

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

**CHAPTER 254
S.P. 384 - L.D. 892**

**An Act to Improve School
Safety and Preparedness
Through Comprehensive
Health and Safety and
Emergency Management
Planning**

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

Sec. 1. 20-A MRSA §1001, sub-§16, as amended by PL 2021, c. 464, §1, is further amended to read:

16. Comprehensive health and safety and emergency management plan. Each school board shall annually approve a comprehensive health and safety and emergency management plan that meets nationally recognized practices and is developed by the school unit administration working collaboratively with school teachers and staff and local, county and state public safety officials, fire fighting personnel, emergency management officials, mental health officials, law enforcement officials, school nurses, physicians and public health staff to identify and deal with all hazards and potential hazards that could reasonably be expected to affect a facility or unit under the authority of the school administrative unit appropriate stakeholders. The approval of a comprehensive health and safety and emergency management plan under this subsection is public information. At the request of any school board member or full-time school employee, the school board shall form a steering committee composed of school employees, including a school employee designated by that employee's school as having oversight regarding school safety, school board members, parents and others. A majority of the school employees must be chosen by the local representatives of the applicable bargaining unit if the school employees are covered by a collective bargaining agreement. The steering committee shall regularly review and refine the comprehensive health and safety and emergency management plan. The following information pertaining to a comprehensive health and safety and emergency management plan is public information:

- A. A description of the scope and purpose of the comprehensive health and safety and emergency management plan and the process used for developing and updating the plan;
- B. General information on auditing for safety and preparedness;
- C. Roles and responsibilities of school administrators, teachers and staff and the designated chain of command during an emergency; and

D. Strategies for conveying information to parents and the general public during an emergency.

Except as provided in paragraphs A to D, release of the contents of a comprehensive health and safety and emergency management plan approved under this subsection is subject to the limitations set forth in Title 1, section 402, subsection 3, paragraph L.

See title page for effective date.

**CHAPTER 255
H.P. 637 - L.D. 1001**

**An Act to Amend the Maine
Human Rights Act Regarding
Right-to-sue Letters**

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

Sec. 1. 5 MRSA §4612, sub-§6, as amended by PL 1995, c. 462, Pt. A, §7, is repealed and the following enacted in its place:

6. Issuance of right-to-sue letter. The commission may issue a right-to-sue letter only in accordance with this subsection.

A. If, later than the 180th day after the date a complaint is filed with the commission, the commission has not filed a civil action in the case or has not entered into a conciliation agreement in the case, the complainant may submit a written request for a right-to-sue letter and the commission shall issue the requested right-to-sue letter.

B. If a complainant submits a written request for a right-to-sue letter before the 180th day after the date a complaint is filed with the commission, the commission shall issue a right-to-sue letter if:

(1) The executive director of the commission determines that the complainant has demonstrated good cause for requesting the right-to-sue letter before the expiration of the 180-day period after the filing of the complaint; and

(2) The executive director of the commission certifies that it is probable that the commission will not be able to conclude its investigation before the 180-day period after the filing of the complaint.

If the commission issues a right-to-sue letter in accordance with this subsection, it shall end its investigation of the complaint unless the executive director of the commission and legal counsel to the commission determine that proceeding with the investigation would achieve the purposes of this chapter, in which case the commission shall continue to investigate the complaint as if it had been filed by an employee of the commission under section 4611.

Sec. 2. 5 MRSA §4622, sub-§1, as amended by PL 2021, c. 366, §21, is further amended by enacting after paragraph D a new blocked paragraph to read:

If the commission issued a right-to-sue letter, the plaintiff may not be awarded attorney's fees, civil penal damages or compensatory and punitive damages unless the plaintiff establishes that the plaintiff received the right-to-sue letter before filing the civil action.

See title page for effective date.

CHAPTER 256

H.P. 658 - L.D. 1022

An Act to Extend the Time Allowed Between a Regional School Unit Budget Meeting and a Budget Validation Referendum

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

Sec. 1. 20-A MRSA §1486, sub-§2, as amended by PL 2015, c. 463, §2, is further amended to read:

2. Validation referendum procedures. The budget validation referendum must be held on or before the ~~30th~~ 45th calendar day following the scheduled date of the regional school unit budget meeting. The referendum may not be held on a Sunday or legal holiday. The vote at referendum is for the purpose of approving or rejecting the total regional school unit budget approved at the regional school unit budget meeting. The regional school unit board shall provide printed information to be displayed at polling places to assist voters in voting. That information is limited to the total amounts proposed by the regional school unit board for each cost center summary budget category article, the amount approved at the regional school unit budget meeting, a summary of the total authorized expenditures and, if applicable because of action on an article under section 15690, subsection 3, paragraph A, a statement that the amount approved at the regional school unit budget meeting includes locally raised funds that exceed the maximum state and local spending target pursuant to section 15671-A, subsection 5. If the legislative body of the regional school unit at the regional school unit budget meeting approves an article pursuant to section 1485, subsection 5, the substance of the article must be included in the printed information displayed at polling places for the budget validation referendum.

See title page for effective date.

CHAPTER 257
S.P. 441 - L.D. 1072

An Act Regarding the Bureau of Motor Vehicles

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

Sec. 1. 29-A MRSA §152, sub-§5, as amended by PL 1997, c. 776, §5, is further amended to read:

5. Assign new identification number. Assign a new identification number to a vehicle if it has none, or if the vehicle's identification number is destroyed or obliterated, or if the frame, chassis or, if the vehicle is a truck, the cab is changed, or if the vehicle is a reconstructed motorcycle, and shall issue a new certificate of title showing the new identification number upon surrender of the old certificate and completion of an application for title and payment of the fee; ~~and~~

Sec. 2. 29-A MRSA §152, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6. Other data. Require data necessary on forms, applications, certificates, licenses or other documents; ~~and~~

Sec. 3. 29-A MRSA §152, sub-§7 is enacted to read:

7. Waive penalty or fee. Waive a penalty or fee required under this Title if the Secretary of State or the secretary's designee determines that the circumstances justify a waiver. The Secretary of State shall adopt rules to administer this subsection that must include but are not limited to rules identifying circumstances that may justify a waiver. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 29-A MRSA §251, sub-§2-A, as enacted by PL 2003, c. 434, §4 and affected by §37, is amended to read:

2-A. Databases. The Secretary of State may provide databases of records pertaining to applications, registrations and certifications of vehicles and to driver's licenses to individuals, businesses and other entities as allowed by section 256 and all other applicable laws. The Secretary of State shall adopt rules to establish a fee schedule and governing procedures.

Sec. 5. 29-A MRSA §351, sub-§5, as amended by PL 2001, c. 671, §4, is further amended to read:

5. Expiration of 14-day 30-day temporary registration plate. Notwithstanding the provisions of this section, a person who operates a vehicle with an expired temporary registration plate issued pursuant to section 462 954-A commits: