

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1516 - L.D. 2034

**An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of
Maine**

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

Whereas, acts of this and previous Legislatures have resulted in certain technical inconsistencies, conflicts and errors in the laws of Maine; and

Whereas, these inconsistencies, conflicts and errors create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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:

PART A

Sec. A-1. 4 MRSA §18-B, sub-§7, as amended by PL 2021, c. 245, Pt. G, §1 and c. 329, §2, is repealed and the following enacted in its place:

7. Authority and fees. The Judicial Department is authorized to refer cases to the Court Alternative Dispute Resolution Service for mediation and, when a court refers case types or individual cases to the Court Alternative Dispute Resolution Service for mediation, the court shall assess the parties a fee to be apportioned equally among the parties, unless the court otherwise directs. The fee must be deposited in the dedicated account created in subsection 8.

A party may file an in forma pauperis application for waiver of fee. If the court finds that the party does not have sufficient funds to pay the fee, it shall order the fee waived.

Sec. A-2. 4 MRSA §1051, as repealed and replaced by PL 2021, c. 140, §1 and c. 293, Pt. A, §1, is repealed and the following enacted in its place:

§1051. Legal holidays

Court may not be held on Sunday or any day designated for the annual Thanksgiving; New Year's Day, January 1st; Martin Luther King, Jr., Day, the 3rd Monday in January; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the Federal Government designates May 30th as the date for observance of Memorial Day, the 30th of May; Juneteenth, June 19th; the 4th of July; Labor Day, the first Monday of September; Indigenous Peoples Day, the 2nd Monday in October; Veterans Day, November 11th; or on Christmas Day. The Chief Justice of the Supreme Judicial Court may order that court be held on a legal holiday when the Chief Justice finds that the interests of justice and judicial economy in any particular case will be served. The public offices in county buildings may be closed to business on the holidays named in this section. When any one of the holidays named in this section falls on Sunday, the Monday following must be observed as a holiday, with all the privileges applying to any of the days named in this section.

Sec. A-3. 4 MRSA §1802, sub-§4, as amended by PL 2019, c. 427, §§1 and 2, is further amended by amending the first blocked paragraph to read:

"Indigent legal services" does not include the services of a guardian ad litem appointed pursuant to Title 22, section ~~4105~~ 4005, subsection 1.

Sec. A-4. 5 MRSA §6207, sub-§3, as amended by PL 2021, c. 398, Pt. FFFF, §5 and c. 409, §3, is repealed and the following enacted in its place:

3. Priorities. Whenever possible, the Land for Maine's Future Fund and the Public Access to Maine Waters Fund must be used for land acquisition projects when matching funds are available from cooperating entities, as long as the proposed acquisition meets all other criteria set forth in this chapter. For acquisitions funded by the Land for Maine's Future Fund, the board shall give priority to projects that conserve lands with multiple outstanding resource or recreation values or a single exceptional value, that help the State's natural ecosystems, wildlife and natural resource-based economies adapt to a changing climate, that provide geographic representation and that build upon or connect existing holdings.

A. When evaluating projects to be funded, the board shall give a preferential consideration to projects that conserve lands that have been determined by the Department of Inland Fisheries and Wildlife to be important for conserving deer in northern, eastern and western Maine. To be given preferential consideration under this paragraph, a project must result in the acquisition of a fee interest or an easement interest in the land, the department's holding the interest in the land and the department's managing the land area as a wildlife management area, as defined in Title 12, section 10001, subsection 74, with deer conservation as the highest management priority. Only projects that satisfy the requirements of this paragraph may be given preferential consideration. Nothing in this paragraph limits the ability of the board to use the Land for Maine's Future Fund to fund other projects that may also help conserve deer or deer habitat but that do not receive preferential consideration under this paragraph.

When acquiring land or interest in land, the board shall examine public vehicular access rights to the land and, whenever possible and appropriate, acquire guaranteed public vehicular access as part of the acquisition.

Sec. A-5. 5 MRSA §7506, sub-§5, as enacted by PL 2021, c. 155, §3, is amended to read:

5. Rules. The commission may adopt rules necessary to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules as defined in ~~Title 5~~, chapter 375, subchapter 2-A.

Sec. A-6. 5 MRSA §13073-A, sub-§4, as enacted by PL 1999, c. 731, Pt. VVV, §2, is amended to read:

4. Competitive procedure. Funds must be ~~dispersed~~ disbursed in accordance with a competitive, quality-based selection procedure as established and administered by the department.

Sec. A-7. 5 MRSA §13073-C, sub-§3, as enacted by PL 2021, c. 319, §1, is amended to read:

3. Competitive procedure. Funds must be ~~dispersed~~ disbursed in accordance with a competitive, quality-based selection procedure as established and administered by the department.

Sec. A-8. 9-A MRSA §4-107, sub-§2, as enacted by PL 1973, c. 762, §1, is amended to read:

2. A creditor who provides consumer credit insurance in relation to open end credit may calculate the charge to the consumer in each billing cycle by applying the current premium rate to the unpaid balance of debt in the same manner as is permitted with respect to finance charges by the provisions on finance charges for consumer credit sales pursuant to open end credit, section ~~2-202~~ 2-202.

Sec. A-9. 9-A MRSA §4-403, sub-§3, as enacted by PL 1997, c. 315, §8, is repealed.

Sec. A-10. 9-A MRSA §4-403, sub-§4, as enacted by PL 1997, c. 315, §8, is repealed.

Sec. A-11. 9-A MRSA §11-106, sub-§1, ¶E, as enacted by PL 1991, c. 787, is amended to read:

E. A "security interest" as defined in Title 11, section ~~1-201~~ 1-1201, subsection ~~(37)~~ (35).

Sec. A-12. 9-A MRSA §16-104, sub-§1, as enacted by PL 2021, c. 357, §2, is amended to read:

1. Annual written notice. A private education lender shall inform the borrower and cosigner of all administrative, nonjudgmental criteria required for cosigner release. A private education lender shall provide the borrower and the cosigner of a cosigned private education loan an annual written notice containing information about cosigner release, including the criteria the lender requires to approve cosigner release and the process for applying for cosigner release.

Sec. A-13. 10 MRSA §391, sub-§1, as enacted by PL 1995, c. 699, §3, is amended to read:

1. Disclosure required. Notwithstanding subsections 2 and 3, and except as provided in subsection 2, paragraph F, the board shall make available the following records, either to any person upon a request that reasonably describes the records to which access is sought or, if no request is made, in any manner and at any time that the board may determine:

A. After a written application or proposal for financial assistance or property transfer has been filed in a form specified by or acceptable to the board:

(1) Names of recipients of or applicants for financial assistance, including principals, where applicable;

(2) Amounts, types and general terms of financial assistance provided to those recipients or requested by those applicants;

(3) Description of projects and businesses benefiting or to benefit from the financial assistance;

(4) Names of transferors or transferees, including principals, of property to or from the board, the general terms of transfer and the purposes for which transferred property will be used; and

(5) Number of jobs and the amount of tax revenues projected and resulting from a project;

B. Any information pursuant to a waiver determined satisfactory by the board;

C. Information that, as determined by the board, has already been made available to the public; and

D. Information necessary to comply with Title 1, section 407, subsection 1.

The board shall provide to a legislative committee the information or records specified in a written request signed by the chair of that legislative committee. The information or records may be used only for the lawful purposes of the committee and in any action arising out of any investigation conducted by it.

Sec. A-14. 10 MRSA §963-A, sub-§10, ¶U, as enacted by PL 2013, c. 378, §3, is amended to read:

U. Any offshore wind energy development ~~as defined in Title 35-A, section 102, subsection 10-A~~ or project to manufacture components for an offshore wind energy development.

Sec. A-15. 10 MRSA §975-A, sub-§2, ¶F, as amended by PL 1989, c. 552, §10, is further amended to read:

F. Any financial statement or business and marketing plan in connection with any project receiving or to receive financial assistance from the authority pursuant only to ~~subchapters III or IV~~ subchapter 3 or 4, except section 1053, subsection 5, if a person to whom the statement or plan belongs or pertains has requested that the record be designated confidential; and

Sec. A-16. 10 MRSA §1174, sub-§3, ¶C-4, as enacted by PL 2017, c. 217, §1, is amended by amending subparagraph (2) to read:

(2) A used motor vehicle is considered to be part of the inventory of the motor vehicle dealer under subparagraph ~~4~~ (1) if the used motor vehicle is in the possession of the dealer on the date the do not drive order or stop sale order is issued or if the dealer obtains the used motor vehicle as a result of a trade-in or a lease return after the date that the order is issued but before the remedy and all parts necessary to repair the used motor vehicle are made available to the dealer. The manufacturer may establish the method by which a motor vehicle dealer demonstrates that an affected motor vehicle is part of the inventory of the dealer as described in this subparagraph. The method may not be unreasonable, be unduly burdensome or require the motor vehicle dealer to provide information to the manufacturer that is not necessary for payment.

Sec. A-17. 10 MRSA §1242, sub-§11, as enacted by PL 1997, c. 473, §3, is amended to read:

11. Good faith. "Good faith" means honesty in fact and the observation of reasonable commercial standards of fair dealing in the trade ~~as defined in Title 11, section 2103, subsection (1), paragraph (b).~~

Sec. A-18. 10 MRSA §1432, sub-§12, as enacted by PL 1997, c. 427, §2, is amended to read:

12. Good faith. "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing in the trade ~~as defined in Title 11, section 2103, subsection (1), paragraph (b).~~

Sec. A-19. 10 MRSA §1478, sub-§2, as amended by PL 1991, c. 837, Pt. A, §26, is further amended to read:

2. State agencies to maintain documents for each vehicle. Each state agency shall maintain records for each vehicle in the possession of and assigned for primary use by the agency. The records must contain the information ~~defined~~ identified in section 1475, subsection ~~2~~ 2-A, paragraphs B, C, D and F. Each state agency shall use the disclosure forms as provided by the Bureau of Motor Vehicles pursuant to section 1475, subsection ~~2, paragraph G~~ 2-A.

A. In the event that a uniform disclosure form prepared by the Bureau of Motor Vehicles is not available for state agency use, each agency shall devise a form until a uniform form becomes available.

B. This subsection applies to motor vehicles purchased on or after July 1, 1986.

Sec. A-20. 10 MRSA §2364-B, sub-§6, as amended by PL 2021, c. 280, §4, is further amended to read:

6. Presentation of trip ticket to forest ranger. Upon request, a truck driver or an owner or manager of any log yard or mill site shall present a copy of the trip ticket to a forest ranger in any log yard or mill site. Upon request, a wood scaler shall present the record of measurement including a copy of the trip ticket or information contained on the trip ticket to a forest ranger. A forest ranger may request and use this information for the purpose of enforcing and investigating alleged violations of Title 12, section 8006 and Title 12, section ~~8883~~ 8883-B; Title 14, section 7552; and Title 17, section 2510. For purposes of this subsection, "forest ranger" means a person employed by the Department of

Agriculture, Conservation and Forestry, Bureau of Forestry under Title 12, section 8901. A truck driver, an owner or manager of any log yard or mill site or a wood scaler who fails to comply with the provisions of this subsection is subject to the penalties provided in section 2368.

Sec. A-21. 10 MRSA §9021, sub-§8-A, as enacted by PL 2007, c. 402, Pt. D, §7, is amended to read:

8-A. Denial or refusal to renew license; disciplinary action. In addition to the grounds enumerated in ~~Title 10~~, section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by ~~Title 10~~, section 8003, subsection 5-A for any of the following reasons:

- A. Accepting manufactured housing, directly or indirectly, from a manufacturer not licensed by the State pursuant to this chapter;
- B. Selling or delivering, directly or indirectly, manufactured housing to a dealer or developer dealer not licensed by the State pursuant to this chapter; or
- C. Violation of any of the provisions of chapter 213.

Sec. A-22. 10 MRSA §9089, as repealed and replaced by PL 2007, c. 402, Pt. D, §16, is amended to read:

§9089. Denial or refusal to renew license; disciplinary action

The board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by ~~Title 10~~, section 8003, subsection 5-A for any of the reasons enumerated in ~~Title 10~~, section 8003, subsection 5-A, paragraph A.

Sec. A-23. 12 MRSA §685-C, sub-§1, ¶A, as amended by PL 2011, c. 682, §21, is further amended by amending subparagraph (2) to read:

- (2) Submitting the tentative plan to the ~~State Planning Office or its successor~~, pursuant to Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning, as described in Title 5 7-A, section 3305 206, subsection 1, paragraph G 4, or its successor, which shall forward its comments and recommendations, if any, to the commission within 30 days;

Sec. A-24. 12 MRSA §685-C, sub-§1, ¶A, as amended by PL 2011, c. 682, §21, is further amended by amending subparagraph (3) to read:

- (3) Considering all comments submitted under paragraphs A and ~~B~~ B-1; and

Sec. A-25. 12 MRSA §5202, sub-§2, as amended by PL 1987, c. 402, Pt. A, §94, is further amended to read:

2. Expenditure of funds. All money credited to the fund ~~shall~~ must be used to preserve and protect public access to coastal shoreland areas in accordance with the guidelines established by the commissioner pursuant to section 5203. As provided in section 5203, not less than 50% of all revenue available from the fund ~~shall~~ must be ~~dispersed~~ disbursed to municipalities located in the coastal area, as defined in Title 38, section 1802. No more than 10% of the revenues available in the fund may be used for the development of acquired access areas.

Sec. A-26. 12 MRSA §5203, sub-§3, as enacted by PL 1985, c. 794, Pt. B, is amended to read:

3. Coastal municipality participation. Notwithstanding any guidelines established pursuant to this chapter, at least 50% of all revenue available from the fund ~~shall~~ must be ~~dispensed~~ disbursed to municipalities located in the coastal area, as defined in Title 38, section 1802, for the acquisition or development of shoreline access areas. The amount ~~granted~~ disbursed to such a municipality pursuant to this section ~~shall~~ may not exceed 50% of the total cost of the acquisition or development project.

Sec. A-27. 12 MRSA §6028, sub-§2, as enacted by PL 1983, c. 449, is amended to read:

2. Powers and duties. Volunteer marine patrol officers ~~shall~~ have the same powers and duties as marine patrol officers specified in section 6025, except that the exercise of these powers and duties ~~shall be~~ is limited to marine resources laws set out in chapters 601 to 627, inclusive, and department regulations adopted pursuant to these statutes. Volunteer marine patrol officers shall complete reserve officer training at the Maine Criminal Justice Academy ~~pursuant to Title 25, section 2805-A~~ prior to assuming these duties.

Sec. A-28. 12 MRSA §6072, sub-§12-A, ¶B, as amended by PL 2009, c. 229, §2, is further amended by amending subparagraph (1) to read:

(1) The change in lessee does not violate any of the standards in subsection ~~7~~ 7-A;

Sec. A-29. 18-C MRSA §3-914, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

§3-914. Disposition of unclaimed assets

If an heir, devisee or claimant cannot be found, the personal representative shall distribute the share of the missing person to the person's conservator, if any; otherwise it must be disposed of according to Title 33, chapter ~~44~~ 45.

Sec. A-30. 19-A MRSA §1658, sub-§1, as amended by PL 2021, c. 340, §2, is further amended to read:

1. Petitioner. A petition for termination of a parent's parental rights and responsibilities with respect to a specific child may be filed by another parent or the parent or guardian of a child's minor parent on any grounds set forth in subsection ~~3~~ 3-A. A parent may not file a petition under this section to terminate the parent's own parental rights and responsibilities.

Sec. A-31. 20-A MRSA §6995, as enacted by PL 2021, c. 248, §3, is amended to read:

§6995. Rules

The department shall adopt rules as necessary to administer this ~~section~~ chapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-32. 22 MRSA §1425, as enacted by PL 2021, c. 369, §1, is amended to read:

§1425. Annual report on firearm fatalities and hospitalizations

Beginning January 1, 2022, the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the following data:

1. Firearm fatalities. Public health data concerning firearm fatalities in the State, separated by:

A. The number of homicides, including the number of homicides that were the result of domestic violence, further separated by the ages of the victims for each;

B. Suicides, further separated by the ages of the victims; and

C. Unintentional discharges, further separated by the ages of the victims; and

2. Hospitalizations. Hospitalizations that occurred as a result of a firearm but did not result in death.

~~The Commissioner of Public Safety, the Office of Chief Medical Examiner, the Office of the Attorney General and the Maine Health Data Organization shall assist the Director of the Maine Center for Disease Control and Prevention with the collection of the data required in this section.~~

~~The Director of the Maine Center for Disease Control and Prevention shall make the report required under this section publicly available.~~

The Commissioner of Public Safety, the Office of Chief Medical Examiner, the Office of the Attorney General and the Maine Health Data Organization shall assist the Director of the Maine Center for Disease Control and Prevention with the collection of the data required in this section.

The Director of the Maine Center for Disease Control and Prevention shall make the report required under this section publicly available.

Sec. A-33. 22 MRSA §2422, sub-§4-N, as repealed and replaced by PL 2021, c. 251, §2 and c. 293, Pt. A, §25, is repealed and the following enacted in its place:

4-N. Immature marijuana plant. "Immature marijuana plant" means a marijuana plant that is not a mature marijuana plant or seedling. "Immature marijuana plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. A-34. 22 MRSA §2428, sub-§1-A, ¶F, as repealed and replaced by PL 2021, c. 293, Pt. A, §27 and amended by c. 367, §13, is further amended by repealing subparagraph (4) and enacting the following in its place:

(4) Transfer to and accept from a registered caregiver or another dispensary marijuana plants and harvested marijuana in a wholesale transaction in accordance with this paragraph. A dispensary may transfer in wholesale transactions for reasonable compensation or for no remuneration an unlimited amount of the mature marijuana plants grown by the dispensary over the course of a calendar year, including any marijuana products or marijuana concentrate manufactured from mature marijuana plants grown by the dispensary. A dispensary may transfer to or accept from registered caregivers and dispensaries in wholesale transactions an unlimited amount of immature marijuana plants and seedlings. A dispensary that acquires mature marijuana plants, marijuana products or marijuana

concentrate in a wholesale transaction under this subparagraph may not resell the mature marijuana plants, marijuana products or marijuana concentrate except to a qualifying patient or to a caregiver or dispensary to assist a qualifying patient;

Sec. A-35. 22 MRSA §2430-G, sub-§2, ¶D, as enacted by PL 2017, c. 452, §24, is amended to read:

D. The department may not conduct inspections of a qualifying patient or caregiver operating under section 2423-A, subsection ~~2~~ 3, paragraph C.

Sec. A-36. 24-A MRSA §1420-C, sub-§2, ¶I, as enacted by PL 2021, c. 218, §4, is amended to read:

I. A person who offers to sell or sells self-storage insurance pursuant to a license issued by the superintendent under chapter ~~97~~ 99.

Sec. A-37. 24-A MRSA §3030, as enacted by PL 1969, c. 132, §1, is amended to read:

§3030. Lien established; application of payments

The mortgagee of any real estate or the mortgagee of any personal property ~~shall have~~ has a lien upon any policy of insurance against loss by fire procured thereon by the mortgagor, to take effect from the time ~~he~~ the mortgagee files with the insurer, at its home office, a written notice, briefly describing ~~his~~ the mortgage, the estate conveyed thereby and the sum remaining unpaid thereon. If the mortgagor, by a writing by ~~him~~ the mortgagor signed and filed with the secretary, consents that the whole of the sum secured by the policy, or so much as is required to discharge the amount due on the mortgage at the time when a loss occurs, ~~shall~~ will be applied to the payment of the mortgage, it ~~shall~~ must be so paid by the insurer, and the mortgagee's receipt therefor ~~shall be~~ is a sufficient discharge of the insurer.

Sec. A-38. 24-A MRSA §3363, sub-§2, ¶A, as enacted by PL 1969, c. 132, §1, is amended to read:

A. The date of expiration set forth in the proxy; ~~or~~

Sec. A-39. 24-A MRSA §3363, sub-§2, ¶B, as corrected by RR 2021, c. 1, Pt. B, §267, is amended to read:

B. The date of termination of membership; or

Sec. A-40. 24-A MRSA §4405, sub-§3, as enacted by PL 1969, c. 132, §1 and amended by PL 1973, c. 585, §12, is further amended to read:

3. Every law enforcement officer of this State shall assist the superintendent in making and enforcing any such seizure, and every sheriff's and police department shall furnish ~~him~~ the superintendent with such deputies, ~~patrolmen~~ or other law enforcement officers as are necessary for the purpose.

Sec. A-41. 24-A MRSA c. 97, as enacted by PL 2021, c. 218, §5, is repealed.

Sec. A-42. 24-A MRSA c. 99 is enacted to read:

CHAPTER 99

LIMITED LINES SELF-STORAGE INSURANCE

§7601. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Customer. "Customer" means a person who rents or leases a storage space within a self-storage facility under a rental agreement with a self-storage provider. "Customer" includes the sublessee, assignee or successor in interest of the person originally a party to a rental agreement with a self-storage provider.

2. Covered customer. "Covered customer" means a customer who elects to receive coverage under a self-storage insurance policy.

3. Limited lines license. "Limited lines license" means a license to sell or offer a policy for self-storage insurance.

4. Location. "Location" means any physical location of a self-storage facility in the State or any publicly accessible website, call center or similar operation directed to residents of the State.

5. Rental agreement. "Rental agreement" means a written agreement between a customer and self-storage provider that establishes or modifies the terms, conditions or other provisions governing a customer's occupancy and use of a storage space within a self-storage facility owned or operated by the self-storage provider.

6. Self-storage facility. "Self-storage facility" means any real property or facility in which individual storage spaces rented or leased by a self-storage provider to a customer are located and within which a customer is generally responsible for placing and removing property the customer stores within a rented or leased storage space.

7. Self-storage insurance. "Self-storage insurance" means personal property insurance authorized under section 705 providing coverage for the repair or replacement of personal property of a covered customer stored at a self-storage facility or in transit to or from a self-storage facility against various causes of loss, including loss or damage. "Self-storage insurance" does not include a homeowner's or renter's insurance, private passenger automobile insurance, commercial multiple peril insurance or any similar policy.

8. Self-storage provider. "Self-storage provider" means a person or business entity, as defined in section 1151-A, subsection 4, that is the owner, operator, lessor or sublessor of a self-storage facility.

9. Supervising entity. "Supervising entity" means a business entity that is a licensed insurance producer or insurer.

§7602. Licensure of self-storage providers

1. License required. A self-storage provider must obtain a limited lines license under this chapter prior to selling or offering coverage under a policy of self-storage insurance.

2. Authority provided by license. A limited lines license issued under this chapter authorizes any employee or authorized representative of a self-storage provider to sell or offer coverage under a policy of self-storage insurance to a customer at each location at which the self-storage provider engages with a customer or prospective customer.

3. List of locations. In connection with a self-storage provider's application for a license under section 7606 and upon request by the superintendent, the self-storage provider shall provide a list to the superintendent of all locations in this State at which the self-storage provider offers coverage.

4. Activities authorized by license. Notwithstanding any provision of law to the contrary, a license issued pursuant to this chapter authorizes the licensee and its employees or authorized representatives to engage only in those activities that are expressly permitted in this chapter.

§7603. Requirements for the sale of self-storage insurance

1. Brochures. At each location where a self-storage provider sells or offers self-storage insurance to customers, the self-storage provider shall make available to a prospective customer brochures or other written materials that:

A. Disclose that self-storage insurance may provide a duplication of coverage already provided by a customer's homeowner's insurance policy, renter's insurance policy or other source of coverage;

B. State that the enrollment by the customer in a self-storage insurance policy is not required in order to rent or lease storage space within a self-storage facility;

C. Summarize the material terms of the insurance coverage, including:

(1) The identity of the insurer;

(2) The identity of the supervising entity;

(3) The amount of any applicable deductible and how it is to be paid; and

(4) Benefits of the coverage;

D. Summarize the process for filing a claim; and

E. State that the customer may cancel enrollment for coverage under a self-storage insurance policy at any time and the person paying the premium must receive a refund of any applicable unearned premium.

2. Periodic basis of coverage. Self-storage insurance may be offered on a month-to-month or other periodic basis as a group or master commercial inland marine policy issued to a self-storage provider under which individual customers may elect to enroll for coverage.

3. Eligibility and underwriting standards. Eligibility and underwriting standards for customers that elect to enroll in self-storage insurance must be established by an insurer for each self-storage insurance program.

§7604. Authority of self-storage providers

1. Requirements for employees and authorized representatives of self-storage providers. An employee or authorized representative of a self-storage provider may sell or offer self-storage insurance to a customer and is not subject to licensure as an insurance producer under this chapter if:

A. The self-storage provider obtains a limited lines license to authorize its employees or authorized representatives to sell or offer self-storage insurance pursuant to this section;

B. The insurer issuing the self-storage insurance either directly supervises or appoints a supervising entity to supervise the administration of the sale of insurance, including development of a training program for employees and authorized representatives of the self-storage providers.

