

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

Junction and connecting to the Pan Am Railroad corridor from Yarmouth Junction to Portland.

The department shall also conduct a high-level alternatives analysis for both rail corridors identified in this section to support selection of a preferred alignment and for comparison to other transportation connections between Portland and the Lewiston and Auburn area. The department shall submit a report of its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters by March 1, 2022. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the Second Regular Session of the 130th Legislature based on the findings and recommendations provided in the department's report.

Sec. 2. Funding. Resolved: That the Department of Transportation may accept funding contributions to fully fund the costs of the study under section 1. The total cost of the study may not exceed \$200,000. No funds may be collected by or transferred to the department for the purpose of conducting the study unless the department receives commitments for no less than 10% of the overall cost of the study from municipalities that would be affected by the expansion of passenger rail service between Portland and the Lewiston and Auburn area. The department may enter into agreements with the relevant municipalities for the municipalities to pay their relevant portions to fund the study in installments. If the municipalities have not fulfilled their commitment to provide 10% of the overall costs of the study by the dates agreed upon with the department, the department may discontinue the study. If the department discontinues the study, any remaining municipal funds must be returned to the relevant municipalities and any remaining department funds appropriated for the study must be returned to the accounts from which they were appropriated.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Multimodal - Passenger Rail Z139**

Initiative: Provides a one-time allocation for an economic evaluation study for commuter and passenger train service between Portland and the Lewiston and Auburn area. Ten percent of the cost of the study must be provided by municipalities that would be directly impacted by the train service with the remaining cost provided by existing funding within this account.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$180,000	\$0

OTHER SPECIAL REVENUE	\$180,000	\$0
FUNDS TOTAL		

See title page for effective date.

**CHAPTER 57
H.P. 182 - L.D. 261**

Resolve, Directing the Advisory Committee on Truancy, Dropouts and Alternative Education To Study Truancy and Attendance in the State and Develop Recommendations To Improve Student Attendance

Sec. 1. Advisory committee on truancy, dropouts and alternative education study. Resolved: That the advisory committee on truancy, dropouts and alternative education established pursuant to the Maine Revised Statutes, Title 20-A, section 5152 shall conduct a study on truancy and attendance data in the State and submit a report based on the study, in conjunction with the advisory committee's annual report, no later than February 1, 2022, to the Joint Standing Committee on Education and Cultural Affairs. The report must include an in-depth analysis of the data on truancy and attendance, including an analysis of what is and is not working regarding student attendance and recommendations on how to improve attendance of all school-age children. The Joint Standing Committee on Education and Cultural Affairs may submit legislation relating to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 58
H.P. 381 - L.D. 518**

Resolve, Directing the Department of Education To Review and Assess State-mandated Instruction and Training for Students

Sec. 1. Department of Education to study state-mandated instruction and training for students. Resolved: That the Department of Education shall study current instruction and training for pre-kindergarten to grade 12 students mandated by the State and the process by which mandated instruction and training for these students are established.

Sec. 2. Report. Resolved: That, no later than January 1, 2022, the Department of Education shall submit a report based on the study under section 1 and any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs. The report must include, but is not limited to:

1. A full list of all mandated instruction and training. For each mandated instruction or training, the report must identify:
 - A. The ages of the students affected;
 - B. The broad academic subject area affected; and
 - C. An estimate of the required time and cost to implement each mandated instruction or training;
2. Identification of and recommendations for continuance of mandated instruction and training that are appropriate and effective and recommendations for discontinuance of mandated instruction and training that are onerous, outdated or otherwise ineffective;
3. The impact of mandated instruction and training on the system of learning results pursuant to the Maine Revised Statutes, Title 20-A, section 6209 and the Department of Education's guidelines on early learning and development standards; and
4. Any other findings the department determines relevant.

The Joint Standing Committee on Education and Cultural Affairs may submit legislation on the subject of the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 59

H.P. 445 - L.D. 609

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions

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 resolve establishes the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions; and

Whereas, the study must be initiated before the 90-day period expires in order that the study 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. Commission established. Resolved: That the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Director of the Maine State Housing Authority, or the director's designee;
4. One member representing the Office of the Governor, appointed by the Governor;
5. Four public members, one representing a statewide municipal association, one representing a statewide organization that advocates for affordable housing, one representing statewide agricultural interests and one who is in the building trades, appointed by the President of the Senate; and
6. Five public members, one representing a regional planning association or a statewide organization that advocates for smart growth policies and projects, one representing the real estate industry, one who is a residential developer, one representing an organization that advocates for low-income or middle-income renters or homeowners and one representing a local or statewide organization promoting civil rights that has racial justice or racial equity as its primary mission, appointed by the Speaker of the House.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene