STATE OF MAINE

129TH LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

VOLUME 2

Summaries of All Bills and Adopted Amendments and All Laws Enacted or Finally Passed During the First Regular Session of the 129th Maine Legislature

First Regular Session convened Wednesday, December 5, 2018
First Regular Session adjourned sine die Thursday, June 20, 2019

Senate Legislative Days.....59
House Legislative Days.....58
Bills Considered.....1846

THE MAINE LEGISLATIVE COUNCIL

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AUGUST 2019

STATE OF MAINE

129TH LEGISLATURE

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VOLUME 2

This *Legislative Digest of Bill Summaries and Enacted Laws* is produced under the auspices of the Maine Legislative Council by:

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STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER.....*carried over to a subsequent session of the Legislature*
CON RES XXX.....*chapter # of constitutional resolution passed by both houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; legislation died*
DIED BETWEEN HOUSES.....*House & Senate disagreed; legislation died*
DIED IN CONCURRENCE ..... *defeated in each house, but on different motions; legislation died*
DIED ON ADJOURNMENT..... *action incomplete when session ended; legislation died*
EMERGENCY.....*enacted law takes effect sooner than 90 days after session adjournment*
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE.....*emergency failed to receive required 2/3 vote*
FAILED, ENACTMENT or FINAL PASSAGE..... *failed to receive final majority vote*
FAILED, MANDATE ENACTMENT.....*legislation proposing local mandate failed required 2/3 vote*
HELD BY GOVERNOR..... *Governor has not signed; final disposition to be determined at subsequent session*
LEAVE TO WITHDRAW.....*sponsor's request to withdraw legislation granted*
NOT PROPERLY BEFORE THE BODY.....*ruled out of order by the presiding officer; legislation died*
INDEF PP..... *indefinitely postponed; legislation died*
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... *ought-not-to-pass report accepted; legislation died*
P&S XXX..... *chapter # of enacted private & special law*
PUBLIC XXX ..... *chapter # of enacted public law*
RESOLVE XXX ..... *chapter # of finally passed resolve*
VETO SUSTAINED.....*Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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VOLUME 2

Committee Name

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STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON INLAND FISHERIES AND WILDLIFE

August 2019

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REP. TIMOTHY S. THERIAULT
REP. RICHARD G. MASON
REP. SEAN C. PAULUS*

*Committee member for a portion of the session

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LD 26 **An Act To Provide Complimentary Lifetime Hunting and Fishing Licenses to Retired Game Wardens with 25 Years of Service** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
THERIAULT T CYRWAY S	ONTP OTP	

This bill allows a retired game warden with 25 years of service to receive a complimentary lifetime license to hunt, trap and fish.

LD 27 **An Act To Allow the Use of a Crossbow for a Limited Duration during the Archery Season on Deer and the Fall Season on Wild Turkey** **PUBLIC 98**

Sponsor(s)	Committee Report	Amendments Adopted
THERIAULT T CYRWAY S	OTP-AM	H-147

This bill allows crossbows to be used during the regular archery-only deer hunting season.

Committee Amendment "A" (H-147)

This amendment replaces the bill and the title. For a period of three years, beginning in 2020, it allows a person, in accordance with rules adopted by the Commissioner of Inland Fisheries and Wildlife, to hunt deer with a crossbow during the open archery season on deer and the fall open season on hunting wild turkey. It specifies that a person using a crossbow during the open archery season may not harvest an antlerless deer unless that person possesses an antlerless deer permit. It also clarifies that, outside of this limited time period, the use of a crossbow to hunt wild turkey is allowed only during the spring open season on hunting wild turkey. Lastly, it requires the commissioner to submit a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters that includes a recommendation on whether to continue to permit the use of a crossbow during the regular archery season and the fall open season on hunting wild turkey and whether the commissioner allowed the use of a crossbow during a special archery season on deer and, if so, whether the use should continue to be permitted. The committee may report out a bill based on the report.

Enacted Law Summary

Public Law 2019, chapter 98 allows a person for a period of three years, beginning in 2020, and in accordance with rules adopted by the Commissioner of Inland Fisheries and Wildlife, to hunt deer with a crossbow during the open archery season on deer and to hunt wild turkey during the fall open season on hunting wild turkey. It specifies that a person using a crossbow during the open archery season may not harvest an antlerless deer unless that person possesses an antlerless deer permit. It also clarifies that, outside of this limited time period, the use of a crossbow to hunt wild turkey is allowed only during the spring open season on hunting wild turkey. Lastly, it requires the commissioner to submit a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters that includes a recommendation on whether to continue to permit the use of a crossbow during the regular archery season and the fall open season on hunting wild turkey and whether the commissioner allowed the use of a crossbow during a special archery season on deer and, if so, whether the use should continue to be permitted. The committee may report out a bill based on the report.

LD 33 **Resolve, To Encourage the Commissioner of Inland Fisheries and Wildlife To Establish a Youth Turkey Hunting Day during the Fall Season** **RESOLVE 18**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W MOORE M	OTP-AM	H-68

This bill directs the Commissioner of Inland Fisheries and Wildlife to establish a special youth hunting season from the Monday prior to Thanksgiving Day to the Saturday following Thanksgiving Day during which youth hunters with a valid junior hunting license may harvest one wild turkey.

Committee Amendment "A" (H-68)

This amendment replaces the bill with a resolve directing the Commissioner of Inland Fisheries and Wildlife to consider establishing a special youth turkey hunting day during the fall season, which the commissioner has statutory authority to do.

Enacted Law Summary

Resolve 2019, chapter 18 directs the Commissioner of Inland Fisheries and Wildlife to consider establishing a special youth turkey hunting day during the fall season, which the commissioner has statutory authority to do.

LD 56 **An Act To Ban the Use of Personal Watercraft on Lower Wilson Pond and Upper Wilson Pond** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STEARNS P	ONTP	

This bill prohibits the use of personal watercraft on Lower Wilson Pond in the Town of Greenville and Upper Wilson Pond in the Town of Greenville and Bowdoin College Grant West Township.

LD 74 **An Act To Reform Maine's Fish and Wildlife Management System** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill would reform Maine's fish and wildlife management system.

LD 79 **An Act To Protect Shooting Ranges** **PUBLIC 14**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P BLACK R	OTP	

This bill allows the discharge of a firearm on a sport shooting range that is within 100 yards of a building if the sport shooting range was established and in regular operation prior to the erection of the building.

Enacted Law Summary

Public Law 2019, chapter 14 allows the discharge of a firearm on a sport shooting range that is within 100 yards of a building if the sport shooting range was established and in regular operation prior to the erection of the building.

LD 121 **An Act To Require the Department of Inland Fisheries and Wildlife To Promote Safety with Respect to the Handling or Use of Firearms, Watercraft, All-terrain Vehicles and Snowmobiles and in Other Outdoor Activities** **PUBLIC 190**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	OTP-AM	H-276

This bill requires the Commissioner of Inland Fisheries and Wildlife to develop and implement a program focused on increasing the awareness and education of the public on matters relating to firearm safety and the prevention of firearm violence. The program may include, but is not limited to, print, radio, television and Internet advertising, the distribution of written materials and the offering or facilitation of public events.

Committee Amendment "A" (H-276)

This amendment replaces the bill and changes the title. The amendment requires the Department of Inland Fisheries and Wildlife, Division of Public Information and Education to annually undertake campaigns to promote safety in the handling and use of firearms, watercraft, all-terrain vehicles and snowmobiles. The division is also directed to promote safety with respect to other outdoor activities to the extent the division determines such campaigns would help improve safety. The campaigns must be designed to reach the target audiences effectively through television, radio, Internet or other communication mediums.

Enacted Law Summary

Public Law 2019, chapter 190 requires the Department of Inland Fisheries and Wildlife, Division of Public Information and Education to annually undertake campaigns to promote safety in the handling and use of firearms, watercraft, all-terrain vehicles and snowmobiles. The division is also directed to promote safety with respect to other outdoor activities to the extent the division determines such campaigns would help improve safety. The campaigns must be designed to reach the target audiences effectively through television, radio, Internet or other communication mediums.

LD 175 **An Act To Extend the Deer Hunting Season by 2 Saturdays** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D CARPENTER M	ONTP	

This bill extends the end of the regular firearm deer hunting season by two Saturdays.

LD 188 **An Act To Provide for an Expanded Muzzle-loading-only Deer Hunting Season** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W MOORE M	ONTP	

This bill requires that muzzle-loading season on deer extends for 12 hunting days immediately following the regular deer hunting season instead of being determined by the Commissioner of Inland Fisheries and Wildlife.

LD 190 **An Act To Provide Antlerless Deer Permits to Senior Resident Lifetime Hunting License Holders** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HUTCHINS S	ONTP	

This bill provides that a person 65 years of age or older who possesses a valid senior resident lifetime hunting license must receive a permit to lawfully take an antlerless deer in any part of the State open to the taking of antlerless deer.

LD 212 **An Act To Provide a Source of Funding for the ATV Recreational Management Fund and To Establish the ATV Enforcement Fund** **PUBLIC 75 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D JACKSON T	OTP-AM	H-86

This bill increases ATV registration fees from $33 to $45 for annual registrations for residents, from $53 to $65 for seven-day registrations for nonresidents and from $68 to $80 for one-year registrations for nonresidents. The bill provides that the increased fee revenue be deposited in the ATV Recreational Management Fund.

Committee Amendment "A" (H-86)

This amendment replaces the bill and adds an emergency preamble, an emergency clause and an appropriations and allocations section. It creates the ATV Enforcement Fund, which is a nonlapsing fund that is funded with $10 from each nonresident ATV registration fee collected. Money from the fund is required to be used for the enforcement of ATV laws, ATV education and the purchase of necessary machinery or equipment related to ATV safety and enforcement activities.

Like the bill, this amendment increases the ATV registration fee from $33 to $45 for annual registrations for residents. It also increases from $53 to $75 7-day registrations for nonresidents and from $68 to $90 for one-year registrations for nonresidents. The amendment requires $12 of each registration fee to be deposited in the ATV Recreational Management Fund.

Enacted Law Summary

Public Law 2019, chapter 75 creates the ATV Enforcement Fund, which is a nonlapsing fund that is funded with $10 from each nonresident ATV registration fee collected. Money from the fund is required to be used for the enforcement of ATV laws, ATV education and the purchase of necessary machinery or equipment related to ATV safety and enforcement activities.

This law increases the ATV registration fee from $33 to $45 for annual registrations for residents. It also increases from $53 to $75, the registration fee for seven-day registrations for nonresidents and from $68 to $90 for one-year registrations for nonresidents. The amendment requires $12 of each registration fee to be deposited in the ATV Recreational Management Fund.

Public Law 2019, chapter 75 was enacted as an emergency measure effective May 1, 2019.

LD 235 **An Act To Increase Funding To Contain and Manage the Spread of Invasive Aquatic Species** **PUBLIC 264**

Sponsor(s)	Committee Report	Amendments Adopted
RISEMAN W MIRAMANT D	OTP-AM	H-309

This bill increases the fees for the lake and river protection stickers that are required for all resident and nonresident motorboats, personal watercraft and seaplanes operating on inland waters of the State as follows.

1. Beginning January 1, 2020, the fee for resident motorboats and personal watercraft is increased by $8 and the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by $10.

2. Beginning January 1, 2022, the fee for resident motorboats and personal watercraft is increased by an additional $2 and the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by an additional $5.

3. Beginning January 1, 2024, the fee for resident motorboats and personal watercraft is increased by an additional $2 and the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by an additional $5.

The fee revenues from the sale of lake and river protection stickers are used to support the efforts of the Department of Inland Fisheries and Wildlife and the Department of Environmental Protection in preventing, eradicating and managing invasive aquatic plants and nuisance species in the State.

Committee Amendment "A" (H-309)

This amendment changes the fee increases proposed in the bill as follows.

1. Beginning January 1, 2020, the fee for resident motorboats and personal watercraft is increased by $5 instead of $8, and the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by $15 instead of $10.

2. Beginning January 1, 2021, instead of January 1, 2022, the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by an additional $10, but the resident fee remains the same.

This amendment also changes the allocation of the fee between the Invasive Aquatic Plant and Nuisance Species Fund and the Lake and River Protection Fund.

Enacted Law Summary

Public Law 2019, chapter 264 increases the fees for the lake and river protection stickers that are required for all resident and nonresident motorboats, personal watercraft and seaplanes operating on inland waters of the State as follows.

1. Beginning January 1, 2020, the fee for resident motorboats and personal watercraft is increased by $5, and the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by $15.

2. Beginning January 1, 2021, the fee for nonresident motorboats, nonresident personal watercraft and seaplanes is increased by an additional $10, but the resident fee remains the same.

This law also changes the allocation of the fee between the Invasive Aquatic Plant and Nuisance Species Fund and the Lake and River Protection Fund. The fee revenues from the sale of lake and river protection stickers are used to support the efforts of the Department of Inland Fisheries and Wildlife and the Department of Environmental Protection in preventing, eradicating and managing invasive aquatic plants and nuisance species in the State.

LD 258 **An Act To Establish and Coordinate a Volunteer Corps of Search and Rescue Specialists within the Department of Inland Fisheries and Wildlife** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D DOUDERA V	ONTP	

This bill directs the Commissioner of Inland Fisheries and Wildlife to establish and coordinate a volunteer corps of search and rescue specialists whose initial and ongoing training is delivered by the Department of Inland Fisheries and Wildlife and who are deputized to engage in search and rescue operations.

LD 265 **An Act To Increase Opportunities for Hunters, Anglers and Sporting Camps by Extending the Seasons on Upland Game** **PUBLIC 42 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK R LANDRY S	OTP-AM	S-26

This bill amends the general hunting season provisions to direct the Commissioner of Inland Fisheries and Wildlife to extend the open seasons on upland game by one additional day, the last Saturday of September, annually. It defines the term "upland game" as snowshoe hare, gray squirrel, ring-necked pheasant, ruffed grouse and bobwhite quail.

Committee Amendment "A" (S-26)

This amendment replaces the bill and adds an emergency preamble and an emergency clause. It establishes that the open season on upland game must begin on the last Saturday in September and authorizes the Commissioner of Inland Fisheries and Wildlife to establish the length of the season. It also removes ring-necked pheasant from the definition of "upland game."

Enacted Law Summary

Public Law 2019, chapter 42 establishes that the open season on upland game must begin on the last Saturday in September and authorizes the Commissioner of Inland Fisheries and Wildlife to establish the length of the season. This law defines the term "upland game" as snowshoe hare, gray squirrel, ruffed grouse and bobwhite quail.

Public Law 2019, chapter 42 was enacted as an emergency measure effective April 22, 2019.

LD 275 **An Act To Change the Bag Limits on Wild Turkey** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D EVANGELOS J	ONTP	

This bill requires the Commissioner of Inland Fisheries and Wildlife to double the bag limits on wild turkey in effect on January 1, 2018. It also requires the commissioner to submit a report by January 1, 2020, and annually thereafter, that includes recommendations regarding bag limits on wild turkey. It gives the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters authority to report out a bill based on the report.

LD 313 **An Act To Increase Access to Moose and Doe Permits for Combat-injured Veterans** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JAVNER K	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill would increase access to moose and doe permits for the rehabilitation of combat-injured veterans.

LD 321 **An Act To Ensure the Continuation of the Landowner Relations Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL D BREEN C	ONTP	

This bill provides funding to the Department of Inland Fisheries and Wildlife to allow the department through the landowner relations program to improve relationships or maintain good relationships between landowners and outdoor recreationists.

LD 337 **An Act To Start a Spring Bear Hunting Season** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LYFORD P	ONTP	

This bill amends the law on open and closed seasons on bear to direct the Commissioner of Inland Fisheries and Wildlife to establish a spring bear hunting season.

LD 339 **An Act To Prohibit Unattended Watercraft on Open Water** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FAY J	ONTP	

This bill makes leaving a watercraft unattended in open water by a person a civil violation.

LD 442 **An Act To Set Speed Limits for All-terrain Vehicles on Trails within 50 Yards of a Stream or Pond To Prevent Runoff** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P PICKETT R	ONTP	

This bill prohibits the operation of an all-terrain vehicle at a speed of more than 15 miles per hour within 50 yards of a stream or pond, unless the ground is frozen and sufficiently covered with snow. It specifies that a person who violates this prohibition commits a civil violation, except that a person who violates this prohibition after having been adjudicated as having committed three or more violations of this prohibition within the previous five-year period commits a Class E crime.

LD 490 **An Act To Give the Commissioner of Inland Fisheries and Wildlife the Authority To Extend Any Trapping Season Based on Weather Conditions or Other Factors** **PUBLIC 19**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK R LANDRY S	OTP-AM	S-9

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to change a trapping season opening date if weather conditions make that change necessary.

Committee Amendment "A" (S-9)

This amendment replaces the bill. It gives the Commissioner of Inland Fisheries and Wildlife the authority to extend any open trapping season on any game species for up to 21 days if the commissioner has concerns about weather conditions or other unforeseen factors that may prevent publicly derived management goals from being met as long as the decision is based on sound scientific wildlife management principles.

Enacted Law Summary

Public Law 2019, chapter 19 gives the Commissioner of Inland Fisheries and Wildlife the authority to extend any open trapping season on any game species for up to 21 days if the commissioner has concerns about weather conditions or other unforeseen factors that may prevent publicly derived management goals from being met as long as the decision is based on sound scientific wildlife management principles.

LD 525 **An Act To Increase the Registration Fee for Snowmobiles for Residents** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S	ONTP	

This bill increases the annual snowmobile registration fee for residents from $45 to $55.

LD 528 **An Act To Increase the Number of Clubs That May Be Issued a Special Dog Training Area License** **PUBLIC 65 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY M DILL J	OTP-AM	H-69

This bill increases the number of clubs in Penobscot County that may be issued a special dog training area license for training hunting dogs from five to eight.

Committee Amendment "A" (H-69)

This amendment replaces the bill and adds an emergency preamble and emergency clause. It increases from five to eight the number of clubs per county for which the Commissioner of Inland Fisheries and Wildlife may issue a special dog training area license.

Enacted Law Summary

Public Law 2019, chapter 65 increases from five to eight the number of clubs per county for which the Commissioner of Inland Fisheries and Wildlife may issue a special dog training area license.

Public Law 2019, chapter 65 was enacted as an emergency measure effective April 30, 2019.

LD 617 **An Act To Increase to 3 the Number of Youth Deer Hunting Days** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HUTCHINS S	ONTP	

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to establish two additional youth deer hunting days, the Monday and Tuesday following the last Saturday of the regular firearms season on deer, to the current youth deer hunting day, which occurs on the Saturday preceding the residents-only Saturday of the regular deer hunting season.

LD 638 **An Act To Legalize the Use of Supplemental Minerals To Assist with Wildlife Nutrition** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P		

This bill allows a person to place supplemental minerals for deer from March 1st to July 31st if the supplemental minerals are placed on that person's own land, or on another person's land with the other person's oral or written permission, and the supplemental minerals do not contain any grain or food products.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 649 **An Act To Enhance Collaboration among State Agencies To Improve Landowner Relations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P BREEN C	ONTP	

This bill directs all state agencies and in particular the Department of Agriculture, Conservation and Forestry, the Department of Marine Resources and the Department of Economic and Community Development to collaborate with the Department of Inland Fisheries and Wildlife to implement the landowner relations program. This bill directs the Department of Inland Fisheries and Wildlife to organize the collaboration to distribute as evenly as practicable the burden experienced by the various agencies arising from the public use of private lands.

LD 650 **An Act To Strengthen Maine's Landowner Relations Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P BREEN C		

This bill provides ongoing funding for five additional Deputy Game Warden positions and associated costs in the Department of Inland Fisheries and Wildlife.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 652 **An Act To Modify Maine's Ice Fishing Laws with Respect to Cusk Fishing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GRIGNON C FARRIN B	ONTP	

This bill changes how often a person is required to check cusk lines while ice fishing from at least once every hour in the nighttime to at least once every 24 hours.

LD 663 **An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish and To Exempt Them from Vehicle Registration Fees** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J		

This bill allows the holder of a registration certificate and a set of gold star family registration plates pursuant to the Maine Revised Statutes, Title 29-A, section 524-B to be issued a complimentary license to hunt, trap and fish, including permits, stamps and other permissions needed to hunt. It also exempts a person with a registration certificate and a set of gold star family registration plates from the annual motor vehicle registration fee.

This bill was not referred to committee.

LD 695 **An Act To Require Biodegradable Hooks and Lures for Freshwater Fishing** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P MASON R		

Beginning January 1, 2024, this bill prohibits fishing in inland waters using nonbiodegradable hooks or certain nonbiodegradable artificial lures. A person who violates this prohibition commits a Class E crime.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 708 **An Act To Allow the Transfer of a Moose Hunting Permit to a Disabled Veteran** **PUBLIC 191 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MARTIN J	OTP-AM	S-112

This bill allows a person eligible to participate in the public chance drawing for a moose hunting permit to indicate on the application for a permit the person's intention that the permit be issued to a wounded service member or veteran. The person may indicate the identity of the wounded service member or veteran or request that the commissioner randomly draw the name of a wounded service member or veteran from a list maintained by the commissioner of wounded service members and veterans who have submitted their names for consideration to receive a moose hunting permit under this process.

This bill defines a wounded service member or veteran as a person who incurred a physical or mental injury, illness or wound while serving in the Armed Forces of the United States and who is otherwise eligible to receive a moose hunting permit.

Committee Amendment "A" (S-112)

This amendment replaces the title and the bill and adds an emergency preamble and emergency clause. It allows a person who holds a valid moose permit to transfer that permit to an eligible disabled veteran. If a person does not identify a specific disabled veteran to receive the transferred permit, the permit may be returned to the department, which provides for the transfer of the permit to a disabled veteran.

Enacted Law Summary

Public Law 2019, chapter 191 allows a person who holds a valid moose permit to transfer that permit to an eligible disabled veteran. If a person does not identify a specific disabled veteran to receive the transferred permit, the permit may be returned to the department, which provides for the transfer of the permit to a disabled veteran.

Public Law 2019, chapter 191 was enacted as an emergency measure effective June 5, 2019.

LD 713 **An Act To Strengthen Maine's Endangered Species Laws** **PUBLIC 267**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C	OTP-AM	H-275

This bill gives a law enforcement officer discretion in issuing a warning to a first-time violator of the State's laws prohibiting negligently feeding, baiting or harassing an endangered or threatened species or feeding, baiting or harassing a delisted species. It removes the requirement that a law enforcement officer must issue a warning to a first-time violator of the law prohibiting intentionally feeding, baiting or harassing an endangered or threatened species.

It increases from Class E crimes to Class D crimes negligently importing, exporting, hunting, taking, trapping, possessing, processing, selling, offering for sale, delivering, carrying, transporting, shipping, feeding, baiting or harassing endangered or threatened species. It also increases from Class D crimes to Class C crimes intentionally engaging in any of those acts with endangered, threatened and delisted species.

Committee Amendment "A" (H-275)

This amendment replaces the bill. This amendment:

1. Provides that for conviction of certain Class E crimes of negligence related to endangered or threatened species, the maximum allowable fine of $1,000 must be adjudged;

2. Removes the requirement that, for a first-time offense of negligently feeding, setting bait for or harassing any endangered or threatened species, a law enforcement officer must issue a warning;

3. Provides that for conviction of certain Class D crimes involving intentional acts related to endangered or threatened species, the maximum allowable fine of $2,000 must be adjudged;

4. Removes the requirement that, for a first-time offense of intentionally feeding, setting bait for or harassing any endangered or threatened species, a law enforcement officer must issue a warning;

5. Provides that for conviction of certain Class D crimes involving intentional conduct related to a delisted species, the maximum allowable fine of $2,000 must be adjudged;

6. Removes the requirement that, for a first-time offense of intentionally harassing a delisted species, a law enforcement officer must issue a warning; and

7. Removes the prohibition on intentionally feeding or setting bait for a delisted species.

Enacted Law Summary

Public Law 2019, chapter 267 does the following:

1. Provides that for conviction of certain Class E crimes of negligence related to endangered or threatened species, the maximum allowable fine of $1,000 must be adjudged;

2. Removes the requirement that, for a first-time offense of negligently feeding, setting bait for or harassing any endangered or threatened species, a law enforcement officer must issue a warning;

3. Provides that for conviction of certain Class D crimes involving intentional acts related to endangered or

threatened species, the maximum allowable fine of $2,000 must be adjudged;

4. Removes the requirement that, for a first-time offense of intentionally feeding, setting bait for or harassing any endangered or threatened species, a law enforcement officer must issue a warning;

5. Provides that for conviction of certain Class D crimes involving intentional conduct related to a delisted species, the maximum allowable fine of $2,000 must be adjudged;

6. Removes the requirement that, for a first-time offense of intentionally harassing a delisted species, a law enforcement officer must issue a warning; and

7. Removes the prohibition on intentionally feeding or setting bait for a delisted species.

LD 728 **An Act To Fairly Compensate Registration Stations for Bear, Deer, Moose and Turkey Registrations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H BLACK R	ONTP	

This bill amends the law governing registration of harvested animals to have registration agents retain $4 of each registration seal for a bear, deer or moose. It also increases the amount collected for each wild turkey registered to $3, leaving the amount retained at $2.

LD 865 **An Act To Provide Funding for Hunting Opportunities for Disabled Veterans** **PUBLIC 199**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T LUCHINI L	OTP-AM	H-273

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing the funding sources of the controlled moose hunt season in the State.

Committee Amendment "A" (H-273)

This amendment replaces the bill, which is a concept draft, and changes the title. It allows the Commissioner of Inland Fisheries and Wildlife to accept monetary donations to support hunting opportunities for disabled veterans. It requires the commissioner to transfer those donations to the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to be deposited into the Hunting Opportunities for Disabled Veterans Fund, a nonlapsing fund to be used for the purpose of making funds available to organizations that provide disabled veterans with hunting opportunities. The fund may also receive any other monetary gifts, donations or other contributions from public or private sources. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 199 allows the Commissioner of Inland Fisheries and Wildlife to accept monetary donations to support hunting opportunities for disabled veterans. It requires the commissioner to transfer those donations to the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to be deposited into the Hunting Opportunities for Disabled Veterans Fund, a nonlapsing fund to be used for the purpose of making funds available to organizations that provide disabled veterans with hunting opportunities. The fund may also receive any other monetary gifts, donations or other contributions from public or private sources.

LD 877 **An Act To Equalize the Distribution of Gasoline Tax Revenues between Snowmobiles and All-terrain Vehicles** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K		

Current law distributes 0.9045% of total gasoline tax revenues to programs related to snowmobiles and 0.1525% to programs related to all-terrain vehicles. This bill amends the law to provide that 0.5285% of gasoline tax revenues funds programs related to snowmobiles and 0.5285% funds programs related to all-terrain vehicles. This bill was not referred to committee.

LD 879 **An Act To Decrease the Risk of the Spread of Invasive Aquatic Plants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUCKER R GRATWICK G	ONTP	

This bill requires the Commissioner of Inland Fisheries and Wildlife, in consultation with the Department of Environmental Protection, to develop a risk assessment tool to evaluate the economic and environmental risks associated with public access, including the issuance of permits for fishing derbies and tournaments, on public waters with documented invasive aquatic plants. It requires the commissioner to utilize the risk assessment tool before the issuance of permits for fishing derbies and tournaments and when making decisions regarding public access on public waters with documented invasive aquatic plants.

LD 881 **An Act To Ensure Equitable Treatment of Super Pack License Holders in Antlerless Deer Permit Lotteries** **PUBLIC 116 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
FAY J DIAMOND B	OTP-AM	H-186

This bill allows the holder of a super pack license who obtains an antlerless deer permit to also participate in an antlerless deer permit lottery.

Committee Amendment "A" (H-186)

This amendment replaces the bill and adds an emergency preamble and an emergency clause. It specifies that a person who obtains a super pack license also receives an antlerless deer permit under certain conditions and the opportunity to enter a bonus antlerless-only deer permit lottery. It also allows a super pack licensee to enter an antlerless deer permit lottery if that person does not obtain an antlerless deer permit under certain conditions specified in law.

Enacted Law Summary

Public Law 2019, chapter 116 specifies that a person who obtains a super pack license also receives an antlerless deer permit under certain conditions and the opportunity to enter a bonus antlerless-only deer permit lottery. It also allows a super pack licensee to enter an antlerless deer permit lottery if that person does not obtain an antlerless deer permit under certain conditions specified in law.

Public Law 2019, chapter 116 was enacted as an emergency measure effective May 16, 2019.

LD 891 **An Act To Preserve Maine's Heritage by Expanding Maine Youth Hunting** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L	ONTP	

This bill allows the Commissioner of Inland and Fisheries and Wildlife to establish three consecutive days as youth hunting days for hunting bear and deer, and specifies these days as Thursday through Saturday.

LD 924 **An Act To Remove the Background Check Requirement for Maine Guides Who Are at Least 70 Years of Age and Hold a Lifetime Hunting or Fishing License** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN T	ONTP	

This bill would exempt a registered Maine guide who holds a senior lifetime hunting, fishing, trapping or archery license and who is 70 years of age or older from having to undergo a background check when renewing their guide license, if that person had undergone a background check at 68 years of age or older.

LD 927 **An Act To Minimize the Propagation of Invasive Aquatic Plants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill requires a person when removing a vessel from an inland water body to drain the vessel and other equipment and to remove or open drain plugs, bailers, valves and other devices to drain the water before that vessel is transported. It exempts emergency response vessels from these requirements.

LD 932 **An Act Regarding the Transfer of a Deceased Person's Moose Permit to a Family Member** **PUBLIC 143**

Sponsor(s)	Committee Report	Amendments Adopted
PICKETT R DAVIS P	OTP-AM	H-185

This bill specifies that if a person who is issued a moose permit dies prior to the start of the moose hunting season, that person's subpermittee-designate or subpermittee, if an immediate family member, must be issued that person's moose permit. The new moose permit holder under this provision has the ability to name a subpermittee-designate and alternate subpermittee-designate.

Committee Amendment "A" (H-185)

This amendment replaces the bill. It requires the Commissioner of Inland Fisheries and Wildlife to transfer a moose permit to a family member who meets eligibility and permit requirements and who is not otherwise prohibited from holding the moose permit if the permit holder dies at any time prior to or during the moose hunting season if a

moose has not yet been harvested under that permit.

Enacted Law Summary

Public Law 2019, chapter 143 requires the Commissioner of Inland Fisheries and Wildlife to transfer a moose permit to a family member who meets eligibility and permit requirements and who is not otherwise prohibited from holding the moose permit if the permit holder dies at any time prior to or during the moose hunting season if a moose has not yet been harvested under that permit.

LD 967 **An Act To Reduce the Spread of Invasive Aquatic Plants by Prohibiting Seine Fishing in Great Ponds** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill prohibits fishing using a seine in a great pond in which the Department of Environmental Protection has documented the occurrence of invasive aquatic plants.

LD 996 **An Act To Establish a Special Handgun Hunting Season That Coincides with the Muzzle-loading Open Season on Deer** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN S	ONTP	

This bill establishes a special handgun open season on deer that coincides with the special muzzle-loading season.

LD 1109 **An Act Regarding All-terrain Vehicles** **PUBLIC 204**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D JACKSON T	OTP-AM	H-272

This bill limits, by definition, the size of an all-terrain vehicle to 65 inches in width and 2,000 pounds in weight, prohibits operation of motor vehicles on a designated all-terrain vehicle trail that is not on a gravel road system and prohibits operation of all-terrain vehicles on trails posted with size or weight limitations unless that use has been authorized by the landowner or the landowner's agent.

Committee Amendment "A" (H-272)

This amendment:

1. Amends the definition of "ATV" to limit that definition to a motor-driven, off-road, recreational vehicle that was designed by the manufacturer for and is capable of cross-country travel. It preserves that portion of the bill that amends the definition of "ATV" to exclude a motor vehicle as defined in the Maine Revised Statutes, Title 29-A, section 101, subsection 42. It removes the size and weight limits added by the bill to the definition of "ATV"; and

2. Removes that section of the bill that prohibits the operation of an ATV on a trail posted with size or weight restrictions without authorization of the landowner.

Enacted Law Summary

Public Law 2019, chapter 204 amends the definition of "ATV" to limit that definition to a motor-driven, off-road, recreational vehicle that was designed by the manufacturer for and is capable of cross-country travel and excludes a motor vehicle as defined in the Maine Revised Statutes, Title 29-A, section 101, subsection 42.

LD 1117 An Act To Encourage Turkey Hunting **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S HICKMAN C		

This bill does the following.

1. It removes the requirement that person would need to obtain a permit to hunt wild turkey and the corresponding fee for that permit.

2. It removes the requirement that person must tag a wild turkey harvested at a registration station.

3. It removes the discretion of the commissioner to establish the number of and sex of wild turkey that a person could harvest and specifies that the commissioner must allow by rule a person to harvest four male wild turkeys in the spring and eight wild turkeys of either sex during the fall.

4. It requires a person to report at the end of the wild turkey hunting season to the department how many wild turkeys that person harvested.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1118 An Act To Give the Commissioner of Inland Fisheries and Wildlife Rule-making Authority To Establish a Bear Season Framework and Bag Limits **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P NADEAU C		

This bill does the following.

1. It reduces the resident bear hunting and trapping permit fees from $27 to $10, but retains the nonresident hunting permit fee at $74 and the nonresident trapping fee at $67.

2. It removes the statutorily set bear hunting and trapping season dates and gives the Commissioner of Inland Fisheries and Wildlife the authority to establish the bear hunting and trapping season dates by rule, but prohibits those seasons from starting any earlier than August 1st and ending any later than December 15th.

3. It removes the two bear harvesting limit for an individual annually for hunting and trapping bear and gives the commissioner the authority to establish the bag limit for the hunting or trapping bear in rule.

4. It removes the requirement that a cable trap have a closing diameter of not less than 2.5 inches and instead

specifies that a person may not set a bear trap other than as authorized by rule.

5. It allows the commissioner by rule to prohibit the use of dogs to hunt black bear.

6. It changes the sentencing requirements for a person who hunts or traps a bear beyond the maximum number of bear allowed by rule during the hunting or trapping season.

7. It changes the sentencing requirement for a person that possess more than the number of bears allowed by rule.

8. It changes language that currently states that a person who possesses a valid trapping license may obtain a permit to trap a bear to state that a person who has a valid trapping license or a valid license to hunt deer, moose and bear may obtain a permit to trap bear.

9. It requires that a person who applies for a bear trapping permit to submit proof of having successfully completed a bear trapping education course provided by the Department of Inland Fisheries and Wildlife or to show evidence that the person held a valid bear trapping permit in any year prior to 2020.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1124 **An Act To Amend the Maine Outdoor Heritage Fund Grant Process** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK R LANDRY S	ONTP	

This bill limits the Maine Outdoor Heritage Fund Board to awarding no more than 20% of all grant funds to projects of the State's natural resources agencies. It also prohibits members of the Maine Outdoor Heritage Fund Board who are members of natural resources agencies from participating in decisions awarding funding to their natural resources agencies.

LD 1147 **Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Study Registration Fees for All-terrain Vehicles and Snowmobiles** **RESOLVE 35**

Sponsor(s)	Committee Report	Amendments Adopted
STEARNS P DAVIS P	OTP-AM	H-184

This bill limits, by definition, the size of an all-terrain vehicle to 65 inches in width and 2,000 pounds in weight, prohibits operation of motor vehicles on a designated all-terrain vehicle trail that is not on a gravel road system and prohibits operation of all-terrain vehicles on trails posted with size or weight limitations unless that use has been authorized by the landowner or the landowner's agent. It also increases all-terrain vehicle registration fees by $12, which must be transferred to the ATV Recreational Management Fund.

Committee Amendment "A" (H-184)

This amendment replaces the bill with a resolve. It directs the Commissioner of Inland Fisheries and Wildlife to review, in consultation with interested parties, the current registration fees for all-terrain vehicles and snowmobiles to consider alternatives to the current fee structure and the potential effects on revenue that these alternatives may have. It requires the commissioner to submit a report to the Joint Standing Committee on Inland Fisheries and Wildlife detailing the alternatives considered and any recommendations. It gives the committee the authority to

report out a bill based on the commissioner's report.

Enacted Law Summary

Resolve 2019, chapter 35 directs the Commissioner of Inland Fisheries and Wildlife to review, in consultation with interested parties, the current registration fees for all-terrain vehicles and snowmobiles to consider alternatives to the current fee structure and the potential effects on revenue that these alternatives may have. It requires the commissioner to submit a report to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2020, detailing the alternatives considered and any recommendations. It gives the committee the authority to report out a bill based on the commissioner's report.

LD 1179 **An Act To Expand Coyote Hunting to Every Day of the Coyote Hunting Season and To Eliminate Fees** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D JACKSON T	ONTP	

This bill abolishes the coyote night hunting permit fee, allows hunters to hunt coyotes on Sundays during the regular hunting season, which under current Department of Inland Fisheries and Wildlife rules is from January 1st to December 31st, and eliminates any license fee that may be charged in connection with coyote hunting for the 2019 regular season.

LD 1252 **An Act Regarding Snowmobile Registration Fees** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
HEAD F HAMPER J	ONTP OTP-AM	

This bill requires an annual additional $30 snowmobile registration fee, unless the registrant can show proof of membership in a snowmobile club in the State. It specifies that for a resident family residing in the same household the additional fee is $30 for up to four snowmobiles. Lastly, it requires the transfer of $20 collected from this additional fee to the Snowmobile Trail Fund and the transfer of $10 collected from this additional fee to the Snowmobile Enforcement Fund.

Committee Amendment "A" (H-274)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the bill.

This amendment was not adopted.

LD 1298 **An Act To Enhance Fish and Wildlife Laws** **PUBLIC 9 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D JACKSON T	OTP	

This bill provides the Commissioner of Inland Fisheries and Wildlife the authority to change the closing date of the recreational ice-fishing season by rule. It also amends the rule-making provision of the law governing open seasons for fishing to explicitly provide for adoption of emergency rules.

Enacted Law Summary

Public Law 2019, chapter 9 provides the Commissioner of Inland Fisheries and Wildlife the authority to change the closing date of the recreational ice-fishing season by rule. It also amends the rule-making provision of the law governing open seasons for fishing to explicitly provide for adoption of emergency rules.

Public Law 2019, chapter 9 was enacted as an emergency measure effective March 25, 2019.

LD 1307 **An Act To Promote Snowmobiling in Maine** **PUBLIC 207**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE J NADEAU C	OTP-AM	S-113

This bill directs the Commissioner of Inland Fisheries and Wildlife to establish an online notification process by which a nonresident who plans to operate in this State during the three-consecutive day period under the Maine Revised Statutes, Title 12, section 13104, subsection 7, paragraph E a snowmobile that is not registered in this State may provide information, including the nonresident snowmobile operator's name, address, telephone number and e-mail address and the location or locations where the nonresident plans to operate the snowmobile, to the Department of Inland Fisheries and Wildlife in order to promote seasonal nonresident snowmobile registration opportunities to nonresident snowmobile operators and to promote general snowmobile recreational activities in the State through regional state tourism organizations and a statewide organization with an interest in snowmobiling. It provides that failure to comply with the provision setting out the online notification process is not a violation of any law or rule of the department but that nothing in the provision relieves a person of the person's responsibilities under any law or rule regulating the ownership or operation of a snowmobile in the State.

It requires, as a condition of the three-consecutive day period during which a nonresident may operate an unregistered snowmobile in the State, use of the online notification process by the operator.

It also directs the Director of the Office of Tourism within the Department of Economic and Community Development to collaborate, within existing budgeted resources, with the Commissioner of Inland Fisheries and Wildlife in the production and distribution through regional state tourism organizations and a statewide organization with an interest in snowmobiling of promotional materials relating to seasonal nonresident snowmobile registration and general snowmobile recreational opportunities using the information collected by the notification process.

The legislation takes effect on December 1, 2019.

Committee Amendment "A" (S-113)

This amendment delays the effective date of the legislation to January 1, 2020.

Enacted Law Summary

Public Law 2019, chapter 207 directs the Commissioner of Inland Fisheries and Wildlife to establish an online notification process by which a nonresident who plans to operate in this State during the three-consecutive day period under the Maine Revised Statutes, Title 12, section 13104, subsection 7, paragraph E a snowmobile that is not registered in this State may provide information, including the nonresident snowmobile operator's name, address, telephone number and e-mail address and the location or locations where the nonresident plans to operate the snowmobile, to the Department of Inland Fisheries and Wildlife in order to promote seasonal nonresident

snowmobile registration opportunities to nonresident snowmobile operators and to promote general snowmobile recreational activities in the State through regional state tourism organizations and a statewide organization with an interest in snowmobiling. It provides that failure to comply with the provision setting out the online notification process is not a violation of any law or rule of the department but that nothing in the provision relieves a person of the person's responsibilities under any law or rule regulating the ownership or operation of a snowmobile in the State.

It requires, as a condition of the three-consecutive day period during which a nonresident may operate an unregistered snowmobile in the State, use of the online notification process by the operator.

It also directs the Director of the Office of Tourism within the Department of Economic and Community Development to collaborate, within existing budgeted resources, with the Commissioner of Inland Fisheries and Wildlife in the production and distribution through regional state tourism organizations and a statewide organization with an interest in snowmobiling of promotional materials relating to seasonal nonresident snowmobile registration and general snowmobile recreational opportunities using the information collected by the notification process.

The law takes effect on January 1, 2020.

LD 1488 **An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish** **PUBLIC 443**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J TIMBERLAKE J	OTP-AM	H-426

This bill allows the holder of a registration certificate and a set of gold star family registration plates pursuant to the Maine Revised Statutes, Title 29-A, section 524-B to be issued a complimentary license to hunt, trap and fish, including permits, stamps and other permissions needed to hunt.

Committee Amendment "A" (H-426)

This amendment provides that the complimentary license to hunt, trap and fish made available under the bill to a person who holds a registration certificate and gold star family registration plates is available to only residents of the State and a lifetime license.

Enacted Law Summary

Public Law 2019, chapter 443 allows a resident of the State that is the holder of a registration certificate and a set of gold star family registration plates pursuant to the Maine Revised Statutes, Title 29-A, section 524-B to be issued a lifetime complimentary license to hunt, trap and fish, including permits, stamps and other permissions needed to hunt.

LD 1525 **An Act To Require Insurance on Motorized Watercraft** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LAWRENCE M		

This bill prohibits the owner of a motorboat of more than 75 horsepower from operating or allowing operation of the motorboat in the inland or tidal waters of the State without insurance on the motorboat similar to the financial responsibility provisions regarding motor vehicles. The bill requires the operator of the motorboat to provide proof of insurance, which may be in an acceptable electronic format, to a law enforcement officer upon request or, if the

motorboat is in an accident, to all persons involved in the accident. An operator of a motorboat who fails to provide proof of insurance commits a civil penalty unless proof of insurance is produced before adjudication of the violation, and an owner who fails to insure a motorboat that is then involved in an accident commits a Class D crime.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1551 **An Act To Clarify Fishing Laws between the Department of Inland Fisheries and Wildlife and the Department of Marine Resources as They Relate to Striped Bass in Inland Waters** **PUBLIC 224**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C DILL J	OTP-AM	H-308

This bill eliminates duplicative rulemaking by prohibiting the fishing or possession of striped bass taken from the inland waters of the State in violation of rules adopted by the Commissioner of Marine Resources.

Committee Amendment "A" (H-308)

This amendment clarifies the language of the bill but preserves the bill's intent, which is to provide that fishing for or possession of striped bass taken from the inland waters of the State in violation of striped bass rules adopted by the Commissioner of Marine Resources is prohibited and is subject to the applicable penalties for violating the fishing rules of the Department of Inland Fisheries and Wildlife.

Enacted Law Summary

Public Law 2019, chapter 224 provides that fishing for or possession of striped bass taken from the inland waters of the State in violation of striped bass rules adopted by the Commissioner of Marine Resources is prohibited and is subject to the applicable penalties for violating the fishing rules of the Department of Inland Fisheries and Wildlife.

LD 1579 **An Act To Create a Limited Fish Stocking Permit** **PUBLIC 263**

Sponsor(s)	Committee Report	Amendments Adopted
MASON R TIMBERLAKE J	OTP-AM	H-375

This bill allows a municipality to stock with fish an inland water of the municipality, subject to a determination by the Department of Inland Fisheries and Wildlife, Bureau of Resource Management that the species of fish is appropriate to be stocked in that inland water and to the public notification requirements that apply when the bureau proposes to stock an inland water with fish.

Committee Amendment "A" (H-375)

This amendment replaces the bill. The amendment allows the Commissioner of Inland Fisheries and Wildlife to issue a limited permit to a local government. A limited permit allows a local government to introduce fish only into a great pond within the jurisdiction of the local government that was previously stocked by the department and in which stocking was suspended prior to January 1, 2019, and has not been resumed by the department due to inadequate public access. The permit allows the introduction of only the same species of fish that was stocked at the time the department suspended stocking. The permit allows only the introduction of fish obtained by the local government at its own expense from an in-state commercial facility that meets testing and health guidelines

approved by the department. The permit may be issued only if the local government identifies public access to the great pond that is at least suitable for the hand carrying of boats to the water, includes a parking area and has been marked with signage adequate to ensure public awareness of the public access. "Local government" is defined as a municipality or, in the unorganized territory, a county.

Enacted Law Summary

Public Law 2019, chapter 263 allows the Commissioner of Inland Fisheries and Wildlife to issue a limited permit to a local government. A limited permit allows a local government to introduce fish only into a great pond within the jurisdiction of the local government that was previously stocked by the department and in which stocking was suspended prior to January 1, 2019, and has not been resumed by the department due to inadequate public access. The permit allows the introduction of only the same species of fish that was stocked at the time the department suspended stocking. The permit allows only the introduction of fish obtained by the local government at its own expense from an in-state commercial facility that meets testing and health guidelines approved by the department. The permit may be issued only if the local government identifies public access to the great pond that is at least suitable for the hand carrying of boats to the water, includes a parking area and has been marked with signage adequate to ensure public awareness of the public access. "Local government" is defined as a municipality or, in the unorganized territory, a county.

LD 1717 An Act To Clarify and Correct Maine's Fish and Wildlife Laws PUBLIC 325

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN J	OTP-AM	H-492

This bill changes the inland fisheries and wildlife laws to:

1. Define the terms "airbow," "crossbow" and "hand-held bow" or "bow" and establish an open season for hunting deer with an airbow during the open firearm season on deer;

2. Specify that lifetime license holders must meet eligibility requirements for hunting with bows and crossbows;

3. Make technical and grammatical corrections to the law regarding having a loaded firearm or crossbow in a motor vehicle or hunting or shooting from a motor vehicle or motorboat;

4. Repeal outdated language regarding carrying a handgun during the regular archery-only season on deer;

5. Clarify that it is only beaver, and no other species, that may be trapped by the holder of a nonresident trapping license who is not a citizen of the United States;

6. Require the court to impose a fine of $20 for each quart of smelts rather than for each fish unlawfully possessed over the limit adopted by the Commissioner of Inland Fisheries and Wildlife by rule; and

7. Require any shack or temporary structure used for ice fishing to be removed by March 31st and, in the laws regarding litter control, amend the definition of the term "abandoned ice-fishing shack."

Committee Amendment "A" (H-492)

This amendment does the following.

1. It removes the provisions of the bill relating to airbows.

2. It clarifies the penalties for violating the smelt fishing limits.

3. It Modifies the provision relating to the removal of ice fishing shacks to provide that. In those portions of the State where the ice fishing season has a closed season, the current law applies, which requires removal before ice out or three days after the close of the season, whichever is earlier; and in those portions of the State where there is no closed season, removal must be by ice out or March 31st, whichever is earlier.

Enacted Law Summary

Public Law 2019, chapter 325 changes the inland fisheries and wildlife laws to:

1. Define the terms "crossbow" and "hand-held bow" or "bow;"

2. Specify that lifetime license holders must meet eligibility requirements for hunting with bows and crossbows;

3. Make technical and grammatical corrections to the law regarding having a loaded firearm or crossbow in a motor vehicle or hunting or shooting from a motor vehicle or motorboat;

4. Repeal outdated language regarding carrying a handgun during the regular archery-only season on deer;

5. Clarify that it is only beaver, and no other species, that may be trapped by the holder of a nonresident trapping license who is not a citizen of the United States;

6. Require the court to impose a fine of $20 for each quart of smelts rather than for each fish unlawfully possessed over the limit adopted by the Commissioner of Inland Fisheries and Wildlife by rule; and

7. Require, in those portions of the State where the ice fishing season has a closed season, the removal of any shack or temporary structure used for ice fishing before ice out or three days after the close of the season, whichever is earlier; and in those portions of the State where there is no closed season, removal must be by ice out or March 31st, whichever is earlier.

LD 1740 **An Act To Clarify Inland Fisheries and Wildlife Laws Regarding Boating and Hunting Licensing** **PUBLIC 324**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D	OTP-AM	H-491

This bill changes the term "adult supervisor" to "apprentice supervisor" in the law governing apprentice hunter license restrictions. It eliminates the threshold prohibiting persons younger than 18 years of age from transferring a valid anterless deer permit to a junior hunter. It repeals the provision requiring the Commissioner of Inland Fisheries and Wildlife to designate locations where guide license examinations will be held. It also removes the requirement that a license must be obtained from the Department of Inland Fisheries and Wildlife to operate a motorboat carrying passengers for hire and instead requires proof of successful completion of a boater safety education course approved by a national association of state boating law administrators.

Committee Amendment "A" (H-491)

This amendment:

1. Changes the term for the person supervising an apprentice hunter to "youth hunter supervisor"; and

2. Removes the portion of the bill that repeals the provision of law requiring the Commissioner of Inland Fisheries and Wildlife to designate locations where the guide license examination is to be held and to hold the examination in one of the Department of Inland Fisheries and Wildlife regions if at least 10 applicants reside in that region.

Enacted Law Summary

Public Law 2019, chapter 324 changes the term for the person supervising an apprentice hunter to "youth hunter supervisor" in the law governing apprentice hunter license restrictions. It eliminates the threshold prohibiting persons younger than 18 years of age from transferring a valid anterless deer permit to a junior hunter. It removes the requirement that a license must be obtained from the Department of Inland Fisheries and Wildlife to operate a motorboat carrying passengers for hire and instead requires proof of successful completion of a boater safety education course approved by a national association of state boating law administrators.

LD 1787 **An Act To Clarify and Enhance Fish and Wildlife Enforcement Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DILL J	OTP-AM	S-315

This bill makes several changes to the State's fish and wildlife enforcement laws. The bill:

1. Makes it illegal for nonviolent juvenile offenders and persons convicted of domestic violence to possess a firearm hunting license. It also prohibits a person convicted of a domestic violence offense from owning or possessing a crossbow, a muzzleloader or archery or airbow equipment;

2. Provides that a person is guilty of aggravated trafficking in a scheduled drug if the person is convicted of trafficking while in an area open to fishing for only persons under 16 years of age or complimentary fishing license holders;

3. Requires all edible meat from bear, deer and moose to be presented for registration with evidence of sex;

4. Clarifies that a person's hunting license will be revoked if the person is convicted of night hunting while in possession of a thermal imaging device;

5. Amends the definition of "owner" for the purpose of registration of a snowmobile, watercraft and all-terrain vehicle;

6. Provides for penalties for bag limit and possession limit violations for individual upland game species as established by the commissioner;

7. Clarifies the time limit to register a bear, deer, moose or wild turkey;

8. Clarifies that bear fat not attached to the meat can legally be used for personal or commercial use without a hide dealer's license;

9. Provides for restitution of expenses incurred as a result of scientific testing to enhance investigation procedures;

10. Clarifies that a person may not take or possess reptiles or amphibians from the wild for export, sale or commercial purposes;

11. Strengthens the prohibition of abuse of another person's property by removing reference to certain stated activities such as hunting, fishing or trapping to allow the Department of Inland Fisheries and Wildlife to enforce the law against persons who abuse another person's property but who may not be involved in an activity such as hunting, fishing or trapping; and

12. Replaces the prohibition on operating a motorboat that exceeds noise limits with a prohibition on operating a marine engine that exceeds noise limits.

Committee Amendment "A" (S-315)

This amendment does the following.

1. It removes language in the bill regarding restitution to a landowner whose property is damaged because that remedy is already available under the Maine Revised Statutes, Title 17-A, chapter 69.

2. It reallocates the section of the bill regarding penalties for bag limit and possession limit violations for upland game to the chapter that is specific to hunting.

3. It removes the section of the bill that prohibits a person convicted of domestic violence from owning or possessing a crossbow, a muzzleloader or archery or airbow equipment.

4. It reallocates the bill's provision in the law governing aggravated trafficking of scheduled drugs and specifies that the property on which the offense occurs is designated by the Department of Inland Fisheries and Wildlife in rules as open to fishing for only persons under 16 years of age or persons holding a complimentary fishing license.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1804 **An Act Regarding the Baiting of Deer** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to make changes to the laws regarding the baiting of deer.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1818 **An Act To Clarify and Enhance Certain Maine Wildlife Laws** **PUBLIC 355 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
THERIAULT T	OTP-AM	H-538 H-560 THERIAULT T

This bill does the following.

1. It amends the definition of "antlerless moose" to exclude moose with antlers that are shorter than their ears.

2. It allows the Commissioner of Inland Fisheries and Wildlife to prohibit or limit the feeding of deer, bear, moose and wild turkey if there is documented evidence of chronic wasting disease in a jurisdiction contiguous to the State or the commissioner has a reason to believe that the type or location of feed may create a public safety hazard or may have a detrimental effect on the wildlife.

3. It provides consistency in the laws regulating the hunting or trapping of wild birds.

4. It changes the expiration date for a wildlife rehabilitation permit to December 31st of the second complete year after the date of issuance.

5. It updates the description of the boundary of the Beauchamp Sanctuary.

6. It clarifies that hunting is prohibited in the Megunticook Lake and Vicinity Sanctuary from April 1st to September 30th of each year.

Committee Amendment "A" (H-538)

This amendment allows the Commissioner of Inland Fisheries and Wildlife to prohibit or limit the feeding of deer, bear, moose and wild turkey if there is documented evidence of chronic wasting disease within 50 miles of the border of the State.

House Amendment "A" To Committee Amendment "A" (H-560)

This amendment adds an emergency preamble and an emergency clause.

Enacted Law Summary

Public Law 2019, chapter 355 does the following.

1. It amends the definition of "antlerless moose" to exclude moose with antlers that are shorter than their ears.

2. It allows the Commissioner of Inland Fisheries and Wildlife to prohibit or limit the feeding of deer, bear, moose and wild turkey if there is documented evidence of chronic wasting disease within 50 miles of the border of the State or the commissioner has a reason to believe that the type or location of feed may create a public safety hazard or may have a detrimental effect on the wildlife.

3. It provides consistency in the laws regulating the hunting or trapping of wild birds.

4. It changes the expiration date for a wildlife rehabilitation permit to December 31st of the second complete year after the date of issuance.

5. It updates the description of the boundary of the Beauchamp Sanctuary.

6. It clarifies that hunting is prohibited in the Megunticook Lake and Vicinity Sanctuary from April 1st to September 30th of each year.

Public Law 2019, chapter 355 was enacted as an emergency measure effective June 18, 2019.

LD 1824 **An Act To Make Certain Snowmobile and Watercraft Laws Consistent with All-terrain Vehicle Laws** **PUBLIC 452**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P	OTP	

This bill amends certain laws governing snowmobiles and watercraft to make them consistent with laws governing all-terrain vehicles. Specifically, this bill:

1. Extends to operators of snowmobiles and watercraft certain penalties that apply to violations applicable to

operation of all-terrain vehicles that result in the mandatory revocation of a license;

2. Updates the laws concerning operation of a recreational vehicle while under the influence to more closely mirror the laws governing operation of a motor vehicle while under the influence;

3. Extends the general prohibition against the fraudulent acquisition or possession of licenses and permits issued by the Department of Inland Fisheries and Wildlife to also apply to registrations and repeals specific prohibitions that are therefore unnecessary;

4. Exempts from registration fees motorboats used for governmental purposes and owned and operated in the State by the Federal Government, the State or a political subdivision of the State;

5. Specifies that, for purposes of the laws governing recreational vehicles, a motor vehicle is not a snowmobile; and

6. Removes language that limits to on or adjacent to a snowmobile trail the location of a snowmobile collision that constitutes operating a snowmobile to endanger.

Enacted Law Summary

Public Law 2019, chapter 452 amends certain laws governing snowmobiles and watercraft to make them consistent with laws governing all-terrain vehicles. Specifically, this law:

1. Extends to operators of snowmobiles and watercraft certain penalties that apply to violations applicable to operation of all-terrain vehicles that result in the mandatory revocation of a license;

2. Updates the laws concerning operation of a recreational vehicle while under the influence to more closely mirror the laws governing operation of a motor vehicle while under the influence;

3. Extends the general prohibition against the fraudulent acquisition or possession of licenses and permits issued by the Department of Inland Fisheries and Wildlife to also apply to registrations and repeals specific prohibitions that are therefore unnecessary;

4. Exempts from registration fees motorboats used for governmental purposes and owned and operated in the State by the Federal Government, the State or a political subdivision of the State;

5. Specifies that, for purposes of the laws governing recreational vehicles, a motor vehicle is not a snowmobile; and

6. Removes language that limits to on or adjacent to a snowmobile trail the location of a snowmobile collision that constitutes operating a snowmobile to endanger.

Joint Standing Committee on Inland Fisheries and Wildlife

SUBJECT INDEX

All-terrain Vehicles, Snowmobiles and Watercraft

Enacted

LD 212	**An Act To Provide a Source of Funding for the ATV Recreational Management Fund and To Establish the ATV Enforcement Fund**	**PUBLIC 75 EMERGENCY**
LD 1109	**An Act Regarding All-terrain Vehicles**	**PUBLIC 204**
LD 1147	**Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Study Registration Fees for All-terrain Vehicles and Snowmobiles**	**RESOLVE 35**
LD 1307	**An Act To Promote Snowmobiling in Maine**	**PUBLIC 207**
LD 1824	**An Act To Make Certain Snowmobile and Watercraft Laws Consistent with All-terrain Vehicle Laws**	**PUBLIC 452**

Not Enacted

LD 56	**An Act To Ban the Use of Personal Watercraft on Lower Wilson Pond and Upper Wilson Pond**	**ONTP**
LD 339	**An Act To Prohibit Unattended Watercraft on Open Water**	**ONTP**
LD 442	**An Act To Set Speed Limits for All-terrain Vehicles on Trails within 50 Yards of a Stream or Pond To Prevent Runoff**	**ONTP**
LD 525	**An Act To Increase the Registration Fee for Snowmobiles for Residents**	**ONTP**
LD 877	**An Act To Equalize the Distribution of Gasoline Tax Revenues between Snowmobiles and All-terrain Vehicles**	**INDEF PP**
LD 1252	**An Act Regarding Snowmobile Registration Fees**	**Majority (ONTP) Report**
LD 1525	**An Act To Require Insurance on Motorized Watercraft**	**CARRIED OVER**

Antlerless Deer Permits

Enacted

LD 881	**An Act To Ensure Equitable Treatment of Super Pack License Holders in Antlerless Deer Permit Lotteries**	**PUBLIC 116 EMERGENCY**

Not Enacted

LD 190	**An Act To Provide Antlerless Deer Permits to Senior Resident Lifetime Hunting License Holders**	**ONTP**

Bear Hunting

Enacted

LD 337	**An Act To Start a Spring Bear Hunting Season**	**ONTP**
LD 1118	**An Act To Give the Commissioner of Inland Fisheries and Wildlife Rule-making Authority To Establish a Bear Season Framework and Bag Limits**	**CARRIED OVER**

Complimentary and Reduced Fee Licenses

Enacted

LD 1488	**An Act To Allow Holders of Gold Star Family Registration Plates to Be Issued Complimentary Licenses To Hunt, Trap and Fish**	**PUBLIC 443**

Not Enacted

LD 26	**An Act To Provide Complimentary Lifetime Hunting and Fishing Licenses to Retired Game Wardens with 25 Years of Service**	**Majority (ONTP) Report**
LD 663	**An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish and To Exempt Them from Vehicle Registration Fees**	**INDEF PP**

Coyote Hunting

Not Enacted

LD 1179	**An Act To Expand Coyote Hunting to Every Day of the Coyote Hunting Season and To Eliminate Fees**	**ONTP**

Crossbow

Enacted

LD 27	**An Act To Allow the Use of a Crossbow for a Limited Duration during the Archery Season on Deer and the Fall Season on Wild Turkey**	**PUBLIC 98**

Deer Hunting

Not Enacted

LD 175	**An Act To Extend the Deer Hunting Season by 2 Saturdays**	**ONTP**
LD 188	**An Act To Provide for an Expanded Muzzle-loading-only Deer Hunting Season**	**ONTP**
LD 996	**An Act To Establish a Special Handgun Hunting Season That Coincides with the Muzzle-loading Open Season on Deer**	**ONTP**

Department of Inland Fisheries and Wildlife

Enacted

LD 1298	**An Act To Enhance Fish and Wildlife Laws**	**PBULIC 9 EMERGENCY**
LD 1717	**An Act To Clarify and Correct Maine's Fish and Wildlife Laws**	**PUBLIC 325**
LD 1740	**An Act To Clarify Inland Fisheries and Wildlife Laws Regarding Boating and Hunting Licensing**	**PUBLIC 324**
LD 1818	**An Act To Clarify and Enhance Certain Maine Wildlife Laws**	**PUBLIC 355**

Not Enacted

LD 258	**An Act To Establish and Coordinate a Volunteer Corps of Search and Rescue Specialists within the Department of Inland Fisheries and Wildlife**	**ONTP**
LD 1787	**An Act To Clarify and Enhance Fish and Wildlife Enforcement Laws**	**CARRIED OVER**

Dogs and Dog Training

Enacted

LD 528	**An Act To Increase the Number of Clubs That May Be Issued a Special Dog Training Area License**	**PUBLIC 65 EMERGENCY**

Endangered and Threatened Species

Enacted

LD 713	**An Act To Strengthen Maine's Endangered Species Laws**	**PUBLIC 267**

Fish and Fishing

Enacted

LD 1551	**An Act To Clarify Fishing Laws between the Department of Inland Fisheries and Wildlife and the Department of Marine Resources as They Relate to Striped Bass in Inland Waters**	**PUBLIC 224**
LD 1579	**An Act To Create a Limited Fish Stocking Permit**	**PUBLIC 263**

Not Enacted

LD 652	**An Act To Modify Maine's Ice Fishing Laws with Respect to Cusk Fishing**	**ONTP**
LD 695	**An Act To Require Biodegradable Hooks and Lures for Freshwater Fishing**	**CARRIED OVER**

Hunting

Enacted

LD 865	**An Act To Provide Funding for Hunting Opportunities for Disabled Veterans**	**PUBLIC 199**

Not Enacted

LD 728	**An Act To Fairly Compensate Registration Stations for Bear, Deer, Moose and Turkey Registrations**	**ONTP**

Invasive Aquatic Species

Enacted

LD 235	**An Act To Increase Funding To Contain and Manage the Spread of Invasive Aquatic Species**	**PUBLIC 264**

Not Enacted

LD 879	**An Act To Decrease the Risk of the Spread of Invasive Aquatic Plants**	**ONTP**
LD 927	**An Act To Minimize the Propagation of Invasive Aquatic Plants**	**ONTP**
LD 967	**An Act To Reduce the Spread of Invasive Aquatic Plants by Prohibiting Seine Fishing in Great Ponds**	**ONTP**

Landowner Relations

Not Enacted

LD 321	**An Act To Ensure the Continuation of the Landowner Relations Program**	**ONTP**
LD 649	**An Act To Enhance Collaboration among State Agencies and To Improve Landowner Relations**	**ONTP**
LD 650	**An Act To Strengthen Maine's Landowner Relations Program**	**CARRIED OVER**

Licenses and Permits

Enacted

LD 708	**An Act To Allow the Transfer of a Moose Hunting Permit to a Disabled Veteran**	**PUBLIC 191 EMERGENCY**
LD 932	**An Act Regarding the Transfer of a Deceased Person's Moose Permit to a Family Member**	**PUBLIC 143**

Not Enacted

LD 313	**An Act To Increase Access to Moose and Doe Permits for Combat-injured Veterans**	**ONTP**
LD 924	**An Act To Remove the Background Check Requirement for Maine Guides Who are at Least 70 Years of Age and Hold a Lifetime Hunting or Fishing License**	**ONTP**

Maine Outdoor Heritage Fund

Not Enacted

LD 1124	**An Act To Amend the Maine Outdoor Heritage Fund Grant Process**	**ONTP**

Safety

Enacted

LD 121	**An Act To Require the Department of Inland Fisheries and Wildlife To Promote Safety with Respect to the Handling or Use of Firearms, Watercraft, All-terrain Vehicles and Snowmobiles and in Other Outdoor Activities**	**PUBLIC 190**

Sport Shooting Ranges

Enacted

LD 79	**An Act To Protect Shooting Ranges**	**PUBLIC 14**

Trapping

Enacted

LD 490	**An Act To Give the Commissioner of Inland Fisheries and Wildlife the Authority To Extend Any Trapping Season Based on Weather Conditions or Other Factors**	**PUBLIC 19**

Upland Game

Enacted

LD 265	**An Act To Increase Opportunities for Hunters, Anglers and Sporting Camps by Extending the Seasons on Upland Game**	**PUBLIC 42 EMERGENCY**

Wild Turkey Hunting

Not Enacted

LD 275	**An Act To Change the Bag Limits on Wild Turkey**	**ONTP**
LD 1117	**An Act To Encourage Turkey Hunting**	**CARRIED OVER**

Wildlife Management

Not Enacted

LD 74	**An Act To Reform Maine's Fish and Wildlife Management System**	**ONTP**
LD 638	**An Act To Legalize the Use of Supplemental Minerals To Assist with Wildlife Nutrition**	**CARRIED OVER**
LD 1804	**An Act Regarding the Baiting of Deer**	**CARRIED OVER**

Youth Hunting

Enacted

LD 33	**Resolve, To Encourage the Commissioner of Inland Fisheries and Wildlife To Establish a Youth Turkey Hunting Day during the Fall Season**	**RESOLVE 18**

Not Enacted

LD 617	**An Act To Increase to 3 the Number of Youth Deer Hunting Days**	**ONTP**
LD 891	**An Act To Preserve Maine's Heritage by Expanding Maine Youth Hunting**	**ONTP**

IDEA

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

August 2019

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Joint Standing Committee on Innovation, Development, Economic Advancement and Business

LD 3 **An Act To Enhance and Increase the Availability of Mental Health Providers in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J BELLOWS S	ONTP	

This bill establishes and funds the Maine Mental Health Providers Loan Repayment Program, which provides up to $5,000 per year, for a period of up to five years, in educational loan repayment assistance to qualified mental health providers. In order to qualify, a provider must be a social worker licensed by the State Board of Social Worker Licensure or a counselor licensed by the Board of Counseling Professionals Licensure. Applicants must commit to practicing for five years in an underserved practice area of the State. The program is to be administered by the Finance Authority of Maine.

The bill also repeals the currently unfunded Social Work Education Loan Repayment Program in the Maine Revised Statutes.

LD 15 **An Act To Provide for Municipalities To Allow Grocery Stores up to 10,000 Square Feet To Open on Thanksgiving, Easter and Christmas** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
KINNEY M HERBIG E	OTP-AM ONTP	

This bill allows a municipality by ordinance to allow grocery stores with no more than 10,000 square feet of interior customer selling space to be open on Easter Day, Thanksgiving Day and Christmas Day.

Committee Amendment "A" (H-463)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

This amendment clarifies the language in the bill, creating an exception to the general prohibition on stores with more than 5,000 square feet from opening on Easter Day, Thanksgiving Day or Christmas Day. This amendment allows municipalities to by ordinance allow grocery stores with between 5,000 and 10,000 square feet to be open on Easter Day, Thanksgiving Day or Christmas Day.

This amendment removes the emergency preamble and emergency clause.

This amendment was not adopted.

LD 37 **An Act To Allow for the Sale of Nonprescription Drugs through Vending Machines** **PUBLIC 454**

Sponsor(s)	Committee Report	Amendments Adopted
TERRY M SANBORN L	OTP-AM ONTP	H-466

Joint Standing Committee on Innovation, Development, Economic Advancement and Business

This bill creates a limited exception to the prohibition against the sale of drugs by vending machines to allow for the sale of nonprescription drugs by vending machines.

Committee Amendment "A" (H-466)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment adds a "vending machine outlet" pharmacy licensing classification and requires that the Maine Board of Pharmacy adopt rules in accordance with certain specified requirements, including the following:

1. A requirement that only nonprescription drugs be dispensed by the vending machine;

2. A requirement that nonprescription drugs dispensed by the vending machine be stored in accordance with manufacturer recommendations, including temperature stable conditions;

3. A requirement that nonprescription drugs dispensed by a vending machine be sold only in the manufacturer's clearly labeled, original, unbroken, tamper-proof and expiration-dated packaging;

4. A requirement that nonprescription drugs dispensed by the vending machine be no older than the manufacturer's expiration date;

5. A limitation that no more than 12 different nonprescription drugs be dispensed by any single vending machine;

6. A requirement that a vending machine through which nonprescription drugs are dispensed have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the board of pharmacy;

7. Identification of any nonprescription drugs that cannot be dispensed by a vending machine; and

8. Identification of any locations in which vending machines dispensing nonprescription drugs may not be located, including the following:

   A. Private schools;

   B. Public preschool programs;

   C. Public schools; and

   D. Child care facilities.

Enacted Law Summary

Public Law 2019, chapter 454 creates a limited exception to the prohibition against the sale of drugs by vending machines to allow for the sale of nonprescription drugs by vending machines. It adds a "vending machine outlet" pharmacy licensing classification and requires that the Maine Board of Pharmacy adopt rules in accordance with certain specified requirements, including the following:

1. A requirement that only nonprescription drugs be dispensed by the vending machine;

2. A requirement that nonprescription drugs dispensed by the vending machine be stored in accordance with

manufacturer recommendations, including temperature stable conditions;

3. A requirement that nonprescription drugs dispensed by a vending machine be sold only in the manufacturer's clearly labeled, original, unbroken, tamper-proof and expiration-dated packaging;

4. A requirement that nonprescription drugs dispensed by the vending machine be no older than the manufacturer's expiration date;

5. A limitation that no more than 12 different nonprescription drugs be dispensed by any single vending machine;

6. A requirement that a vending machine through which nonprescription drugs are dispensed have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the board of pharmacy;

7. Identification of any nonprescription drugs that cannot be dispensed by a vending machine; and

8. Identification of any locations in which vending machines dispensing nonprescription drugs may not be located, including the following:

A. Private schools;

B. Public preschool programs;

C. Public schools; and

D. Child care facilities.

LD 50 **An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Development of a Long-range Strategic Plan for Economic Improvement in the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A HERBIG E	ONTP	

This bill clarifies the role of the Maine Economic Growth Council and provides for additional requirements for the Council. It requires the Council to, by December 31, 2020, develop a long-range strategic economic improvement plan for a sustainable state economy. It requires that the Council review and update the plan by December 31, 2022 and every four years thereafter.

This bill requires that in developing the plan, the Council employ a continuous process with a five to ten year planning horizon; include consideration of industries and jobs with significant growth potential in the state, the state's industrial base, regional, national and international markets, studies and evaluations in the private and public sectors regarding long term economic growth in the state, the quantity and quality and demographic composition of the state's workforce, discrepancies in challenges and opportunities among regions, opportunities and challenges for small businesses, and optimization of the return on investment in the state; use a public and private partnership approach that is objective and nonpartisan; and use a transparent public process that allows for public input.

This bill requires that the plan include goals and objectives for long term economic development; specific, quantifiable and measurable benchmarks against which progress can be measured; strategies and actions to

accomplish the benchmarks; and recommendations for allocation of resources.

This bill requires that the Council produce a written progress report by December 31, 2022 and every two years thereafter.

This bill requires that the Council submit the strategic plan, progress reports, updates and revised plans to the Governor and Legislature. By January 21, 2021, the Council must present the initial plan to the joint standing committee having jurisdiction over economic development matters, the joint standing committee having jurisdiction over labor matters, the joint standing committee having jurisdiction over appropriations and financial affairs and any other joint standing committees having jurisdiction over policy areas covered in the plan.

LD 88 **An Act To Require the Truthful Display of Gasoline Prices** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEEBE-CENTER P JACKSON T	ONTP	

This bill requires posted gasoline prices on pumps or on roadside signs of a retail seller to be the full price of the fuel and prohibits posting a price reduced due to factors such as method of payment, participation in a rewards program or a discount for the purchase of other goods or services from the retail seller.

LD 105 **An Act To Establish the Office of Outdoor Recreation** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
BREEN C PIERCE T		

This bill creates the Office of Outdoor Recreation within the Department of Economic and Community Development.

This bill makes an ongoing allocation of $250,000 per fiscal year from the Tourism Marketing Promotion Fund, which is funded by a portion of the meals and lodging sales tax, to the new Office of Outdoor Recreation.

LD 106 **An Act To Amend the Maine Veterinary Practice Act Relating to Alternative Therapy or Collaborative Treatment** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN S		

This bill authorizes a person to provide alternative therapy or collaborative treatment to an animal only if the person holds a license, registration or certification from the entity in the State responsible for issuing licenses, certifications or registrations for the alternative therapy or collaborative treatment or meets certain educational requirements, has a referral to provide the alternative therapy or collaborative treatment from a licensed veterinarian and is under the

direct or indirect supervision of a licensed veterinarian. The bill also defines "alternative therapy or collaborative treatment" to include acupuncture, dentistry, homeopathic or chiropractic procedures and physical or massage therapy.

LD 130 **An Act To Provide Funding To Continue the Strategic Economic and Sustainable Development of Northern Aroostook County** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D JACKSON T	ONTP	

This bill provides funds in only the 2020-2021 biennium to support the work of the Core Leadership Team of Acadia of the Lands and Forests.

LD 138 **An Act Regarding the Maine Coworking Development Fund** **PUBLIC 507**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R POULIOT M	OTP-AM ONTP	H-146 S-323 BREEN C

This bill provides one-time funding for the Department of Economic and Community Development to provide funds from the Maine Coworking Development fund for the expansion of existing collaborative workspaces. The bill directs the Department to give preference to applicants with projects in counties in which the unemployment rate exceeds the statewide unemployment rate.

Committee Amendment "A" (H-146)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

This amendment requires that in determining awards for collaborative workplace development through funds appropriated to the Maine Coworking Development Fund, the Department of Economic and Community Development use a competitive bid process, rather than a request for proposal process. This amendment expands the pool of potential applicants to include entities seeking to establish new collaborative workplaces and directs the department to prioritize new development. It directs the department to engage in at least two rounds of competitive applications and also directs that any funds remaining from the remaining 2019-20 appropriation be carried over into 2020-21.

This amendment also replaces the requirement for an annual report by the department to the President of the Senate and the Speaker of the House of Representatives with a report to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters.

Senate Amendment "A" To Committee Amendment "A" (S-323)

This amendment eliminates the provision in Committee Amendment "A" that requires that funds be provided to entities to develop collaborative workspaces. It also removes the language that directs the Department of Economic and Community Development to prioritize development of new workspaces in the competitive application process and to engage in at least two rounds of competitive applications. It also removes the one-time General Fund appropriation.

Enacted Law Summary

Public law 2019, chapter 507 directs the Maine Coworking Development Fund, the Department of Economic and Community Development to use a competitive bid process to provide funds from the Maine Coworking Development Fund for the development of collaborative workspaces. It directs the department to, beginning February 1, 2020, annually provide a report to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters regarding the program.

LD 183 **An Act To Increase the Number of Teachers in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T BREEN C	ONTP	

This bill increases the loan amount an undergraduate may receive under the Educators for Maine Program from $3,000 to $9,000 per academic year and from $12,000 to $36,000 total. It also increases from $20,000 to $44,000 the total amount a student may receive in undergraduate and postbaccalaureate loans.

LD 191 **An Act To Protect Heating Fuel Customers Who Close Their Accounts** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HYMANSON P LAWRENCE M	ONTP	

This bill requires dealers of heating fuel to reimburse customers within 30 days for any fuel recovered following the closing of their accounts and makes failure to do so a violation of the Maine Unfair Trade Practices Act.

LD 277 **An Act To Ban Telephone Solicitations Using an Artificial or Prerecorded Voice and Enhance Caller Identification** **PUBLIC 185**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J NADEAU C	OTP-AM	S-88

This bill adds artificial and prerecorded voice calls to the prohibited types of solicitation calls and adds all residential telephone numbers within the State to the list of recipients to whom calls using automated calling devices and artificial and prerecorded voice calls may not be made.

This bill also makes it an unfair trade practice for a seller or telemarketer to fail to transmit or cause to be transmitted the telephone number and, when made available by the telemarketer's carrier, the name of the telemarketer to any caller identification service in use by a recipient of a telemarketing call. This bill also makes it an unfair trade practice for a seller or telemarketer to cause misleading information to be transmitted to users of caller identification services or to otherwise misrepresent or disguise the origin of a solicitation call.

This bill also provides that the current exceptions to the prohibition against using an automated telephone calling device also apply to the use of an artificial or prerecorded voice and provides additional exceptions for

public and private schools, emergency messages by governmental entities and calls made to deliver information with the prior express written consent of the recipient of the call.

Committee Amendment "A" (S-88)

This amendment:

1. Adds a definition of misleading or inaccurate caller identification information to include, to the extent consistent with federal law, blocked caller identification information;

2. Amends the definition of telemarketing to include interconnected voice over Internet protocol and text messaging, and removes the requirement for at least one intrastate call;

3. Adds an exception to the prohibition on use of automatic calls in order to communicate with a business about reservations, purchases and other information for customers such as hours of operation, directions and merchandise availability;

4. Removes the original bill language prohibiting blocked telemarketer caller identification information;

5. Adds language stating that violations of the prohibition on misleading or inaccurate telemarketer caller identification information that are violations of the Maine Unfair Trade Practices Act are enforceable by the Office of the Attorney General;

6. Changes the bill language describing transmission of misleading or inaccurate caller identification information to add a requirement for intent to defraud, cause harm or obtain anything of value;

7. Adds language stating that it is not a violation of the prohibition against use of automated telephone calling devices or an artificial or prerecorded voice for a seller or telemarketer to substitute, for the name and telephone number used in or billed in making the call, the name of the seller or charitable organization on whose behalf the call is placed or the seller or charitable organization's customer or donor service telephone number that is answered during regular business hours; and

8. Adds language stating that a telecommunications carrier providing telecommunications service as allowed by federal law is exempt from the prohibition on causing any caller identification services to transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm or obtain anything of value.

Enacted Law Summary

Public Law 2019, chapter 185 does the following.

1. It adds a definition of misleading or inaccurate caller identification information to include, to the extent consistent with federal law, blocked caller identification information.

2. It adds artificial and prerecorded voice calls to the prohibited types of solicitation calls and adds all residential telephone numbers within the state to the list of recipients to whom calls using automated calling devices and artificial and prerecorded voice calls cannot be made.

3. It provides that the current exceptions to the prohibition against using an automated telephone calling device also apply to the use of an artificial or prerecorded voice and provides additional exceptions for public and private schools, emergency messages by governmental entities, calls made to deliver information with the prior express written consent of the recipient of the call and to communicate with a business about reservations, purchases and other information for customers such as hours of operation, directions and merchandise

availability.

4. It amends the definition of telemarketing to include interconnected voice over Internet protocol and text messaging, and removes the requirement for at least one intrastate call.

5. It adds language stating that it is an unfair trade practice, enforceable by the Office of the Attorney General, for a seller or telemarketer to cause any caller identification services to transmit misleading or inaccurate caller identification information with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value.

6. It adds language stating that it is not a violation of the prohibition against use of automated telephone calling devises or artificial or prerecorded voice for a seller or telemarketer to substitute, for the name and telephone number used in or billed in making the call, the name of the seller or charitable organization on whose behalf the call is placed or the seller or charitable organization's customer or donor service telephone number that is answered during regular business hours.

7. It adds language stating that a telecommunications carrier providing telecommunications service as allowed by federal law is exempt from the prohibition on causing any caller identification services to transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm or obtain anything of value.

LD 288 **Resolve, Establishing the Commission To Create a Statewide Economic Development Plan** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D BREEN C		

This resolve establishes the Commission to Create a Statewide Economic Development Plan to study economic development issues and create a strategic, regionally focused economic development plan.

The Commission consists of 20 members, including:

1. Two members of the Senate from each of the two parties holding the largest number of seats in the Legislature of the Senate and appointed by the President of the Senate;

2. Two members of the House of Representatives from each of the two parties holding the largest number of seats in the Legislature of the Sensate and appointed by the Speaker of the House;

3. The Chancellor of the University of Maine System or designee;

4. The President of the Maine Community College System or designee;

5. An individual representing a private organization focused on promoting economic growth in the state and appointed by the President of the Senate;

6. An individual representing a private research institution and appointed by the Speaker of the House;

7. The Commissioner of the Department of Economic and Community Development or designee;

8. The State Economist or designee;

9. A member of the Maine Economic Growth Council appointed by the President of the Senate;

10. A representative of the Maine State Chamber of Commerce appointed by the President of the Senate;

11. A representative of a regional chamber of commerce appointed by the Speaker of the House;

12. The Commissioner of Transportation or designee;

13. Three members representing business or professional organizations, two of whom may be representatives of business or entrepreneurial enterprises located outside of the Sate but that have or may have business interests in the State; and

14. Three members representing business or professional enterprises, each based in a separate region and from different industries, one of which must represent a business of less than 25 employees, appointed by the Speaker of the House.

This resolve directs the Commission to create an economic development plan that includes an identification of state, national and international economic trends impacting the State's development; an inventory and analysis of the State's competitive advantages and of factors preventing economic development; development of strategies for the promotion of business formulation, expansion, recruitment and retention; development of policies and programs to further economic diversity; stimulation of economic development in rural areas and smaller economic regions; promotion of successful long term developments; plans for the generation of foreign investment in the state that creates high paying jobs and reverse investment in the State; identification of business sectors that are of current or future importance to the State; strategies for talent development; and a strategy for investing in research and development for innovation in manufacturing.

This resolve requires that no later than January 15, 2020, the Commission submit a preliminary report, including suggested legislation, for presentation to the joint standing committee of the Legislature having jurisdiction over economic development matters in the Second Regular Session of the 129th Legislature. The Commission must submit a final report by October 1, 2020 that includes its findings and recommendations and may include suggested legislation.

LD 348 **An Act To Prohibit the Providing of Misleading or Inaccurate Information via Caller Identification Services during Telemarketing Calls** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R MIRAMANT D	ONTP	

This bill makes it a civil violation for a seller or telemarketer engaging in a telemarketing call to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value. It establishes a fine of not less than $500 for the first offense and of not less than $1,000 for any subsequent offense to be imposed in addition to any other penalties imposed under the law regarding telemarketing and caller identification and requires restitution to be paid.

The content of this bill was incorporated in LD 277, which was reported out of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and enacted as Public Law 2019, chapter 185.

LD 349 **An Act To Extend the Refundability of the Educational Opportunity Tax Credit to Students in the Behavioral Health Field** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEEBE-CENTER P VITELLI E	ONTP	

This bill provides that students receiving bachelor's degrees or associate degrees in a behavioral health field are entitled to a refundable income tax credit for certain education loans in the same manner as students receiving degrees in science, technology, engineering or mathematics.

LD 371 **An Act To Create the Small Communities Tourism Fund** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E FECTEAU R	ONTP	

This bill establishes the Small Communities Tourism Fund in the Department of Economic and Community Development, Office of Tourism to issue grants to small communities to promote tourism and events.

LD 386 **An Act To Establish a Comprehensive Wildlife Biology Internship Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a paid internship program in the Department of Inland Fisheries and Wildlife in order to provide beginning wildlife biologists with a diversity of opportunities to increase their experience and make them more versatile and more likely to pursue careers in the State.

The bill requires that the program:

1. Employ a competitive process to choose interns;

2. Offer a paid internship to each chosen participant for a period of no less than two years;

3. Include various fields of study in incremental blocks over the course of the internship; and

4. Be offered to no fewer than three interns per year.

This bill anticipates that funding for this program would come, in part, from the consolidation of seasonal and other part-time positions in the Department of Inland Fisheries and Wildlife the duties of which can be performed by interns participating in the program.

LD 397 **Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Building Contractors, Insulation Installers and Energy Auditors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAIAZZO C	ONTP	

This resolve requires the Commissioner of Professional and Financial Regulation to conduct a sunrise review pursuant to the requirements in the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 regarding the licensing of building contractors, insulation installers and energy auditors. This resolve requires the commissioner to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Commerce and allows the committee to submit legislation to the Second Regular Session of the 129th Legislature.

LD 435 **An Act To Provide for the 2019 and 2020 Allocations of the State Ceiling on Private Activity Bonds** **P & S 2 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E STETKIS J	OTP-AM	S-8

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2019 and 2020 among the state-level issuers of tax-exempt bonds. The allocations include the following:

1. A $5,000,000 allocation to the Treasurer of State;

2. A $40,000,000 allocation to the Finance Authority of Maine;

3. A $10,000,000 allocation to the Maine Municipal Bond Bank;

4. A $50,000,000 allocation to the Finance Authority of Maine as successor to the Maine Educational Loan Authority;

5. A $50,000,000 allocation to the Maine State Housing Authority; and

6. A $171,245,000 unallocated reserve.

Committee Amendment "A" (S-8)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2019, chapter 2 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2019 and 2020 among the state-level issuers of tax-exempt bonds. The allocations include the following:

1. A $5,000,000 allocation to the Treasurer of State;

2. A $40,000,000 allocation to the Finance Authority of Maine;

3. A $10,000,000 allocation to the Maine Municipal Bond Bank;

4. A $50,000,000 allocation to the Finance Authority of Maine as successor to the Maine Educational Loan Authority;

5. A $50,000,000 allocation to the Maine State Housing Authority; and

6. A $171,245,000 unallocated reserve.

Private and Special Law 2019, chapter 2 was enacted as an emergency measure effective April 5, 2019.

