

# 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.**

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**Augusta, Maine**  
**2021**

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SELECTED MEMORIALS AND JOINT RESOLUTIONS

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**JOINT RESOLUTION  
HONORING UNITED  
STATES REPRESENTATIVE  
JOHN LEWIS**

**H.P. 439**

**WHEREAS**, the Honorable John Robert Lewis was a beloved Georgia congressional representative, a political force and an ally for marginalized people everywhere; and

**WHEREAS**, Mr. Lewis served as the United States Representative for Georgia's Fifth Congressional District for more than 3 decades; and

**WHEREAS**, Mr. Lewis was considered a moral conscience of Congress because of his belief in a non-violent fight for civil rights; and

**WHEREAS**, Mr. Lewis' passion for equal rights was backed by a long record of action that included dozens of arrests during protests against racial and social injustice; and

**WHEREAS**, as a follower and colleague of Dr. Martin Luther King, Jr., Mr. Lewis participated in lunch counter sit-ins, joined the Freedom Riders in challenging segregated buses and, at the age of 23, was a keynote speaker at the historic 1963 March on Washington; and

**WHEREAS**, at age 25, Mr. Lewis helped lead a march for voting rights on the Edmund Pettus Bridge in Selma, Alabama, where he and other marchers were met by heavily armed state and local police who attacked them with clubs, fracturing his skull; and

**WHEREAS**, images from that day, now known as "Bloody Sunday," shocked the nation and galvanized support for the Voting Rights Act of 1965, signed into law by President Lyndon B. Johnson; and

**WHEREAS**, in 2011, after more than 50 years on the front lines of the civil rights movement, Mr. Lewis was awarded the Presidential Medal of Freedom by President Barack Obama, the first African-American President of the United States; and

**WHEREAS**, Mr. Lewis is recognized as a great American statesman, patriot and champion of democracy; and

**WHEREAS**, Mr. Lewis was diagnosed with pancreatic cancer in December 2019 and passed away July 17, 2020; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the life and

legacy of the Honorable John Robert Lewis, a great leader and a civil rights icon, and urge the citizens of the State to recognize the importance of preserving civil liberties for all.

**Read and adopted by the House of Representatives  
March 10, 2021 and the Senate March 11, 2021.**

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**JOINT RESOLUTION  
RECOGNIZING THE  
SCHOOL BUS DRIVERS OF  
THE STATE FOR THEIR  
SERVICE DURING THE  
COVID-19 PANDEMIC**

**S.P. 215**

**WHEREAS**, school bus drivers provide the first and last interactions that many students have during the week; and

**WHEREAS**, school bus drivers have a duty to safely bring children to school and back each school day; and

**WHEREAS**, this duty requires skills in navigating road and weather hazards, ensuring the safety of the students who ride the bus, avoiding distractions and serving in a leadership role; and

**WHEREAS**, the COVID-19 pandemic has increased the duties of school bus drivers, requiring them to take additional safety measures for themselves and for their passengers; and

**WHEREAS**, school bus drivers play an extraordinary role in the lives of Maine students, and these individuals deserve our clear and obvious recognition; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the school bus drivers of the State for their exemplary service during the COVID-19 pandemic.

**Read and adopted by the Senate March 10, 2021  
and the House of Representatives March 11, 2021.**

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**JOINT RESOLUTION  
MEMORIALIZING THE  
FEDERAL GOVERNMENT  
TO ELIMINATE THE  
WINDFALL ELIMINATION  
PROVISION THAT  
PENALIZES MAINE STATE  
RETIREES**

**S.P. 332**

**WE**, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

**WHEREAS**, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

**WHEREAS**, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

**WHEREAS**, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

**WHEREAS**, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

**WHEREAS**, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

**WHEREAS**, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

**WHEREAS**, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

**WHEREAS**, other participants in Social Security do not have their benefits reduced in this manner; and

**WHEREAS**, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

**WHEREAS**, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring that level of benefit by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, Jr., President of the United States; the President of the United States Senate; the Speaker of the United States House of Representatives; and each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate March 10, 2021  
and the House of Representatives March 11, 2021.**

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**JOINT RESOLUTION,  
RECOGNIZING THE WORK  
OF TEACHERS DURING  
THE COVID-19 PANDEMIC**

**H.P. 882**

**WHEREAS**, education and knowledge are the foundation of the current and future strength of Maine; and

**WHEREAS**, teachers and other education staff have earned and deserve the respect of their students and communities for their selfless dedication to community service and the futures of the children of Maine; and

**WHEREAS**, it is important to recognize the extraordinary role teachers and other education staff play in the lives of Maine students; and

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**WHEREAS**, the COVID-19 pandemic has increased and dramatically changed the duties of teachers and other education staff; and

**WHEREAS**, despite school closures due to the COVID-19 pandemic, teachers and other education staff have stepped up in new ways to support their students and communities, including by coordinating remote learning, supporting the mental health of students, providing meals to students in need and distributing technology to students; and

**WHEREAS**, this implementation of adaptive responses to the emerging education challenges serves to protect young people's educational opportunities during and following the COVID-19 pandemic; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the roles and contributions of the teachers and other education staff in building and enhancing the civic, cultural and economic well-being of Maine and in supporting students' opportunity to learn during the challenging crisis of the COVID-19 pandemic.