(1) The training must be delivered to all employees and authorized representatives of the self-storage provider who are directly engaged in the activity of selling or offering self-storage insurance. The training may be provided in electronic form. If the training is conducted in electronic form, the supervising entity shall implement a supplemental education program that is conducted and overseen by licensed employees of the supervising entity to supplement the electronic training.

(2) Each employee and authorized representative must receive basic instruction about the self-storage insurance offered to customers and the disclosures required under section 7603, subsection 1; and

C. The employee or authorized representative of the self-storage provider does not advertise, represent or otherwise hold that employee or authorized representative out as other than a limited lines licensed insurance producer.

2. Charges. The charges for self-storage insurance coverage may be billed and collected by the self-storage provider. Any charge to the customer for coverage that is not included in the cost associated with the rental or lease of self-storage or related services must be separately itemized on the customer's bill. If the self-storage insurance coverage is included with the rental or lease of self-storage or related services, the self-storage provider shall clearly and conspicuously disclose to the customer that the self-storage insurance coverage is included with the rented or leased storage space. A self-storage provider billing and collecting charges for coverage is not required to maintain those funds in a segregated account as long as the self-storage provider is authorized by the insurer to hold such funds in an alternative manner and remits the funds to the supervising entity within 60 days of receipt. All funds received by a self-storage provider from a customer for the sale of self-storage insurance are considered funds held in trust by the self-storage provider in a fiduciary capacity for the benefit of the insurer. A self-storage provider may receive compensation for billing and collection services.

§7605. Violations

1. Penalties. If a self-storage provider or its employee or authorized representative violates any provision of this chapter, the superintendent may enforce this chapter in accordance with section 12-A except the superintendent may not impose a fine exceeding \$15,000 for aggregate conduct in violation of this chapter.

2. Suspension or revocation. In addition to any other penalties authorized by law, the superintendent may:

A. Suspend the authority of a self-storage provider to transact self-storage insurance;

B. Suspend the authority of a self-storage provider to transact self-storage insurance pursuant to this chapter at specific business locations where violations have occurred; and

C. Suspend or revoke the authority of an individual employee or authorized representative of a self-storage provider to act under a limited lines license under section 7602, subsection 2.

§7606. Application for license and fees

1. Application for license to be filed with superintendent. A self-storage provider must file a sworn application for a license under this chapter with the superintendent on forms prescribed and furnished by the superintendent.

2. Contents of application. In addition to other information required by the superintendent, the application for a license under this chapter must:

A. Provide the name, residence address and other information required by the superintendent for an employee or authorized representative of the self-storage provider who is designated by the applicant as the person responsible for the self-storage provider's compliance with the requirements of this chapter. If the self-storage provider derives more than 50% of its revenue from the sale of self-storage insurance, the information specified in this paragraph must be provided for all officers, directors and shareholders of record having beneficial ownership of 10% or more of any class of securities registered under the federal securities laws;

B. Appoint the superintendent as the applicant's attorney to receive service of all legal process issued against it in any civil action or proceeding in this State and agree that process so served is valid and binding against the applicant. The appointment is irrevocable, binds the company and any successor in interest as well as the assets or liabilities of the applicant and must remain in effect as long as the applicant's license remains in force in this State; and

C. Provide the location of the applicant's home office.

3. Time of application. An application for a license under this chapter must be made within 90 days of the application's being made available by the superintendent.

4. Initial license valid for 24 months. An initial license issued pursuant to this chapter is valid for 24 months and expires on the last day of the 24th month.

5. Fee. Each self-storage provider licensed under this chapter shall pay to the superintendent a fee equal to the amount prescribed by section 601, subsection 33.

Sec. A-43. 25 MRSA §1542-A, sub-§3, ¶X, as enacted by PL 2021, c. 400, §3 and reallocated by RR 2021, c. 1, Pt. A, §25, is amended to read:

X. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph ~~V~~ Y at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 5307.

Sec. A-44. 26 MRSA §1192, sub-§3, as amended by PL 2021, c. 348, §39 and c. 456, §19, is repealed and the following enacted in its place:

3. Is able and available for work. The individual is able to work and is available for full-time work at the individual's usual or customary trade, occupation, profession or business or in such other trade, occupation, profession or business for which the individual's prior training or experience shows the individual to be fitted or qualified, as long as the geographic region in which the work will take place is not greater than 35 miles from the individual's primary residence; and in addition to having complied with subsection 2 is actively seeking work in accordance with the rules of the commissioner; except that no ineligibility may be found solely because the claimant is unable to accept employment on a shift, the greater part of which falls between the hours of midnight to 5 a.m., and is

unavailable for that employment because of parental obligation, the need to care for an immediate family member or the unavailability of a personal care attendant required to assist the unemployed individual who is a person with a disability; and except that an unemployed individual who is neither able nor available for work due to good cause as determined by the deputy is eligible to receive prorated benefits for that portion of the week during which the individual was able and available.

A. Notwithstanding this subsection, beginning January 1, 2004, an individual who is not available for full-time work as required in this subsection is not disqualified from receiving benefits if:

(1) The individual worked less than full time for a majority of the weeks during that individual's base period and the individual is able and available for and actively seeking part-time work for at least the number of hours in a week comparable to those customarily worked in part-time employment during that individual's base period; or

(2) The individual worked full time for a majority of the weeks during that individual's base period, but is able and available for and actively seeking only part-time work because of the illness or disability of an immediate family member or because of limitations necessary for the safety or protection of the individual or individual's immediate family member.

Sec. A-45. 30-A MRSA §1606, sub-§1, as amended by PL 2021, c. 169, §1 and c. 338, §2, is repealed and the following enacted in its place:

1. Participation in public works projects authorized. The sheriff in charge of a county jail, or the sheriff of a county that shares a regional jail with other counties, may permit certain inmates of that jail, who have been sentenced, to voluntarily participate in public works-related projects or in the improvement of property owned by charitable organizations in that county or another county and may permit others required to do so pursuant to Title 17-A, section 1902, subsection 1 to participate in such projects or improvement. A project or improvement must be supervised by the sheriff of the county in which the project or improvement is being conducted. The sheriff may request payment from charitable organizations for the transportation of the prisoners and for the transportation and per diem compensation for any corrections officers who accompany the prisoners. For the purposes of this section, "charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), because the nonprofit organization is described in the United States Internal Revenue Code of 1986, Section 501(c)(3).

