

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

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

Augusta, Maine
2021

**CHAPTER 45
H.P. 247 - L.D. 349**

**Resolve, Directing an
Examination of Issues Related
to Operation of Watercraft on
Waters of the State**

Sec. 1. Study. Resolved: That the Department of Inland Fisheries and Wildlife shall examine issues related to the operation of watercraft, including personal watercraft, on the waters of the State including how best to educate the public about current laws governing the safe and appropriate operation of watercraft. The department shall also monitor whether the Town of Sweden votes to support prohibiting personal watercraft on Keyes Pond. The department shall report the department's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife prior to March 31, 2022. The committee may report out a bill related to the subject matter of the report, including relating to the operation of personal watercraft on Keyes Pond, to the 130th Legislature.

See title page for effective date.

**CHAPTER 46
S.P. 195 - L.D. 488**

**Resolve, To Expand Recovery
Community Organizations
throughout Maine**

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

Whereas, recovery community centers are a critical component of services for individuals with substance use disorder in recovery; and

Whereas, recovery community centers provide hope and connection to individuals in recovery and counter the effects of isolation; and

Whereas, the State is in the process of establishing new recovery community centers and those new centers should be prioritized in counties that do not have centers; and

Whereas, this legislation must take effect immediately upon enactment in order to promote as soon as possible the establishment of recovery community centers in counties without centers; 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

Sec. 1. Department of Health and Human Services to prioritize new recovery community center contracts. Resolved: That, in the process of awarding contract funding to establish or develop new recovery community centers to serve individuals with substance use disorder, the Department of Health and Human Services shall give preference in awarding contracts that establish or develop new recovery community centers in counties that have no state-funded recovery community centers or no other recovery community centers until every county has a center. For purposes of this resolve, "recovery community center" means a peer-operated organization whose primary purpose is to provide the community-based connections necessary for a person to enter and sustain recovery from substance use disorder by serving as a source of information on recovery, making referrals to local resources and providing or referring an individual to mutual-help or peer-support organization meetings or social activities.

Sec. 2. Report. Resolved: That the Department of Health and Human Services shall appear periodically before the joint standing committee of the Legislature having jurisdiction over health and human services matters to report on the geographical distribution of recovery community centers across the State and progress in establishing a center in every county in the State.

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

Effective June 11, 2021.

**CHAPTER 47
H.P. 573 - L.D. 768**

**Resolve, Directing the
Department of Economic and
Community Development and
a Representative from the
Office of the Governor To
Study the Softwood Pulp
Industry**

Sec. 1. Softwood pulp industry. Resolved: That the Department of Economic and Community Development and a representative from the Office of the Governor shall work together with representatives of the forest products industry to study and make recommendations relating to the surplus of low-grade softwood in the State as a result of the recent closure of pulp and paper mills in the State and the impact it has had on the softwood pulp industry and landowners. The department shall submit a report to the Joint Standing

Committee on Innovation, Development, Economic Advancement and Business by February 1, 2022. The report must include recommendations for supporting the forest products industry and employment in that sector in this State. The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the report.

See title page for effective date.

CHAPTER 48

H.P. 614 - L.D. 846

Resolve, Directing the Department of the Secretary of State To Develop Website Information Related to Promoting Benefit Corporations

Preamble. Whereas, in 2019, the State enacted legislation establishing a process for the establishment of benefit corporations with the explicit purpose of creating a general public benefit; and

Whereas, "a general public benefit" means a material positive impact on society and the environment, including but not limited to providing a benefit to underserved and underrepresented populations, promoting economic opportunities, protecting the environment and improving the health and resiliency of communities; and

Whereas, since the establishment of benefit corporation law in this State, a limited number of organizations have incorporated under that law. Barriers to incorporation under that law include a general lack of awareness and education concerning benefit corporations and an absence of information regarding the process available for businesses; and

Whereas, the purpose of this resolve is to create a public awareness of the benefit corporation framework and its meaning and intention and to provide transparent and easy-to-use directions supporting businesses exploring the option of establishing themselves as benefit corporations; now, therefore, be it

Sec. 1. Department of Secretary of State. Resolved: That the Department of the Secretary of State shall create a webpage on the department's publicly accessible website that provides information for the public regarding benefit corporations and the process for establishing such a corporation. The information must include:

1. A description of what a benefit corporation is and the purposes for the establishment of a benefit corporation;
2. A list of forms and fees required to create a benefit corporation;

3. A list of frequently asked questions and answers to those questions; and

4. A link to at least one nonprofit entity that assists persons seeking to establish a benefit corporation.

When creating the webpage required in this resolve, the Department of the Secretary of State shall solicit and consider recommendations and information from individuals who are experts in the field of benefit corporations. The department shall also establish easily identifiable links on its website to the benefit corporation webpage and ensure that the webpage is accessible through its website search function.

Sec. 2. Department of Economic and Community Development. Resolved: That the Department of Economic and Community Development, Office of Business Development, shall:

1. Provide on its publicly accessible website a link to information about benefit corporations available on the website of the Department of the Secretary of State;

2. Require organizations with which the department partners to provide business development resources to businesses in this State to include on their publicly accessible websites information about benefit corporations, including links to information about benefit corporations on the website of the Department of the Secretary of State and resources available on websites of organizations specifically supporting benefit corporations; and

3. Provide information about benefit corporations and resources supporting the development of benefit corporations to organizations that the department supports with funding and other resources to assist the department in its mission of enhancing and sustaining economic prosperity in the State.

See title page for effective date.

CHAPTER 49

H.P. 888 - L.D. 1213

Resolve, Regarding Electronic Tagging of Big Game Animals

Sec. 1. Study. Resolved: That the Department of Inland Fisheries and Wildlife shall examine electronic tagging of big game animals. The examination must determine the direct costs of and timeline required for implementing an electronic tagging option for hunters of big game animals and must include an evaluation of whether and how electronic tagging systems can effectively be implemented and any related costs and benefits of system options. The department shall report the department's findings and recommendations, including suggested legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee may report out a bill related to big game