

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

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

tagging to the Second Regular Session of the 130th Legislature.

Sec. 2. Registration stations. Resolved: That the Department of Inland Fisheries and Wildlife shall take actions necessary to increase the number of big game animal registration stations to meet registration needs. In taking actions under this section, the department may allow wild game processing facilities, hunting outfitters and other appropriate hunting-related businesses to apply to be selected as registration agents and may waive any requirements in the department's rules for registration stations to operate for a minimum number of days per week or a minimum number of hours per day or to satisfy restrictions related to location.

See title page for effective date.

CHAPTER 50

H.P. 1208 - L.D. 1624

Resolve, To Create a Stakeholder Group To Identify the Needs of Long-term Care Family Caregivers

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

Whereas, family caregivers are critical to the health of individuals receiving long-term care assistance; and

Whereas, this resolve requires the long-term care ombudsman program to convene a stakeholder group to consider and make recommendations for the implementation of an assessment measure for the needs of family caregivers in the State; and

Whereas, this assessment must be initiated before the 90-day period expires in order that the work may be completed and a report submitted in time for submission to the next legislative session; 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. Long-term care ombudsman program to establish stakeholder group. Resolved: That the long-term care ombudsman program, established pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C and referred to in this resolve as "the long-term care ombudsman," shall estab-

lish a stakeholder group to consider and make recommendations for the implementation of an assessment measure for the needs of family caregivers.

Sec. 2. Stakeholder group membership. Resolved: That the long-term care ombudsman shall invite the participation of representatives of the Department of Health and Human Services, the area agencies on aging, service coordination agencies for recipients of home care services, Legal Services for the Elderly, Disability Rights Maine, the agency designated by the State to provide statewide assessments as required by the federal Centers for Medicare and Medicaid Services, hospitals, a statewide organization representing home care service providers and a home care service provider, as well as family caregivers and any other interested parties, in the stakeholder group established in section 1.

Sec. 3. Duties. Resolved: That the stakeholder group established in section 1 shall consider and make recommendations for the implementation of an assessment measure of the needs of family caregivers. The stakeholder group shall consider all relevant data including data currently collected by the Department of Health and Human Services or stakeholders relating to the needs of family caregivers and family members of individuals receiving long-term care services at home for referrals for support services and resources, apparent gaps in resources and information regarding family caregiver assessment services and resources provided in other states. The stakeholder group shall also develop a plan to implement improved referrals to services for family caregivers.

Sec. 4. Report. Resolved: That the long-term care ombudsman shall submit a report with its findings and recommendations pursuant to section 3, along with any recommended legislation, to the Joint Standing Committee on Health and Human Services no later than January 2, 2022. The committee is authorized to submit legislation to the Second Regular Session of the 130th Legislature related to the report.

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

Effective June 11, 2021.
