

CHAPTER 161

DIVESTITURE OF STATE FUNDS

§1951. Republic of South Africa

(REPEALED)

SECTION HISTORY

PL 1987, c. 247, §4 (NEW). PL 1987, c. 769, §A13 (AMD). PL 1991, c. 514, §1 (AMD). PL 1993, c. 530, §1 (RP).

§1952. Review of investments

(REPEALED)

SECTION HISTORY

PL 1987, c. 247, §4 (NEW). PL 1993, c. 530, §2 (RP).

§1953. Index funds and other short-term investment funds

(REPEALED)

SECTION HISTORY

PL 1987, c. 247, §4 (NEW). PL 1993, c. 530, §2 (RP).

§1954. Stock-share votes

(REPEALED)

SECTION HISTORY

PL 1987, c. 247, §4 (NEW). PL 1991, c. 514, §2 (AMD). PL 1993, c. 530, §3 (RP).

§1955. Northern Ireland

(REPEALED)

SECTION HISTORY

PL 1987, c. 743 (NEW). PL 1989, c. 502, §A20 (AMD). PL 1991, c. 537 (AMD). PL 2005, c. 537, §1 (RP).

§1956. Sudan

(REPEALED)

SECTION HISTORY

PL 2005, c. 537, §2 (NEW). PL 2007, c. 58, §3 (REV). MRSA T. 5 §1956, sub-§4 (RP).

§1957. Limitation on investment in fossil fuel companies; divestment

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Board of Trustees of the Maine Public Employees Retirement System. [PL 2021, c. 231, §3 (NEW).]

B. "Fossil fuel" means coal, petroleum, natural gas or any derivative of coal, petroleum or natural gas that is used for fuel. [PL 2021, c. 231, §3 (NEW).]

C. "Fossil fuel company" means any company that:

- (1) Is among the 200 publicly traded companies with the largest fossil fuel reserves in the world;
- (2) Is among the 30 largest public company owners in the world of coal-fired power plants;
- (3) Has as its core business the construction or operation of fossil fuel infrastructure;
- (4) Has as its core business the exploration, extraction, refining, processing or distribution of fossil fuels; or
- (5) Receives more than 50% of its gross revenue from companies that meet the definition under subparagraph (1), (2), (3) or (4). [PL 2021, c. 231, §3 (NEW).]

D. "Fossil fuel infrastructure" means oil or gas wells, oil or gas pipelines and refineries; oil, coal or gas-fired power plants; oil and gas storage tanks; fossil fuel export terminals; and any other infrastructure used exclusively for fossil fuels. [PL 2021, c. 231, §3 (NEW).]

[PL 2021, c. 231, §3 (NEW).]

2. Limitation on investment in fossil fuel company. The board, in accordance with sound investment criteria and consistent with fiduciary obligations, may not invest the assets of any state pension or annuity fund in the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company.

[PL 2021, c. 231, §3 (NEW).]

3. Review and divestment of assets. The board shall review the extent to which the assets of any state pension or annuity fund are invested in the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company. The board shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings. Divestment pursuant to this subsection must be complete by January 1, 2026. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company.

[PL 2021, c. 231, §3 (NEW).]

4. Post on website. On a quarterly basis, the board shall post on the publicly accessible website of the Maine Public Employees Retirement System information detailing all its holdings in the public market and private equity investments.

[PL 2021, c. 231, §3 (NEW).]

5. Annual report. Beginning January 1, 2022 and annually thereafter, the board shall issue a report reviewing its environmental, social and governance investment policy. The report must disclose commonly available environmental performance metrics on the environmental effects of the board's investments.

[PL 2021, c. 231, §3 (NEW).]

REVISOR'S NOTE: §1957. For-profit prisons (As enacted by PL 2021, c. 234, §2 is REALLOCATED TO TITLE 5, SECTION 1958)

SECTION HISTORY

PL 2021, c. 231, §3 (NEW).

§1958. For-profit prisons

(REALLOCATED FROM TITLE 5, SECTION 1957)

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" has the same meaning as in section 17001, subsection 7. [PL 2021, c. 234, §2 (NEW); RR 2021, c. 1, Pt. A, §4 (RAL).]

B. "Retirement system" means the Maine Public Employees Retirement System. [PL 2021, c. 234, §2 (NEW); RR 2021, c. 1, Pt. A, §4 (RAL).]
[PL 2021, c. 234, §2 (NEW); RR 2021, c. 1, Pt. A, §4 (RAL).]

2. Board may not invest. The board, in accordance with sound investment criteria and consistent with fiduciary obligations, may not invest the assets of the retirement system in any stocks or other securities of any corporation or company that owns or operates prisons for profit. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any corporation or company that owns or operates prisons for profit.
[PL 2021, c. 234, §2 (NEW); RR 2021, c. 1, Pt. A, §4 (RAL).]

3. Board to divest. The board shall review the extent to which the assets of the retirement system are invested in any stocks or other securities of any corporation or company that owns or operates prisons for profit. The board shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any corporation or company that owns or operates prisons for profit.
[PL 2021, c. 234, §2 (NEW); RR 2021, c. 1, Pt. A, §4 (RAL).]

SECTION HISTORY

PL 2021, c. 234, §2 (NEW). RR 2021, c. 1, Pt. A, §4 (RAL).

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