

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

group of tribal ordinances adopted pursuant to this section or section 6207. The decision to exercise or terminate the jurisdiction authorized by this section must be made by each tribal governing body. If either tribe or nation chooses not to exercise, or to terminate its exercise of, jurisdiction as authorized by this section or section 6207, the State has exclusive jurisdiction over violations of tribal ordinances by members of ~~either tribe or nation~~ any federally recognized Indian tribe, nation, band or other group within the Indian territory of that tribe or nation. The State has exclusive jurisdiction over violations of tribal ordinances by persons not members of ~~either tribe or nation~~ any federally recognized Indian tribe, nation, band or other group except as provided in the section or sections referenced in the following:

- A. Section 6209-A.
- B. Section 6209-B.

Sec. E-2. 30 MRSA §6210, sub-§1, as amended by PL 1995, c. 388, §7 and affected by §8, is repealed and the following enacted in its place:

1. Exclusive authority of tribal law enforcement officers. Law enforcement officers appointed by the Passamaquoddy Tribe and the Penobscot Nation have exclusive authority to enforce:

- A. Within their respective Indian territories, ordinances adopted under section 6206 and section 6207, subsections 1, 10 and 11;
- B. On their respective Indian reservations, the criminal, juvenile, civil and domestic relations laws over which the Passamaquoddy Tribe or the Penobscot Nation have jurisdiction under section 6209-A, subsection 1 and section 6209-B, subsection 1, respectively; and
- C. Within their respective Indian territories, the civil and domestic relations laws over which the Passamaquoddy Tribe or the Penobscot Nation have jurisdiction under section 6209-A, subsection 1, paragraphs C to F and section 6209-B, subsection 1, paragraphs C to F, respectively.

Sec. E-3. 30 MRSA §6210, sub-§2, as amended by PL 1995, c. 388, §7 and affected by §8, is repealed and the following enacted in its place:

2. Joint authority of tribal and state law enforcement officers. Law enforcement officers appointed by the Passamaquoddy Tribe or the Penobscot Nation have the authority within their respective Indian territories and state and county law enforcement officers have the authority within both Indian territories to enforce:

- A. Rules or regulations adopted by the commission under section 6207, subsection 3; and

B. All laws of the State other than those over which law enforcement officers appointed by the Passamaquoddy Tribe or the Penobscot Nation have exclusive jurisdiction under subsection 1.

Sec. E-4. 30 MRSA §6210, sub-§3, as amended by PL 1995, c. 388, §7 and affected by §8, is further amended to read:

3. Agreements for cooperation and mutual aid.

This section does not ~~prevent~~ impact existing agreements for cooperation and mutual aid between the Passamaquoddy Tribe or the Penobscot Nation and any state, county or local law enforcement agency or prevent the Passamaquoddy Tribe or the Penobscot Nation and any state, county or local law enforcement agency from entering into future agreements for cooperation and mutual aid.

Sec. E-5. Contingent effective date. This Part takes effect 120 days after adjournment of the First Special Session of the 131st Legislature only if, within 90 days after adjournment of the First Special Session of the 131st Legislature, the Secretary of State receives written certification from the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has agreed to the provisions of this Part and from the Governor and the Council of the Penobscot Nation that the nation has agreed to the provisions of this Part, copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes.

See title page for effective date, unless otherwise indicated.

**CHAPTER 370
H.P. 1078 - L.D. 1679**

**An Act Regarding the Maine
Indian Tribal-State
Commission**

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

Sec. 1. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 30, section 6212, subsection 1, for the first 6 appointments to the Maine Indian Tribal-State Commission made after the effective date of this Act, the Governor shall appoint 2 members for a term of 2 years, 2 members for a term of 3 years and 2 members for a term of 4 years. All subsequent appointments by the Governor to the commission are subject to Title 30, section 6212, subsection 1.

Sec. 2. Contingent effective date. This Act takes effect 120 days after adjournment of the First Special Session of the 131st Legislature only if, within 90 days after adjournment of the First Special Session of the 131st Legislature, the Secretary of State receives

written certification from the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has agreed to the provisions of this Act; from the Governor and the Council of the Penobscot Nation that the nation has agreed to the provisions of this Act; and from the Houlton Band Council of the Houlton Band of Maliseet Indians that the band has agreed to the provisions of this Act, copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes.

See title page for effective date, unless otherwise indicated.

CHAPTER 371

S.P. 792 - L.D. 1943

An Act Regarding Future Energy Procurements for Renewable Energy Development in Northern Maine

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

Sec. 1. 35-A MRSA §3210-I, sub-§3-A is enacted to read:

3-A. Requests for proposals: additional generation capacity. The commission shall issue a request for proposals for the development and construction of renewable energy generation projects in northern Maine, in addition to those selected under subsection 3, in order to maximize the utilization of the capacity of the transmission line proposal selected under subsection 2. The commission shall:

A. Approve a contract as long as the commission evaluates the contract in accordance with subsection 3, paragraph C and determines that the contract is in the public interest; and

B. Consider bids in any previous request for proposals issued under subsection 3 by:

(1) Providing those bidders with an opportunity to submit updated proposals that account for any previous contract awards in order to ensure that proposals are expeditiously received and most cost-effective in consideration of those previous awards; and

(2) Applying evaluation criteria set forth in this subsection, except that the commission shall give greatest preference to any proposal that:

(a) Demonstrates the greatest likelihood of ensuring the success of the program by contributing to the likelihood of successful completion of the transmission line

proposal selected under subsection 2 and other generation proposals selected under subsection 3;

(b) Is submitted by a bidder that demonstrates significant experience in the successful completion of renewable energy generation projects similar to that proposal; and

(c) Complements the proposals previously selected under subsection 3, but mitigates overall risk to the success of the program by diversifying bidder selection and economic development opportunities in northern Maine.

If a selected proposal under this subsection is unable, at any time after selection and before commercial operation, to fulfill the obligations of the contract, the commission may consider other proposals received under this subsection or subsection 3 to ensure the successful implementation of the program. If the commission finds that a proposal or proposals, whether in whole or in part, received under this subsection or subsection 3 would support the overall successful implementation of the program, the commission shall approve and order a contract or contracts accordingly.

Sec. 2. Integration study and cluster system impact study; timing. The Public Utilities Commission shall conduct a request for proposals and approve contracts in accordance with the Maine Revised Statutes, Title 35-A, section 3210-I, subsection 3-A, if practicable, on a schedule to enable selected renewable energy generation projects to seek inclusion in the New England independent system operator's Third Maine Resource Integration Study and the subsequent cluster system impact study. If the commission determines that the request for proposals or approval of contracts would interfere with the completion of the cluster system impact study, it may delay the request for proposals or approval of contracts until such time that such actions would no longer interfere.

See title page for effective date.

CHAPTER 372

H.P. 1272 - L.D. 1979

An Act Regarding Surplus Lines Insurance Tax

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

Sec. 1. 36 MRSA §2531, sub-§2, as amended by PL 2021, c. 630, Pt. A, §2, is further amended to read:

2. Rate and incidence of tax. Except as otherwise provided in section 2532, the rate of taxation ~~on~~ is 3%