Sec. A-46. 30-A MRSA §5225, sub-§1, ¶C, as repealed and replaced by PL 2021, c. 261, §6 and c. 293, Pt. B, §6, is repealed and the following enacted in its place:

C. Costs related to economic development, environmental improvements, fisheries and wildlife or marine resources projects, recreational trails, broadband service development, expansion or improvement, including connecting to broadband service outside the tax increment financing district, employment training or the promotion of workforce development and retention within the municipality or plantation, including, but not limited to:

- (1) Costs of funding economic development programs or events developed by the municipality or plantation or funding the marketing of the municipality or plantation as a business or arts location;
- (2) Costs of funding environmental improvement projects developed by the municipality or plantation for commercial or arts district use or related to such activities;
- (3) Funding to establish permanent economic development revolving loan funds, investment funds and grants;
- (4) Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained in the municipality or plantation. These costs must be designated as training funds in the development program;
- (5) Costs associated with quality child care facilities and adult care facilities, including finance costs and construction, staffing, training, certification and accreditation costs related to child care and adult care;
- (6) Costs associated with new or existing recreational trails determined by the department to have significant potential to promote economic development, including, but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails, which may include bridges that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses;
- (7) Costs associated with a new or expanded transit service, limited to:
- (a) Transit service capital costs, including but not limited to: transit vehicles such as buses, ferries, vans, rail conveyances and related equipment; bus shelters and other transit-related structures; and benches, signs and other transit-related infrastructure; and
 - (b) In the case of transit-oriented development districts, ongoing costs of adding to an existing transit system or creating a new transit service and limited strictly to transit operator salaries, transit vehicle fuel and transit vehicle parts replacements;
- (8) Costs associated with the development of fisheries and wildlife or marine resources projects;
- (9) Costs related to the construction or operation of municipal or plantation public safety facilities, the need for which is related to general economic development within the municipality or plantation, not to exceed 15% of the captured assessed value of the development district;
- (10) Costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of those projects. If an area within a municipality or plantation is unserved with respect to broadband service, as defined by the ConnectMaine Authority as provided in Title 35-A, section 9204-A, subsection 1,

broadband and fiber optics expansion projects may serve residential or other nonbusiness or noncommercial areas in addition to business or commercial areas within the municipality or plantation; and

(11) Costs associated with the operation and financial support of:

(a) Affordable housing in the municipality or plantation to serve ongoing economic development efforts, including the further development of the downtown tax increment financing districts; and

(b) Housing programs and services to assist those who are experiencing homelessness in the municipality or plantation as defined in the municipality's or plantation's development program;

Sec. A-47. 32 MRSA §18371, sub-§2, ¶E, as amended by PL 2021, c. 88, §3 and c. 223, §7, is repealed and the following enacted in its place:

E. An individual with a resident dentist license may provide dental services only under the supervision of a dentist in a board-approved setting and in accordance with the level of supervision and control for which the license was issued by the board.

Sec. A-48. 34-B MRSA §15003, sub-§5, as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3 and amended by PL 2001, c. 354, §3, is further amended to read:

5. Fiscal management. Funds appropriated or allocated for the purposes of this chapter must be used to provide care, to administer the program, to meet departmental responsibilities and to develop resources for children's care in this State as determined necessary through the individualized treatment planning process pursuant to section ~~15502~~ 15002, subsection 1.

A. When care is provided for a child that costs less than the amount that had been budgeted for that care from funds within the ~~budgets~~ budget of the Department of Health and Human Services, ~~Medicaid accounts and the Department of Behavioral and Developmental Services,~~ the savings in funds must be reinvested to provide care to children or to develop resources for care in the State.

B. The departments shall adopt fiscal information systems that record appropriations, allocations, expenditures and transfers of funds for children's care for all funding sources in a manner that separates funding for children from funding for adults.

C. The departments shall shift children's program block grant funding toward the development of a community-based mental health system that includes developing additional community-based services and providing care and services for children who are not eligible for services under the Medicaid program. The departments shall maximize the use of federal funding, the Medicaid program and health coverage for children under the federal Balanced Budget Act of 1997, Public Law 105-133, 111 Stat. 251.

D. The departments shall work with the Department of Administrative and Financial Services to remove barriers to allow appropriate funds, irrespective of origin or designation, to be combined to provide and to develop the care and support services needed for the program, to use General Fund money to meet needs that are not met by other funds and to leverage state funds to maximize the use of federal funding for each child, including the use of funds under the Adoption Assistance and Child Welfare Act

of 1980, Title IV-E of the Social Security Act, 42 United States Code, Sections 670 to 679a (Supplement 1997) and other federal funds for care delivered to children living at home and in all types of residential placements.

Sec. A-49. 35-A MRSA §3145, as enacted by PL 2021, c. 298, §1, is amended to read:

§3145. State energy storage policy goals

The state goal for energy storage system development is 300 megawatts of installed capacity located within the State by December 31, 2025 and 400 megawatts of installed capacity located within the State by December 31, 2030. Beginning January 1, 2031, and every 2 years thereafter, the Governor's Energy Office established in Title 2, ~~subsection~~ section 9 shall set the state goal for energy storage system development and report that goal to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters. For the purposes of this section, "energy storage system" has the same meaning as in section 3481, subsection 6.

Sec. A-50. 35-A MRSA §4352, sub-§3, ¶B, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

B. All costs of labor and services, including services of ~~foremen~~, inspectors, supervisors, surveyors, engineers, counsel and accountants, performed in connection with the decommissioning of the plant, and all costs of materials, supplies, machinery, construction equipment and apparatus acquired for or in connection with the decommissioning of the plant. It is understood that any amount, exclusive of proceeds of insurance, realized by a licensee as salvage on or resale of any machinery, construction equipment and apparatus, the cost of which was charged as a decommissioning expense, ~~shall~~ must be treated as a deduction from the amounts otherwise payable on account of the cost of decommissioning of the plant; and

Sec. A-51. 35-A MRSA §10110, sub-§1, ¶C, as repealed and replaced by PL 2021, c. 209, §4 and c. 293, Pt. A, §48, is repealed and the following enacted in its place:

C. "Conservation programs" means programs developed by the trust pursuant to this section designed to reduce inefficient electricity use or to increase the efficiency with which electricity is used.

