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Legislative Document

No. 1275

H.P. 935

House of Representatives, March 29, 2021

Resolve, To Prevent Economic Hardship as a Result of COVID-19 Restrictions

Received by the Clerk of the House on March 25, 2021. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative STETKIS of Canaan.
Cosponsored by Senator FARRIN of Somerset and
Representatives: CARLOW of Buxton, FOSTER of Dexter, GRIFFIN of Levant, HANLEY of
Pittston, MORRIS of Turner, PICKETT of Dixfield, POIRIER of Skowhegan, WHITE of Mars
Hill.

Sec. 1. Violations of emergency orders not resulting in damage or harm to be dismissed. Resolved: That a violation by a business of an order, rule or guidance issued pursuant to the state of emergency proclaimed on March 15, 2020, by the Governor pursuant to the Maine Revised Statutes, Title 37-B, chapter 13 in response to the ongoing COVID-19 pandemic, must be dismissed if the agency or department issuing the violation does not produce evidence of any resulting measurable damage or harm caused by the violation. Any fine, suspension, license revocation or other penalty assessed due to a violation dismissed under this section must be dismissed or reversed and the record of the violation expunged from any administrative or agency record regarding the business. Any fines or penalties paid for a violation dismissed or reversed pursuant to this section must be returned or refunded to the payor of that fine or penalty.

Sec. 2. Application. Resolved: That this resolve applies to a violation issued under the state of emergency proclaimed on March 15, 2020 by the Governor until the state of emergency is terminated.

15 SUMMARY

This bill directs that any violation by a business of an order, rule or guidance issued pursuant to the state of emergency due to COVID-19 proclaimed by the Governor and any resulting fine, suspension or license revocation be dismissed if the agency or department that issued the violation produces no evidence of resulting measurable damage or harm caused by the violation, that any record of the violation be expunged from administrative and agency records of the business and that any fine or penalty paid be refunded or returned.