

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

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

discourage the department from managing another parcel of land to promote habitat for deer. The department and the Department of Inland Fisheries and Wildlife shall include a summary of additions or changes to deer wintering areas under this section in an annual report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters.

Sec. 2. 12 MRSA §10264, first ¶, as amended by PL 2021, c. 409, §6, is further amended to read:

The Maine Deer Management Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding predator control and to acquire or enhance deer habitat. If the funds from the fund are used to directly enhance or manage a deer wintering area on land under the jurisdiction of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands, the land must be designated as a deer wintering area pursuant to section 1805-A. The commissioner shall establish on the department's online licensing system checkoff options that allow a person to donate money for predator control or deer habitat acquisition or enhancement. The checkoff options must be prominently displayed and contain web links to information about how the checkoff revenues have been and will be used. The commissioner shall also print in a prominent place on every paper application for a hunting license checkoff options that allow a person to donate money to the fund for predator control or deer habitat acquisition or enhancement. Revenues from the checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.

Sec. 3. Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands and Department of Inland Fisheries and Wildlife to survey regions to locate unmapped deer wintering areas. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands and Department of Inland Fisheries and Wildlife shall survey public lands in the northern, eastern and western regions of the State to locate existing and unmapped deer wintering areas. The bureau may designate any unmapped deer wintering areas located pursuant to this section as a deer wintering area pursuant to the Maine Revised Statutes, Title 12, section 1805-A.

See title page for effective date.

**CHAPTER 188
H.P. 1165 - L.D. 1833**

**An Act to Amend the
Definition of "Educational
Institution" Under the Maine
Human Rights Act to Include
Single-sex Educational
Institutions**

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

Sec. 1. 5 MRSA §4553, sub-§2-A, as amended by PL 1995, c. 393, §4, is further amended to read:

2-A. Educational institution. "Educational institution" means any public school or educational program, any public ~~post-secondary~~ postsecondary institution, any private school or educational program approved for tuition purposes ~~if both male and female students are admitted~~ and the governing body of each such school or program. ~~For purposes related to disability-related discrimination, "educational institution" also means any private school or educational program approved for tuition purposes.~~

See title page for effective date.

**CHAPTER 189
H.P. 164 - L.D. 259**

**An Act Making Unified
Allocations from the Highway
Fund and Other Funds for the
Expenditures of State
Government and Changing
Certain Provisions of the Law
Necessary to the Proper
Operations of State
Government for the Fiscal
Years Ending June 30, 2023,
June 30, 2024 and June 30,
2025**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of