PART B

Sec. B-1. 4 MRSA §116, first ¶, as amended by PL 2007, c. 377, §1 and affected by §17, is further amended to read:

All revenue received by the Supreme Judicial or Superior Court, whether directly or pursuant to an agreement entered into with the Department of Administrative and Financial Services, Bureau of Revenue Services, from fines, forfeitures, penalties, fees and costs accrues to the State, except as otherwise provided under section 1057; Title 7, section 3910-A; Title 12, ~~sections 3055 and 4508~~ section 10203; Title 17, section 1015; Title 23, section 1653; Title 29-A, section 2602; ~~former Title 34-A, section 1210-A, subsection 9; and Title 34-A, section 1210-B, subsection 6~~ and Title 34-A, section 1210-D, subsection 5.

Sec. B-2. 4 MRSA §163, sub-§1, as amended by PL 2015, c. 44, §1, is further amended to read:

1. District Court funds. Except as otherwise provided by law, all fines, forfeitures, surcharges, assessments and fees collected in any division of the District Court or by the violations bureau must be paid to the clerk of that District Court, who shall deposit them in a special account in a timely manner. Once each month, the clerk shall remit the sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, the clerk shall remit the sums that have been collected in accordance with section 1057; Title 5, chapter 316-A; Title 7, section 3910-A; Title 17, section 1015; Title 29-A, section 2411, subsection 7; ~~former Title 34-A, section 1210-A, subsection 9; and Title 34-A, section 1210-B, subsection 6~~ and Title 34-A, section 1210-D, subsection 5. Funds received by the clerk as bail in criminal cases must be deposited daily in a special account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost-effective to do so. Interest accrued in the account is the property of and accrues to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.

Sec. B-3. 30-A MRS §1658, 2nd ¶, as amended by PL 2007, c. 377, §6 and affected by §17, is further amended to read:

The county commissioners may purchase, lease, contract or enter into agreements for the use of facilities to house minimum security prisoners who have been sentenced to the county jail. These prisoners must be involved in restitution, work or educational release, or rehabilitative programs. The funds to purchase, lease or contract for these facilities and to provide any programs in these facilities may be taken from the funds received by the counties pursuant to ~~former Title 34-A, section 1210-A and Title 34-A, section 1210-B~~ 1210-D. Any facilities used to house prisoners pursuant to the authority granted by this section are subject to standards established by the Department of Corrections pursuant to Title 34-A, section 1208-A.

Sec. B-4. 34-A MRS §1214, sub-§1, as amended by PL 2017, c. 128, §5, is further amended to read:

1. Establishment. The Office of Victim Services, referred to in this section as the "office," is established within the department to advocate for compliance by the department, any correctional facility, any detention facility, community corrections as defined in ~~former section 1210-A or in section 1210-B~~ 1210-D, subsection 2 or any contract agency with all laws, administrative rules and institutional and other policies relating to the rights and dignity of victims.

Sec. B-5. 34-A MRS §1214, sub-§3, ¶B, as amended by PL 2007, c. 377, §15 and affected by §17, is further amended to read:

B. Intercede on behalf of victims with officials of the department, any correctional facility, any detention facility, community corrections as defined in ~~former section 1210-A or in section 1210-B~~ 1210-D, subsection 2 or any contract agency or assist these persons in the resolution of victim-related issues;

PART C

Sec. C-1. 9-A MRS §4-402, as enacted by PL 1997, c. 315, §8, is amended to read:

§4-402. Insurance agency producer activities

A supervised lender and any affiliate may become licensed under Title 24-A as an insurance ~~agent or agency, broker~~ producer or consultant for the sale of insurance products in this State and may act as an insurance ~~agent, broker~~ producer or consultant for the sale of insurance products in this State.

Sec. C-2. 9-A MRSA §4-403, sub-§1, ¶E, as enacted by PL 1997, c. 315, §8, is amended to read:

E. An insurer or insurance ~~agent, broker~~ producer or consultant utilizing space in the retail area of a supervised lender, or an institution listed in paragraph A or B in order to engage in the transaction of insurance when payments for use of such space are made to the supervised lender or other such institution pursuant to a space-sharing agreement based directly or indirectly on a percentage of the volume of business conducted by the insurer, ~~or insurance agent, broker~~ producer or consultant.

Sec. C-3. 9-A MRSA §4-403, sub-§5-A is enacted to read:

5-A. Insurance producer. "Insurance producer" means a person required to be licensed as an insurance producer as defined in Title 24-A, section 1402, subsection 5.

Sec. C-4. 9-A MRSA §4-403, sub-§6, as enacted by PL 1997, c. 315, §8, is amended to read:

6. Insurance product. "Insurance product" means a contract of insurance that is offered for sale by a ~~licensed agent or broker~~ an insurance producer employed by or affiliated with a supervised lender.

Sec. C-5. 9-A MRSA §4-403, sub-§7, as enacted by PL 1997, c. 315, §8, is amended to read:

7. Licensed 3rd-party agent. "Licensed 3rd-party agent" means a licensed insurance ~~agent, broker~~ producer or consultant who engages in authorized insurance activities related to insurance products directly on behalf of a specified licensed insurance entity through an independent contractor relationship.

Sec. C-6. 9-A MRSA §4-404, as enacted by PL 1997, c. 315, §8, is amended to read:

§4-404. Choice of insurance ~~agent or broker~~ producer

A supervised lender or its affiliate that negotiates or sells insurance products to purchasers or borrowers as authorized under section 4-402 may not, in connection with the extension of credit, interfere with a purchaser's or borrower's free choice of an insurance ~~agent~~ producer or company under applicable provisions set forth in Title 24-A.

Sec. C-7. 9-A MRSA §4-406, as enacted by PL 1997, c. 315, §8, is amended to read:

§4-406. Distinguishing insurance products from loan products; identification of insurance ~~brokers and agents~~ producers

To the extent practicable, sales of insurance products authorized by this Part must take place in a manner that minimizes customer confusion between any noninsurance product offered by the supervised lender or its affiliates and those insurance products. A supervised lender, or its affiliates, is in compliance with this section if it utilizes signs clearly visible

to its customers that distinguish insurance products of the supervised lender, or its affiliates, from its noninsurance products and that adequately identify insurance ~~agents, brokers~~ producers and consultants affiliated with the supervised lender.

