

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

to prevention efforts; training programs; development and implementation of strategic plans, priorities and initiatives; data reports; staffing updates; child placements; implementation of requirements in prior enacted bills or budgets; interactions with citizen review panels established pursuant to the federal Children's Justice Act, 42 United States Code, Section 5106a; and any other subject matter requested by the joint standing committee.

See title page for effective date.

CHAPTER 262

H.P. 864 - L.D. 1350

An Act Regarding the Composition of the Budget Advisory Committee and the Finality of the Budget in the Franklin County Budget Process

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

Sec. 1. 30-A MRSA §873, sub-§1, as enacted by PL 1991, c. 495, is amended to read:

1. Municipal officers. ~~Municipal~~ By April 1st of each year, municipal officers within each commissioner district shall caucus and shall elect municipal officers from that district to fill vacancies as they arise, for terms as provided in paragraph A B.

~~A. Members shall serve for 3-year terms, except that initially each district caucus shall select one member for a one-year term, one member for a 2-year term and one member for a 3-year term. There must be 3 members from each commissioner district. If a committee member ceases to be a municipal officer during the term of membership, the committee member shall resign the membership and the next district caucus shall elect a qualified municipal officer to fill the membership for the remainder of the unexpired term.~~

B. Each commissioner district has 2 permanent members. Members serve for 3-year terms. There is a rotating member who serves a one-year term, selected in 2025 by commissioner district one, selected in 2026 by commissioner district 2, selected in 2027 by commissioner district 3, selected in 2028 by commissioner district 4, selected in 2029 by commissioner district 5 and selected in 2030 and succeeding years in the same order as the first 5 years under this paragraph. If a committee member ceases to be a municipal officer during the term of membership, the committee member shall resign the membership and the next district caucus shall elect a qualified municipal officer to fill the membership for the remainder of the unexpired term.

Sec. 2. 30-A MRSA §874, sub-§4, as enacted by PL 1991, c. 495, is amended to read:

4. Finality of budget. After the public hearing is completed, the advisory committee shall adopt a final budget and transmit that budget to the county commissioners. The county commissioners may not further increase, decrease, alter or revise the budget adopted by the advisory committee, except by ~~unanimous~~ a 3/5 vote of the entire membership of the county commissioners. If the adopted budget is changed by the county commissioners, the advisory committee may reject that change by a 2/3 vote of its membership. Those actions are final and are not subject to further action by either the county commissioners or the advisory committee.

Sec. 3. Expiration of term for Franklin County Budget Advisory Committee members. Notwithstanding the Maine Revised Statutes, Title 30-A, section 873, subsection 1, paragraph B, the term of office for Franklin County Budget Advisory Committee members serving on November 5, 2024 expires on that day.

Sec. 4. Franklin County Budget Advisory Committee initial terms. Notwithstanding the Maine Revised Statutes, Title 30-A, section 873, subsection 1, paragraph B, members of the Franklin County Budget Advisory Committee serve for 3-year terms, except initially commissioner districts one and 2 shall select one member for a one-year term and one member for a 2-year term, commissioner districts 3 and 4 shall select one member for a 2-year term and one member for a 3-year term and commissioner district 5 shall select one member for a one-year term and one member for a 3-year term.

Sec. 5. Effective date. This Act takes effect November 5, 2024, except that section 3 takes effect 90 days after adjournment of the First Special Session of the 131st Legislature.

See title page for effective date, unless otherwise indicated.

CHAPTER 263

H.P. 919 - L.D. 1423

An Act to Increase the Limits on Awards for Compensatory and Punitive Damages Under the Maine Human Rights Act

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

Sec. 1. 5 MRSA §4613, sub-§2, ¶B, as amended by PL 2011, c. 613, §21 and affected by §29, is further amended by amending subparagraph (8), division (e) to read:

(e) The sum of compensatory damages awarded under this subparagraph for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, other nonpecuniary losses and the amount of punitive damages awarded under this section may not exceed for each complaining party:

- (i) In the case of a respondent who has more than 14 and fewer than 101 employees in each of 20 or more calendar weeks in the current or preceding calendar year, ~~\$50,000~~ \$100,000;
- (ii) In the case of a respondent who has more than 100 and fewer than 201 employees in each of 20 or more calendar weeks in the current or preceding calendar year, ~~\$100,000~~ \$300,000;
- (iii) In the case of a respondent who has more than 200 and fewer than 501 employees in each of 20 or more calendar weeks in the current or preceding calendar year, ~~\$300,000~~ \$500,000; and
- (iv) In the case of a respondent who has more than 500 employees in each of 20 or more calendar weeks in the current or preceding calendar year, ~~\$500,000~~ \$1,000,000.

See title page for effective date.

**CHAPTER 264
S.P. 592 - L.D. 1473**

**An Act to Protect Certain
Unfiltered Drinking Water
Sources**

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

Sec. 1. 30-A MRSA §4364, sub-§9 is enacted to read:

9. Exception. This section does not apply to a lot or portion of a lot that is within the watershed of a water source that is located in the City of Lewiston or the City of Auburn and that is used to provide drinking water by a water utility that has received a waiver from filtration pursuant to 40 Code of Federal Regulations, Sections 141.70 to 141.76, as determined by the Department of Health and Human Services.

Sec. 2. 30-A MRSA §4364-A, sub-§1-A is enacted to read:

1-A. Exception. This section does not apply to a lot or portion of a lot that is within the watershed of a water source that is located in the City of Lewiston or the City of Auburn and that is used to provide drinking water by a water utility that has received a waiver from filtration pursuant to 40 Code of Federal Regulations, Sections 141.70 to 141.76, as determined by the Department of Health and Human Services.

Sec. 3. 30-A MRSA §4364-B, sub-§1-A is enacted to read:

1-A. Exception. This section does not apply to a lot or portion of a lot that is within the watershed of a water source that is located in the City of Lewiston or the City of Auburn and that is used to provide drinking water by a water utility that has received a waiver from filtration pursuant to 40 Code of Federal Regulations, Sections 141.70 to 141.76, as determined by the Department of Health and Human Services.

Sec. 4. Drinking water program; study. The drinking water program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention, in coordination with the Department of Environmental Protection, shall evaluate state law and rules designed to protect the water quality of water sources and their related watersheds that are used to provide drinking water by a water utility that has received a waiver from filtration pursuant to 40 Code of Federal Regulations, Sections 141.70 to 141.76, as determined by the Department of Health and Human Services, and to identify any necessary changes to state law or rules or any other actions that can be implemented to strengthen the protections for those water sources and watersheds. On or before January 15, 2024, the program shall submit to the Joint Standing Committee on Environment and Natural Resources a report summarizing its evaluation under this section and providing any recommendations, including any proposed legislation, resulting from the evaluation. After reviewing the report, the committee may report out legislation relating to the report to the Second Regular Session of the 131st Legislature.

See title page for effective date.

**CHAPTER 265
H.P. 980 - L.D. 1525**

**An Act to Allow for a
Suspension of Licenses and
Permits Issued Under the
Inland Fisheries and Wildlife
Laws for a Deferred
Disposition or Written Filing
Agreement**

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