**Read and adopted by the House of Representatives  
March 30, 2021 and the Senate March 30, 2021.**

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**JOINT RESOLUTION  
URGING THE CONGRESS  
OF THE UNITED STATES  
TO REPEAL AND REPLACE  
OUTDATED  
AUTHORIZATIONS OF  
MILITARY FORCE  
S.P. 556**

**WE**, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the Congress of the United States, as follows:

**WHEREAS**, nearly 2 decades after the attack on the World Trade Center and the Pentagon, United States troops continue to wage war in Iraq, Afghanistan and other parts of the world; and

**WHEREAS**, our service members accomplished their original objectives in Afghanistan long ago, at great psychological, physical and spiritual cost; and

**WHEREAS**, the war on terrorism, the "forever war" or "endless war" as many call it, has been used as the basis for an ever-expanding range of military actions; and

**WHEREAS**, James Madison wrote to Thomas Jefferson in 1798, "The constitution supposes, what the History of all Governments demonstrates that the Executive is the branch of power most interested in war . . . . It has accordingly with studied care, vested the question of war in the Legislature"; and

**WHEREAS**, Congress has mostly abdicated its Article I responsibilities to authorize and oversee military actions by extensive, potentially permanent delegations of congressional war powers; and

**WHEREAS**, the Authorization for Use of Military Force passed after the September 11 attacks has now been in effect for more than twice as long as the 1964-1971 Gulf of Tonkin Resolution, which gave President Lyndon B. Johnson authorization, without a formal declaration of war by Congress, for the use of conventional military force in Southeast Asia; and

**WHEREAS**, the United States Department of Defense's 2018 National Defense Strategy outlines a scenario where great power competition, rather than counterterrorism, drives the department's decision making and use of force; and

**WHEREAS**, a growing number of foreign policy officials have begun to advocate for a drawdown in the Middle East and Central Asia because of the opportunity costs to America's mission of balancing its strength against the so-called revisionist powers of China and Russia; and

**WHEREAS**, the emphasis on bolstering a deterrent posture in Asia and Europe should have an attendant impact that reduces the United States military's activities in the Middle East, Africa and the Western Hemisphere; and

**WHEREAS**, from global pandemics to the support of weak and fragile states, the United States faces an unprecedented number of complex global threats that cannot be solved by military power alone; and

**WHEREAS**, a disproportionate amount of resources is going to military and intelligence solutions along with a more general sidelining of diplomacy amid a continuing militarization of foreign policy; and

**WHEREAS**, addressing the root causes of violent conflicts overseas through development and diplomacy helps protect Americans and helps reduce the need to send our service members into harm's way; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully urge and request that the Congress of the United States work to renew a proper constitutional balance in American foreign policy decision making by repealing and replacing outdated authorizations for the use of military force; and be it further

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**RESOLVED:** That We, your Memorialists, advocate for the importance of a civilian-led approach to elevating development and diplomacy along with a strong defense in order to build a better, safer world; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, Jr., President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate May 19, 2021 and the House of Representatives June 2, 2021.**

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**JOINT RESOLUTION  
RECOGNIZING CLEAN  
ENERGY'S IMPORTANCE  
TO MAINE'S  
INFRASTRUCTURE AND  
ECONOMIC FUTURE**

**H.P. 1298**

**WHEREAS,** the State has a proud history advancing Maine's clean energy sector to support infrastructure developments and other key industries; and

**WHEREAS,** Maine can continue to expand in-state energy production by taking advantage of opportunities in clean energy, thereby expanding and diversifying our economic base while achieving 100 percent renewable energy by 2050; and

**WHEREAS,** clean energy is part of America's energy future and includes not only generation from renewable sources but also upgrades to technologies and energy storage; and

**WHEREAS,** Maine can invest in our energy infrastructure to include affordable, efficient battery storage technologies; and

**WHEREAS,** over 11,900 Maine citizens are currently employed in the clean energy sector; and

**WHEREAS,** further bipartisan infrastructure investments and the advancement of clean energy innovation on the federal level will help spur economic development and new business growth, creating future-facing jobs for hard-working Maine citizens while supporting stronger, more vibrant and increasingly cleaner communities; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize the value of clean energy, including the promise of abundant job opportunities, economic growth, energy independence,

consumer choice, lower energy prices and a cleaner environment; and be it further

**RESOLVED:** That we recognize that clean energy generation from all renewable sources plays an important role in Maine's diverse energy portfolio and that investing in clean energy infrastructure is of fundamental importance to the long-term health of our roads, bridges, electrical grid, cybersecurity, economy and quality of life.

**Read and adopted by the House of Representatives July 19, 2021 and the Senate July 19, 2021.**

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