LD 440 **An Act To Continue the Doctors for Maine's Future Scholarship Program** **PUBLIC 510**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN L PIERCE T	OTP-AM	S-61 S-326 BREEN C

This bill provides ongoing funds in the amount of $800,000 per year to the Doctors for Maine's Future Scholarship Program under the Maine Revised Statutes, Title 20-A, section 12103-A.

Committee Amendment "A" (S-61)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-326)

This amendment eliminates the General Fund appropriations of $800,000 per year beginning in fiscal year 2019-20 for the Doctors for Maine's Future Scholarship Fund within the Finance Authority of Maine in the bill and, instead, provides one-time General Fund appropriations of $400,000 per year in fiscal years 2019-20 and 2020-21 only.

This amendment also requires the State Controller to transfer $400,000 at the close of fiscal year 2019-20 and $400,000 at the close of fiscal year 2020-21 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus.

This amendment also requires the Commissioner of Professional and Financial Regulation to determine from which accounts the funds will be transferred so that the sum equals $400,000 in fiscal year 2019-20 and $400,000 in fiscal year 2020-21 and to notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account on or before June 30th of each fiscal year.

Enacted Law Summary

Public Law 2019, chapter 510 provides one-time General Fund appropriations of $400,000 per year in fiscal years 2019-20 and 2020-21 for the Doctors for Maine's Future Scholarship Fund within the Finance Authority of Maine.

This law also requires the State Controller to transfer $400,000 at the close of fiscal year 2019-20 and $400,000 at the close of fiscal year 2020-21 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus.

This law also requires the Commissioner of Professional and Financial Regulation to determine from which accounts the funds will be transferred so that the sum equals $400,000 in fiscal year 2019-20 and $400,000 in fiscal year 2020-21 and to notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account on or before June 30th of each fiscal year.

LD 461 **An Act To Improve the Affordability of Higher Education** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	ONTP	

This bill provides additional funding to the Maine State Grant Program in the 2020-2021 biennium in the amount of $45,000,000 per year. It requires the Finance Authority of Maine to expand the Maine State Grant Program to enable more low-income residents of the State to attend an institution of higher education within the State. It also requires the Finance Authority of Maine and the Department of Health and Human Services to jointly examine ways to maximize the delivery of federally funded support services to postsecondary students, including, but not limited to, the federal supplemental nutrition assistance program.

LD 486 **An Act To Improve Efficiencies in Cosmetology Licensing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D MARTIN J	ONTP	

This bill provides that a person is eligible to obtain a cosmetology license in this State if that person has met the hour and timing requirements in state law by completing a course of instruction or having experience as a trainee out of state that is approved by the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation.

LD 509 **An Act To Increase the Minimum Grant Amount under the Maine State Grant Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T MILLETT R	OTP-AM ONTP	H-468

This bill provides that the minimum grant amount under the Maine State Grant Program may not be less than $2,500 if sufficient funds are appropriated for this purpose, subject to the current grant amount modifications under the program. This bill provides an ongoing appropriation of $9,450,000 per year to fund this increase in the minimum grant amount.

Committee Amendment "A" (H-468)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.
This amendment provides that, of the $9,450,000 appropriated in each fiscal year, $1,000,000 in each fiscal year must be dedicated to assistance of adult learners in returning to school and completing their credentials.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 532 **Resolve, Directing Professional Licensing and Certification Boards To Study the Barriers To Obtaining Professional Licensure and Certification** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V BELLOWS S	ONTP	

This resolve directs each professional licensing and certification board under the Maine Revised Statutes, Title 32, in consultation with the Department of the Attorney General, to undertake a thorough review of its rules and procedures and survey its licensees and certificate holders and applicants for licensure or certification to research barriers to obtaining licensure and certification, including existing deficiencies in reciprocity provisions.

This resolve directs each board to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business by January 15, 2020 with its findings and any proposed changes to its rules and procedures. The joint standing committee is directed to review and suggest alterations to the licensing and certification boards, which may promulgate rules pursuant to Title 5, chapter 375. The joint standing committee is authorized to submit legislation related to any report under this section to the Second Regular Session of the 129th Legislature.

LD 570 **An Act To Create an Airplane Mechanic Education Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B GRATWICK G	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to develop a program to train and educate individuals for a career in aircraft mechanics and maintenance.

LD 624 **An Act To Facilitate the Purchase of Textbooks for Low-income College Students** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	ONTP	

This bill allows the Finance Authority of Maine, which administers the Maine State Grant Program, to award postsecondary students an additional $500 grant per year over the current minimum $1,000 grant. The $500 is to be used for the cost of textbooks required for courses in which the student is enrolled. Awardees must meet the same need and residency criteria as is required by the standard Maine State Grant Program.

LD 647 **An Act To Attract, Educate and Retain New State Residents To Strengthen the Workforce** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CLOUTIER K LIBBY N	OTP-AM ONTP	H-556

This bill does the following.

1. It establishes and provides funding for the Welcome Center Initiative to establish welcome centers within the adult education programs of participating school administrative units in municipalities or regions of the State that have immigrant populations or that have industries that are experiencing a shortage of trained workers. The purpose of welcome centers is to educate, provide career planning, case management and vocational training for foreign-trained workers, including foreign-trained professionals, and match workers with employers.

2. It provides ongoing funding for the New Mainers Resource Center in Portland.

3. It directs the Department of Education to establish a welcome center under the Welcome Center Initiative within the City of Lewiston's adult education program to attract, educate and retain in employment foreign-trained workers, patterned after the New Mainers Resource Center in Portland, and provides funding for that purpose.

4. It directs and provides funding for the Department of Education's office of adult education and family literacy to administer a two-year program to prepare immigrants for identified workforce needs of employers in the State, with the goal of accelerating entry into livable wage employment and enhancing employer retention of immigrants. The program will offer vocation-specific English language acquisition with training in specific vocational areas at the workplace. Program awards are to be stablished through a statewide competitive grant process.

The office is required to prepare a report describing the number of grants awarded, the training and services provided by the grant recipients, aggregate demographic information about participants and employers and an evaluation of programs and services most effective in carrying out the purposes of the program. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by November 4, 2021. The committee may report out a bill based upen the report in the 130th Legislature.

5. It directs and provides funding for the Department of Education office of adult education and family literacy to establish a two-year local community planning support program to assist communities within the State to provide a planning process for communities to provide English language acquisition and training in vocational skills, identify employers or areas that would benefit from immigrant residency or employment and cultivate community support to integrate immigrants into the communities and local workforce.

The office is required to establish a grant process to carry out the purposes of the program and to prepare a report describing the grantees, grants amounts and an evaluation of the outcomes and effectiveness of the grant on the target communities. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by December 5, 2020. The committee may report out a bill based upon the report in the 130th Legislature.

6. It directs and provides funding for the Department of Education office of adult education and family literacy to develop and implement a grant process to provide funding on a competitive basis for English language acquisition to adult education programs in communities experiencing an increase in immigrant populations or demand to reduce the waiting list for English language acquisition classes and to increase the level of English language acquisition instruction.

Committee Amendment "A" (H-556)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment does the following.

1. It makes it clear that the coordinator of a welcome center may secure funding both to support ongoing operations of the welcome center and to expand capacity.

2. It removes the requirement that vocation-specific training and English language classes offered under the workforce training program be offered at the workplace and replaces it with language stating that the employers are to provide the time and space for classes on site, but whenever this is not feasible, employers are to provide at no cost to the employees supports such as transportation and incentives to prioritize, encourage and facilitate employee contribution.

3. It provides additional detail regarding the employees eligible for the workforce training and English language acquisition program. To be eligible, employees must be participating potential, newly hired or incumbent employees. It adds descriptions of incumbent and potential employees.

4. It further describes the program elements of the local community planning support program, which may include, but are not limited to, provision of English language acquisition classes, vocational skills training, launch of a welcome center, identification of employers and cooperating partners and cultivation of community support.

5. It adjusts the appropriation for the welcome centers to provide less funding in the first year and more in the second.

6. It makes grammatical and technical changes to the bill.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 671 **Resolve, To Require Professional Licensure for Home Inspectors** **RESOLVE 61**

Sponsor(s)	Committee Report	Amendments Adopted
KESSLER C	ONTP	H-223
CHIPMAN B	OTP-AM	

This bill requires that all property inspectors be licensed by the Department of Professional and Financial Regulation by January 1, 2021. The bill also directs the department to adopt rules to establish standards and procedures for licensure.

Committee Amendment "A" (H-223)

This amendment is the minority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment replaces the bill, which requires licensure of home inspectors, with a resolve that requires the Commissioner of Professional and Financial Regulation to conduct a sunrise review assessment of the proposal for licensing of home inspectors. The amendment requires the commissioner to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and allows the committee to submit legislation to the Second Regular Session of the 129th Legislature.

Enacted Law Summary

Resolve Law 2019, chapter 61 requires the Commissioner of Professional and Financial Regulation to conduct a sunrise review assessment of the proposal for licensing of home inspectors. Its requires the commissioner to submit a report by January 10, 2020 with any necessary legislation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and allows the committee to submit legislation to the Second Regular Session of the 129th Legislature.

LD 679 **An Act Regarding the Licensing of Funeral Practitioners** **PUBLIC 101**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S	OTP-AM	H-144

This bill allows the State Board of Funeral Service to issue a permanent license to engage in the funeral service profession and operate a funeral establishment to an applicant who holds an active license to practice funeral service in another state, the license requirements of which are substantially similar to the license requirements in Maine.

Committee Amendment "A" (H-144)

This amendment strikes and replaces the bill and does the following.

1. It repeals the temporary licensure process for an individual with an out-of-state license to practice funeral service and replaces it with a new process by which the board may issue a license to practice funeral service to an applicant who holds an active unrestricted license to practice funeral service in another state, the license requirements of which are substantially similar to the license requirements in Maine, as long as the licensee has not been subjected to disciplinary action in the prior state.

2. It requires the State Board of Funeral Service to adopt routine technical rules to implement the section describing the issuance of a license to an out-of-state licensee, and specifically requires that rules define what constitutes substantially similar license requirements.

3. It changes the continuing education requirements to allow for six, rather than eight hours to be conducted remotely, and removes the requirement that all continuing education programs be approved by the board.

Enacted Law Summary

Public Law 2019, chapter 101 does the following.

1. It repeals the temporary licensure process for an individual with an out-of-state license to practice funeral service and replaces it with a new process by which the board may issue a license to practice funeral service to an applicant who holds an active unrestricted license to practice funeral service in another state, the license requirements of which are substantially similar to the license requirements in Maine, as long as the licensee has not been subjected to disciplinary action in the prior state.

2. It requires the State Board of Funeral Service to adopt routine technical rules to implement the section describing the issuance of a license to an out-of-state licensee, and specifically requires that rules define what constitutes substantially similar license requirements.

3. It changes the continuing education requirements to allow for six, rather than eight hours to be conducted remotely, and removes the requirement that all continuing education programs be approved by the board.

LD 681 **An Act To Amend the Maine Dental Education Loan Program** **PUBLIC 102**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A	OTP-AM	H-145

This bill amends the Maine Dental Education Loan Program in the following ways.

1. It redefines "underserved population area" to mean "an area in the State that is a dental health professional shortage area or medically underserved area or that contains a medically underserved population as defined by the federal Department of Health and Human Services, Health Resources and Services Administration"

2. It increases the maximum loan amounts available under the program from $20,000 a year for a period of up to four years to $25,000 a year for a period of up to four years, beginning January 1, 2020.

3. It eliminates the advisory committee on dental education.

4. It enables the Chief Executive Officer of the Finance Authority of Maine to consult key stakeholders in administering the program and evaluating its effectiveness.

Committee Amendment "A" (H-145)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 102 does the following.

1. It redefines "underserved population area" to mean "an area in the State that is a dental health professional shortage area or medically underserved area or that contains a medically underserved population as defined by the federal Department of Health and Human Services, Health Resources and Services Administration".

2. It increases the maximum loan amounts available under the program from $20,000 a year for a period of up to four years to $25,000 a year for a period of up to four years, beginning January 1, 2020.

3. It eliminates the advisory committee on dental education.

4. It enables the Chief Executive Officer of the Finance Authority of Maine to consult key stakeholders in administering the program and evaluating its effectiveness.

LD 686 **An Act To Ease Record-keeping Requirements for Auctioneers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CUDDY S HERBIG E	ONTP	

This bill provides that an auctioneer is not required to record the serial numbers of paper money that is subject to purchase. It retains the provision in current law that an auctioneer record a brief description of property the auctioneer purchases. It also allows an auctioneer to keep certain records regarding the purchase of used personal property in electronic form.

LD 742 **Resolve, To Examine How To Retain Reservation Booking Commissions in the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	ONTP	

This resolve directs the Department of Economic and Community Development, Office of Tourism, as established in the Maine Revised Statutes, Title 5, section 13090-C, to conduct a study on the feasibility of creating a state-operated online reservation service in order to retain reservation booking commissions in the State. The resolve also directs the Office of Tourism to report the study findings and recommendations to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business no later than January 15, 2020, and authorizes the joint standing committee to submit a bill relating to the subject matter of the report to the Second Regular Session of the 129th Legislature.