Sec. C-8. 9-A MRSA §4-407, as amended by PL 1999, c. 127, Pt. A, §19; amended by PL 2001, c. 44, §11 and affected by §14; amended by PL 2007, c. 273, Pt. B, §§5 and 6 and affected by §7; and affected by PL 2007, c. 695, Pt. A, §47, is further amended to read:

§4-407. Rulemaking

The Superintendent of Financial Institutions, the Superintendent of Insurance and the Superintendent of Consumer Credit Protection may undertake joint rulemaking, pursuant to this section, Title 9-B, section 448, subsection 5 and Title 24-A, section 1443-A, subsection 3 to carry out the purposes of section 4-406, including issues regarding signs, the physical location of sales of insurance and identification of ~~agents and brokers~~ producers affiliated with financial institutions, credit unions, financial institution holding companies or supervised lenders. In adopting rules pursuant to this Part, the Superintendent of Financial Institutions, the Superintendent of Insurance and the Superintendent of Consumer Credit Protection shall consider the possibility of confusion and perception of coercion among the insurance consuming public, the need for cost-effective delivery of insurance products to insurance consumers and the importance of parity among ~~agents and brokers~~ producers affiliated with federally chartered and state-chartered financial institutions and credit unions. Any rule adopted may not interfere significantly with the ability of ~~an agent or broker~~ a producer to solicit or negotiate the sale of an insurance product, whether or not that ~~agent or broker~~ producer is affiliated with a financial institution, credit union, financial institution holding company or supervised lender, except when no other reasonable alternative exists that protects the insurance consuming public. Rules adopted under this Part are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A. Nothing in this section is intended to restrict or interfere with the ability of the Bureau of Insurance, the Bureau of Financial Institutions or the Bureau of Consumer Credit Protection to adopt rules with respect to areas in which the respective agencies have independent jurisdiction.

PART D

Sec. D-1. 10 MRSA §1063, sub-§2, ¶I-1, as amended by PL 2011, c. 655, Pt. GG, §6 and affected by §70, is further amended to read:

I-1. In the case of recycling and waste reduction projects, the proposed facility is consistent with and will contribute to the management goals and objectives outlined in the state waste management and recycling plan under Title 38, chapter 24 and will reduce the amount of solid or hazardous waste requiring disposal. The Department of Environmental Protection shall provide assistance to the authority in determining consistency, technical eligibility and merit of applications for assistance under this subchapter; and

Sec. D-2. 10 MRSA §1063, sub-§2, ¶J, as amended by PL 2011, c. 655, Pt. EE, §15 and affected by §30 and amended by PL 2021, c. 293, Pt. A, §52, is further amended to read:

J. In the case of an energy generating system, an energy distribution system or an industrial-commercial project, any of which includes hydroelectric facilities deemed necessary for the production of electricity:

(1) The Public Utilities Commission has certified that all required licenses have been issued or that none are required; and

(2) The Director of the Office of Policy Innovation and the Future has reviewed and commented upon the project proposal. The Director of the Office of Policy Innovation and the Future shall make comments within 30 days after receipt of a notification and copy of the project proposal from the authority. The authority shall take the comments into consideration in its consideration of the project; ~~and.~~

Sec. D-3. 10 MRSA §1063, sub-§2, ¶K, as amended by PL 1985, c. 714, §35, is repealed.

Sec. D-4. 12 MRSA §6024, sub-§1-A, as amended by PL 2021, c. 71, §1, is further amended to read:

1-A. Appointment; composition; term; compensation. The Marine Resources Advisory Council, established by Title 5, section 12004-G, subsection 27, consists of 16 members. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council are ex officio members of the council. Each other member is appointed by the Governor and is subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources matters and to confirmation by the Legislature. Five members must be persons who are licensed under this Part to engage in commercial harvesting activities. Those 5 members are selected by the Governor from names recommended to the Governor by groups representing commercial harvesting interests. Each member must represent a different commercial harvesting activity, except that none of those 5 members may represent lobster harvesters. The remaining 8 members must include one public member, one member who is a member of a federally recognized Indian nation, tribe or band in the State, 4 persons who hold a nonharvesting-related license under this Part, one person representing recreational saltwater anglers and one person representing the aquaculture industry. The Governor shall select the person to represent the aquaculture industry from among the names recommended by the aquaculture industry. The Governor shall select the member who is a member of a federally recognized Indian nation, tribe or band in the State based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at ~~Motahmikuk~~ Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the tribal governments do not make a unanimous joint recommendation, the Governor shall appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State. The composition of the council must reflect a geographical distribution along the coast. All appointed members are appointed for a term of 3 years, except a vacancy must be filled in the same manner as an original member for the unexpired portion of the term. An appointed member may not serve for more than 2 consecutive terms. Appointed members serve until their successors are appointed. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council shall serve until a new chair of the Lobster Advisory Council, a new

chair of the Sea Urchin Zone Council or a new chair of the Shellfish Advisory Council, respectively, is chosen. Members are compensated as provided in Title 5, chapter 379.

Sec. D-5. 25 MRSA §2469, sub-§2, as enacted by PL 2021, c. 194, §1 and affected by §3, is amended to read:

2. Fuel gas detector required. The building owner shall install, or cause to be installed, in accordance with the manufacturer's requirements at least one approved fuel gas detector in every room containing an appliance ~~fueled by~~ that combusts propane, natural gas or any liquified petroleum gas in:

- A. Each unit in any building of multifamily occupancy;
- B. A fraternity house, sorority house or dormitory that is affiliated with an educational facility;
- C. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home as defined in Title 22, section 8101, subsections 1, 2, 4, 4-A and 5, respectively;
- D. A hotel, motel or inn;
- E. A mixed use occupancy that contains a dwelling unit;
- F. A Beginning January 1, 2026, a business occupancy;
- G. A Beginning January 1, 2026, a mercantile occupancy; or
- H. An Beginning January 1, 2026, an assembly occupancy.

PART E

Sec. E-1. 20-A MRSA §6601-A, as amended by PL 2021, c. 212, §1, is further amended to read:

§6601-A. Free or reduced-price school meals; Internet-based school meal applications

The department shall contract for the development and implementation of an Internet-based application for free or reduced-price meals under the National School Lunch Program under 7 Code of Federal Regulations, Part 210 and the School Breakfast Program under 7 Code of Federal Regulations, Part 220. The department shall make available to public schools the Internet-based application for free or reduced-price meals developed under this section on the department's publicly accessible website. The department shall make the Internet-based application in an understandable and uniform format and, to the maximum extent practicable, in a language that parents and legal guardians can understand. A public school may make the Internet-based application available for school meal applications on the public school's publicly accessible website. All public schools shall continue to distribute paper applications for school meals to all students. A public school is solely responsible for processing that school's online applications. Data submitted through the Internet-based application may not be visible to the department and must be transmitted directly to the applicable public school. All public schools shall accept data submitted through the department's Internet-based application.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.