trustees shall serve without compensation, but may be reimbursed for travel and other expenses incurred in the performance of their official duties.

See title page for effective date.

CHAPTER 5

S.P. 494 - L.D. 1520

An Act To Terminate the Augusta Downtown Parking District

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

Sec. 1. P&SL 1947, c. 124, as amended by P&SL 2013, c. 4, §1, is repealed.

See title page for effective date.

CHAPTER 6

H.P. 29 - L.D. 63

An Act Regarding the Northeastern Interstate Forest Fire Protection Compact

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

Whereas, this legislation extends liability protection for the State and firefighters who travel to fight wildfires or other emergencies outside of the Northeastern Interstate Forest Fire Protection Compact area; and

Whereas, it is important that this legislation take effect immediately in order that the liability protection be extended as soon as possible; 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. P&SL 1949, c. 75, §1 is amended by adding at the end a new Article to read:

ARTICLE XV

The provisions of Article IX that relate to mutual aid in combating, controlling or preventing forest fires are operative as between any member state and any other state that is party to a regional forest fire protection compact in another region, as long as the legislature of that other state has given its consent to those mutual aid provisions of this compact.

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

Effective June 11, 2021.