

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

tion 4 are eligible for services under this subsection, including those necessary to participate in any on-the-job learning component of the program, as long as the registered apprentices and individuals meet the requirement of subsection 5, paragraph C.

Sec. 6. 26 MRSA §2033, sub-§7, as enacted by PL 2007, c. 352, Pt. A, §3, is amended to read:

7. Application; decision; appeal. An individual must be given the opportunity to make a written application for education, training and support available from the program and be given a prompt written decision from the department specifically indicating the type and amount of services approved or denied. The costs for an educational transcript, credential evaluation or similar requirement needed to determine eligibility for the program must be paid for by the program for any applicant who is otherwise eligible for participation, as determined by the department, if funds are not reasonably available from another source for this purpose. Any decision related to eligibility for, or the provision of, services under this section must provide notice that the decision may be appealed by the individual through a request for a hearing within 30 days of receipt of the decision in accordance with rules adopted by the department and consistent with Title 5, chapter 375, subchapter 4. The 30-day appeal period may be extended up to 15 additional days if the claimant can show good cause for failing to appeal within the initial 30-day period.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Allocates funds to reflect an increase in the employer contribution rates for the Competitive Skills Scholarship Fund.

	2023-24	2024-25
COMPETITIVE SKILLS SCHOLARSHIP FUND		
All Other	\$3,500,000	\$3,500,000
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	<u>\$3,500,000</u>	<u>\$3,500,000</u>

See title page for effective date.

**CHAPTER 185
H.P. 921 - L.D. 1425**

An Act to Strengthen Freedom of Access Protections by Allowing Remote Meetings to Be Recorded

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

Sec. 1. 1 MRSA §403-B, sub-§2, ¶G, as enacted by PL 2021, c. 290, §1, is amended to read:

G. All votes taken during a public proceeding using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the public body and the public; ~~and~~

Sec. 2. 1 MRSA §403-B, sub-§2, ¶H, as amended by PL 2021, c. 611, §2, is further amended to read:

H. The public body must make all documents and other materials considered by the public body available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the public body in person, as long as additional costs are not incurred by the public body. The public body must make the proposed policy regarding remote participation available in advance of the meeting if meeting remotely under paragraph A, subparagraphs (1) and (2); ~~and~~

Sec. 3. 1 MRSA §403-B, sub-§2, ¶I is enacted to read:

I. When the public may attend a public proceeding by remote methods, the public body must allow members of the public to record the proceeding remotely using the same electronic platform that is used to conduct the proceeding remotely as long as the electronic platform allows participants other than the host to record the proceeding remotely, additional costs are not incurred by the public body and the recording of the proceeding does not interfere with the orderly conduct of the proceeding.

See title page for effective date.

**CHAPTER 186
S.P. 744 - L.D. 1828**

An Act Regarding Enhanced 9-1-1 Public Safety Answering Points

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

Whereas, an existing public safety answering point has indicated that as of July 1, 2023, it will no longer provide E-9-1-1 call answering to municipalities in Kennebec County; and

Whereas, it is not sufficiently clear that the Public Utilities Commission has authority to create a new public safety answering point; and

Whereas, it may be necessary to create as soon as possible a new public safety answering point in order to ensure all people in the State have efficient and reliable access to E-9-1-1 services; 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. 25 MRSA §2923-B is enacted to read:

§2923-B. Notice of service discontinuation

1. Notice. A public safety answering point shall provide notice to the bureau prior to discontinuing service to a municipality. A public safety answering point may not provide the notice under this subsection less than one year prior to the date that the public safety answering point discontinues service, unless the bureau finds reasonable grounds to authorize a shorter period of time for the notification. If appropriate, the bureau shall notify the department of the notice of discontinuing service received by the bureau from a public safety answering point.

2. Penalty. A public safety answering point that violates subsection 1 commits a civil violation for which a fine of up to \$50 may be adjudged for each day that the notice provided prior to the discontinuance of service to the municipality by the public safety answering point is less than one year. The maximum fine under this subsection is \$18,250.

Sec. 2. 25 MRSA §2926, sub-§2-B is enacted to read:

2-B. Exceptions. Notwithstanding subsection 2-A, the bureau may authorize the establishment of a public safety answering point on a determination that a public safety answering point is necessary to ensure public safety and access to E-9-1-1 services.

Sec. 3. Study; oversight of public safety answering points. The Public Utilities Commission, Emergency Services Communication Bureau shall conduct a study assessing whether public safety answering points can be more efficiently managed to ensure stability of the system. The study must include but is not limited to the following:

1. The use of incentives or subsidies provided from the E-9-1-1 surcharge set out in the Maine Revised Statutes, Title 25, section 2927 that are tied to performance metrics for public safety answering point services in order to stabilize the relationships between public safety answering points and municipalities;

2. The current level of state oversight of public safety answering points and whether this level is sufficient to ensure the efficient management of public safety answering points;

3. The effectiveness of making the Department of Public Safety the default entity responsible for providing E-9-1-1 services when there is a change in a public safety answering point’s service area; and

4. The challenges faced by public safety answering points with hiring and retaining employees and what methods could be employed to assist public safety answering points with staffing obstacles.

No later than February 1, 2024, the Public Utilities Commission shall report the results of the study, along with any recommended legislation, to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters. The joint standing committee may report out related legislation to the 131st Legislature in 2024.

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

Effective June 15, 2023.

CHAPTER 187

S.P. 742 - L.D. 1826

An Act to Designate Deer Wintering Areas Under the Jurisdiction of the Bureau of Parks and Lands

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

Sec. 1. 12 MRSA §1805-A is enacted to read:

§1805-A. Designation of deer wintering areas

The director may designate a deer wintering area on a parcel of land under the jurisdiction of the bureau. The designated area must contain high-quality deer wintering habitat with a documented history of significant use by deer. The bureau shall manage the designated area with deer conservation as the highest management priority and may also manage the designated area to benefit other wildlife species that rely on mature softwood forests. The director may designate a deer wintering area or remove the designation as a deer wintering area of a parcel of land under this section only pursuant to a habitat management agreement developed in collaboration with the Department of Inland Fisheries and Wildlife. A designated area under this section is eligible for funds from the Maine Deer Management Fund under section 10264. The designation of a deer wintering area under this section does not preclude or