

# 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.**

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**Augusta, Maine**  
**2023**

A. A member state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

B. Withdrawal does not affect the continuing requirement of the state's audiology or speech-language pathology licensing board to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

**4. Construction.** Nothing in this compact may be construed to invalidate or prevent any audiology or speech-language pathology licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

**5. Amendments.** This compact may be amended by the member states. An amendment to this compact does not become effective and binding upon any member state until it is enacted into the statutes of all member states.

**§17513. Construction and severability**

This compact must be liberally construed so as to effectuate its purposes. The provisions of this compact are severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability of this compact to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability of this compact to any government, agency, person or circumstance are not affected. If this compact is held to be contrary to the constitution of any member state, the compact remains in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

**§17514. Binding effect of compact and other laws**

Nothing in this compact prevents the enforcement of any other law of a member state that is not inconsistent with the compact. Any laws in a member state in conflict with the compact are superseded to the extent of the conflict. Any lawful actions of the commission, including all rules and bylaws promulgated by the commission, are binding upon the member states. All agreements between the commission and the member states are binding in accordance with their terms. If any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision is ineffective to the extent of the conflict with the constitutional provision in question in that member state.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Provides ongoing funds for the technology and other administrative costs associated with adding one Comprehensive Health Planner II position to support the anticipated increase in workload associated with joining the Audiology and Speech-Language Pathology Interstate Compact.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$3,285	\$4,325
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,285</b>	<b>\$4,325</b>

**Office of Professional and Occupational Regulation 0352**

Initiative: Provides ongoing funds for one Comprehensive Health Planner II position and related All Other costs to support the anticipated increase in workload associated with joining the Audiology and Speech-Language Pathology Interstate Compact.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,946	\$104,273
All Other	\$12,267	\$8,834
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$86,213</b>	<b>\$113,107</b>

<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$89,498</b>	<b>\$117,432</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$89,498</b>	<b>\$117,432</b>

See title page for effective date.

**CHAPTER 311**

**S.P. 342 - L.D. 783**

**An Act to Protect Certain Private Emergency Services Personnel from Liability Under the Maine Tort Claims Act**

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

**Sec. 1. 14 MRSA §8102, sub-§1**, as amended by PL 2003, c. 489, §1, is repealed and the following enacted in its place:

**1. Employee.** "Employee" means a person acting on behalf of a governmental entity in any official capacity, whether temporarily or permanently, and whether with or without compensation from local, state or federal funds, including:

- A. Elected or appointed officials;
- B. Volunteer firefighters as defined in Title 30-A, section 3151, subsection 4;
- C. Emergency medical services personnel;
- D. Members of the Maine National Guard but only while performing state active service pursuant to Title 37-B;
- E. Sheriff's deputies as described in Title 30-A, section 381 when they are serving orders pursuant to section 3135;
- F. Persons while performing a search and rescue activity when requested by a state, county or local governmental entity; and
- G. Mutual aid emergency response personnel.

"Employee" does not mean a person or other legal entity acting in the capacity of an independent contractor under contract to the governmental entity.

**Sec. 2. 14 MRSA §8102, sub-§1-B** is enacted to read:

**1-B. Mutual aid emergency response employer.** "Mutual aid emergency response employer" means the Bath Iron Works Corporation or its successor solely with respect to mutual aid emergency response personnel acting pursuant to a mutual aid agreement with a state or municipal entity or in response to a request for aid from a state or municipal entity.

**Sec. 3. 14 MRSA §8102, sub-§1-C** is enacted to read:

**1-C. Mutual aid emergency response personnel.** "Mutual aid emergency response personnel" means the professionally trained firefighting, emergency medical service or rescue personnel employed by the Bath Iron Works Corporation or its successor when acting pursuant to a mutual aid agreement with a state or municipal entity or in response to a request for aid from a state or municipal entity.

**Sec. 4. 14 MRSA §8102, sub-§3**, as amended by PL 2011, c. 520, §1, is further amended to read:

**3. Political subdivision.** "Political subdivision" means any city, town, plantation, county, administrative entity or instrumentality created pursuant to Title 30-A, chapters 115 and 119, incorporated fire-fighting unit that is organized under Title 13-B and is officially recognized by any authority created by statute, quasi-municipal corporation and special purpose district, including, but not limited to, any water district, sanitary district, hospital district, school district of any type, an

airport authority established pursuant to Title 6, chapter 10, any volunteer fire association as defined in Title 30-A, section 3151, a transit district as defined in Title 30-A, section 3501, subsection 1, a regional transportation corporation as defined in Title 30-A, section 3501, subsection 2, a transit district or regional transportation corporation formed under the laws of another state that would qualify as a transit district or regional transportation corporation under Title 30-A, chapter 163 if formed under the laws of this State and, any emergency medical service and a mutual aid emergency response employer.

See title page for effective date.

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**CHAPTER 312**  
**H.P. 508 - L.D. 819**

**An Act to Reduce the Penalty for Operating a Motor Vehicle Under a Suspended License in Certain Situations**

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

**Sec. 1. 29-A MRSA §2412-A, sub-§8**, as amended by PL 2009, c. 493, §3, is further amended to read:

**8. Traffic infraction.** A person commits a traffic infraction operating while license suspended as described in subsection 1-A, paragraph A if the person has not been convicted or adjudicated of a prior offense under this section and the sole basis for the suspension is:

- A. Failure to pay a fine;
- B. Failure to pay a license reinstatement fee; or
- C. Suspension for a dishonored check;
- D. Failure to provide proof of insurance to the Secretary of State;
- E. Failure to pay child support;
- F. Failure to appear in court; or
- G. Failure to submit to an examination or to provide information as requested by the Secretary of State in accordance with section 1258, subsection 5.

See title page for effective date.

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