LD 768 **Resolve, To Establish the Commission To Research the Economic Disparities of Racial and Ethnic Populations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R LIBBY N	ONTP	

This resolve establishes the Commission To Research the Economic Disparities of Racial and Ethnic Populations. The Commission is comprised of 13 members, including the following:

1. Two members of the Senate appointed by the President of the Senate, including members from each of the two parties holding the largest number of seats in the Legislature;

2. Four members of the House of Representatives appointed by the Speaker of the House, including members from each of the two parties holding the largest number of seats in the Legislature;

3. A representative of a community development organization appointed by the President of the Senate;

4. A representative of an economic policy organization appointed by the Speaker of the House;

5. The administrator of the Maine District Office of the federal Small Business Administration, or the administrator's designee;

6. Two members of the public engaged in working with communities of color in business development, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

7. The president of the Maine State Chamber of Commerce, or the president's designee; and

8. A representative of the Native American community.

This resolve tasks the Commission with researching income levels of and opportunities available to historically disadvantaged racial and ethnic populations in the state and with examining data regarding business ownership, household assets, debts and income, housing, employment and access to inherited wealth, capital and benefits. The Commission is also tasked with consideration of proposals to diversity business ownership. It also provides that

notwithstanding Joint Rule 353, the Legislative Council shall provide staffing to the Commission. This resolve requires the Commission to submit a report with findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

LD 769 **Resolve, To Direct the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Credentialing Skilled Individuals with Foreign Credentials** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D SANBORN H	ONTP	

This resolve directs the Commissioner of Professional and Financial Regulation to create a working group to study credentialing skilled individuals with foreign credentials in the State. The working group consists of eight to ten members representing licensing boards and professional organizations served by the licensing boards in professions for which there is a need for and an opportunity to credential skilled individuals with foreign credentials. The working group is required to submit its report along with any recommendations and suggested legislation to the Governor and the Commissioner of Professional and Financial Regulation. The commissioner is required to submit the report with any recommendations and suggested legislation to the Joint Standing Committee on Labor and Housing. The committee is permitted to report out a bill relating to the subject matter of the report to the First Regular Session of the 130th Legislature.

The content of this resolve was incorporated in LD 1841, which was reported out of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and enacted as Resolve 2019, chapter 79.

LD 771 **An Act Regarding the Cancellation of Subscription Services** **PUBLIC 175**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	OTP-AM	H-143 S-99 HERBIG E

This bill requires a business that makes an automatic renewal subscription offer of an online magazine, journal or periodical, online media player, mobile app, social networking service or Internet game service to present a consumer in this State with an easily accessible disclosure of the methods that consumer may use to cancel the subscription, which must include online cancellation.

This bill applies only to agreements entered into or renewed after January 1, 2020 and does not apply to an entity that provides the host platform on the website of an Internet game service.

Committee Amendment "A" (H-143)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment does the following.

1. It strikes and replaces the bill to reallocate the provisions of the bill to a different chapter of the Maine Revised Statutes, Title 10.

2. It adds online software to the list of services falling under the bill's provisions.

3. It adds definitions for "online software," "extended automatic subscription renewal" and "seller."

4. It adds a requirement that if a phone number is provided for the purposes of cancellation of the subscription, the phone number must be toll-free and must be prominently displayed in the disclosure.

5. It adds a requirement for prior notice of renewal for extended automatic subscription renewals.

6. It adds language exempting sellers from actions brought under the Unfair Trade Practices Act if the seller's failure to comply was the result of an error and the seller compensates the consumer.

Senate Amendment "A" To Committee Amendment "A" (S-99)

This amendment replaces the requirement that a seller of an extended automatic subscription renewal provide for cancellation in the same manner used to purchase the subscription with a requirement that the seller provide for online cancellation of the subscription by any means of communicating information over a computer network.

Enacted Law Summary

Public Law 2019, chapter 175 does the following.

1. It requires a business that makes an automatic renewal subscription renewal offer of an online magazine, journal or periodical, online media player, mobile app, social networking service, Internet game service, or online software to present the customer with an easily accessible disclosure of the methods that the consumer may use to cancel the subscription. It requires the seller to provide for online cancellation of the subscription by any means of communicating information over a computer network. If a phone number is provided for the purposes of cancellation, the number must be toll-free and prominently displayed in the disclosure.

2. It requires a business that makes an extended automatic subscription renewal, which is defined as an automatic subscription renewal with a specified subscription term of 12 months or more, in which the subscription automatically renews for a specified term of more than one month unless the consumer cancels the subscription, to notify the consumer in advance of the renewal. It requires that notice be provided to the consumer no less than 30 days and no more than 60 days before the cancellation deadline pursuant to the automatic subscription renewal. It requires that the seller provide for online cancellation of the subscription by any means of communicating information over a computer network and requires clear and conspicuous notice of the terms and procedures for cancellation.

3. It provides that noncompliance is a violation of the Maine Unfair Trade Practices Act.

4. It provides that an action may not be brought under the Maine Unfair Trade Practices Act if a violation is the result of an error and the seller provides a full refund or credit for all amounts billed to or paid by the consumer from the date of the subscription renewal until the date of the termination of the subscription or the date of the subsequent notice of renewal, whichever occurs first.

5. It applies only to agreements entered into or renewed after January 1, 2020 and does not apply to an entity that provides the host platform on the website of an Internet game service.

LD 772 **An Act To Encourage Continued Learning** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to encourage continued learning by Maine residents, including, but not limited to, creating incentives and implementing strategies to enable so-called stranded learners who have some college credit but no degree to complete degree and certificate programs and graduate from college.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 799 **An Act To Create the Maine Health Care Provider Loan Repayment Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JORGENSEN E GRATWICK G	OTP-AM ONTP	H-558

This bill amends the nursing education loan repayment program as follows.

1. It extends eligibility to apply to individuals who are currently enrolled in master's or doctoral degree programs;

2. It specifies that applicants must indicate an intention to work as full-time nursing faculty in a nursing education program in the State, and increases the required commitment from three to five years after acceptance into the nursing education loan repayment program; and

3. It increases the maximum amount of loans eligible for repayment under the program from $4,500 to $30,000 for a master's degree, and from $6,000 to $60,000 for a doctoral degree.

Committee Amendment "A" (H-558)

This amendment, which is the majority report of the committee, replaces the bill and creates a new loan repayment program, administered by the Finance Authority of Maine, for health care providers who agree to live and work in the State for a minimum of five years. Under the program, the authority will pay up to $30,000 per year and the lesser of $150,000 in aggregate and 50% of the recipient's outstanding loan balance. The amendment establishes a fund for the program, sets parameters for the administration of the program and establishes an advisory committee to guide the work of the Finance Authority of Maine in administering the program. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 813 **Resolve, To Encourage Relocation of Working Professionals** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J FECTEAU R	ONTP	

This resolve directs the Department of Economic and Community Development to design and implement a one-year pilot program to encourage remote workers to relocate to Maine. The pilot program, the New Remote Worker Grant Program, will award grants of up to $2,500 per qualifying individual and up to $125,000 in total funds for qualifying expenses. The resolve directs the department to, by February 1, 2021, report back to the joint standing

committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters and to the joint standing committee of the Legislature having jurisdiction over labor and housing matters and gives these committees authority to report out legislation based on the department's report.

LD 814 **An Act To Strengthen Maine's Economy through Research and Innovation led by the University of Maine System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E HUBBELL B		

This bill is a concept draft pursuant to Joint Rule 208. This bill would provide funding and enact measures based on recommendations of the President of the University of Maine at Machias in a strategic plan chartered by the Chancellor of the University of Maine System and due to the Board of Trustees of the University of Maine System in March 2019. The bill would strengthen research and economic development efforts across the University of Maine System to support Maine industries and workforce development and to foster business formation and expansion, specifically in the seven research and development sectors designated in statute: advanced technology for agriculture and forestry; aquaculture and marine technology; biotechnology; composite materials technology; environmental technology; information technology; and precision manufacturing technology.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 862 **An Act To Limit the Amount of Money That May Be Retained on Construction Contracts** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D LIBBY N	ONTP OTP	

This bill limits the amount of money that may be retained under a construction contract, pending the completion of contractor or subcontractor performance, to 5% of the contract price. The limit applies only to private contracts and not to contracts entered into by governmental entities and only to contracts entered into on or after the effective date of the legislation.

LD 872 **An Act To Forgive Education Debt for Certain Health Care Professionals Who Work in the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A	ONTP	

This bill creates the Health Care Professional Education Loan Repayment Program administered by the Finance Authority of Maine to repay the education debt of certain health care professionals who agree to live and work in the State for a minimum of five years. Under the program, the authority will pay 20% of the education debt or $25,000, whichever is lower, for each year of participation in the program up to a total of $125,000 for a health care professional who is not employed in a federally designated health professional shortage area and 20% of the education debt or $30,000, whichever is lower, for each year of participation in the program up to a total of $150,000 for a health care professional who is employed in a federally designated health professional shortage area.

The program is contingent on funding from the proceeds from the renewal of the contract for the operations of the State's wholesale spirits business.

LD 875 **An Act To Require Warranty Coverage for Damage to Manufactured Homes during Transportation and Handling** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill requires that warranties for manufactured homes include covering damage to a manufactured home during transportation or handling, for which the dealer is required to take corrective action. This bill also requires a dealer of manufactured housing to place an amount equal to 10% of the purchase price in escrow that may not be released to the dealer until both the dealer and consumer execute a release subsequent to the installation and final inspection of the manufactured housing.

LD 890 **An Act To Expand Workforce Access by Creating Apprenticeship Programs To Increase Access to Licensure in Certain Occupations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L DAUGHTRY M	ONTP	

This bill expands access to the workforce by allowing individuals to fulfill licensing requirements through participation in apprenticeship programs, thus allowing participants to earn a paycheck at the same time as they acquire hands-on training and experience. Under this bill:

1. The licensing boards for the occupations that are included in this expanded apprenticeship program will grant licenses to applicants who meet criteria established by the Department of Professional and Financial Regulation;

2. The criteria established may include, without limitation:

A. Successful completion of the 8th grade;

B. Completion of an apprenticeship that is approved by the Department of Labor or the United States Department of Labor or in accordance with any applicable state or federal law. For purposes of this bill, "apprenticeship" is defined as a program that meets the federal guidelines set out in 29 United States Code, Section 50 and 29 Code of Federal Regulations, Part 29; and

C. Successful completion of any necessary examination, as determined by the Department of Professional and Financial Regulation. The passing score on an examination for a participant in the expanded apprenticeship model may not exceed the passing score that is otherwise required under the rules adopted by the applicable licensing board. If the rules adopted by the applicable licensing board do not otherwise require successful completion of an examination, an examination may not be required for participation in the expanded apprenticeship program; and

3. The Department of Professional and Financial Regulation is required to adopt rules necessary to implement the expanded apprenticeship program, including limitations on the length of and the numbers of hours required by each authorized apprenticeship.

The content of this resolve was incorporated in LD 1768, which was reported out of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and enacted and Public Law 2019, chapter 373.

LD 895 **An Act To Promote Economic Development through Research and Development** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
LAWRENCE M TIPPING R		

This bill provides ongoing funds to the Maine Economic Improvement Fund within the University of Maine System to support research and development.

LD 896 **Resolve, Directing the Department of Professional and Financial Regulation To Study a Voluntary Licensing System for General Contractors for Home Improvement and Construction** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J CAIAZZO C	ONTP	

This resolve directs the Department of Professional and Financial Regulation, in conjunction with the Department of Labor, to study the development of a voluntary licensing system for general contractors for home improvement and construction. The department is required to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business by December 4, 2019, and the committee is authorized to submit a bill based on the report to the Second Regular Session of the 129th Legislature.

LD 897 **An Act To Restore Funding for the Capital Riverfront Improvement District** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M DOORE D	ONTP OTP-AM	

This bill provides ongoing funds of $50,000 per year beginning in fiscal year 2019-20 for the Capital Riverfront Improvement District.

Committee Amendment "A" (S-62)

This amendment which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 902 **Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Certain Mechanical Trades** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CUDDY S BELLOWS S	ONTP	

This resolve requires the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the sunrise review requirements in the Maine Revised Statutes of the proposal to license certain mechanical trades and submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

LD 904 **Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Operators of Cranes** **RESOLVE 75**

Sponsor(s)	Committee Report	Amendments Adopted
CUDDY S BELLOWS S	OTP-AM ONTP	H-465

This bill requires the Commissioner of Professional and Financial Regulation to conduct an assessment pursuant to the sunrise review requirements in the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the licensing of heavy equipment operators. This bill requires the commissioner to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and allows the committee to submit legislation to the Second Regular Session of the 129th Legislature.

Committee Amendment "A" (H-465)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

This amendment limits the scope of the sunrise review by the Commissioner of Professional and Financial Regulation to licensing operators of cranes that:

1. Are used in construction, demolition or excavation work;

2. Are used at construction sites of projects that involve work on structures over an established height; and

3. Have lifting capacity that reaches or exceeds set limits.

The amendment requires that in conducting the sunrise review, the Commissioner consider the following:

1. A requirement that an applicant for licensure as an operator of a crane possess an active, unrestricted Maine driver's license and a certification of medical fitness;

2. A requirement for a written and practical examination that incorporates national certifications and federal or national industry guidelines; and

3. A pathway to licensure that recognizes licensure in another US state or territory.

Enacted Law Summary

Resolve 2019, chapter 75 directs the Commissioner of Professional and Financial Regulation to conduct a sunrise review regarding the licensing of operators of cranes that:

1. Are used in construction, demolition or excavation work;

2. Are used at construction sites of projects that involve work on structures over an established height; and

3. Have lifting capacity that reaches or exceeds set limits.

In conducting the sunrise review, the Commissioner must consider the following:

1. A requirement that an applicant for licensure as an operator of a crane possess an active, unrestricted Maine driver's license and a certification of medical fitness;

2. A requirement for a written and practical examination that incorporates national certifications and federal or national industry guidelines; and

3. A pathway to licensure that recognizes licensure in another U.S. state or territory.

This law requires that the commissioner submit a report by January 10, 2020 to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The committee is authorized to submit legislation on the subject matter of the report to the Second Regular Session of the 129th Legislature.

LD 909 **Resolve, Directing the Commissioner of Economic and Community Development To Establish a Blockchain Technology Working Group** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WADSWORTH N	ONTP	

This resolve directs the Commissioner of Economic and Community Development to establish a working group to develop a master plan for fostering the expansion of the blockchain technology industry in the State and recommend policies and investments to make the State a leader in blockchain technology. Blockchain technology, used in the creation of Bitcoin and other digital currencies, consists of a list of digital records linked together using cryptography that is resistant to modification of the data in the records, creating an open, distributed ledger that records a transaction between two or more parties efficiently and in a verifiable and permanent manner. This resolve directs the commissioner to submit the master plan to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters by December 2, 2020 and authorizes the committee to report out legislation to the First Regular Session of the 130th Legislature.

LD 1051 **An Act To Create the Maine Family First Employer Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E GIDEON S		

This bill creates the Maine Family First Employer Program under the Department of Labor to award employers that

create family-friendly workplaces by providing, for all full-time employees, advancement and leadership opportunities; the same pay rates for similar work; stipends or assistance for child care; paid leave for the birth or adoption of a child and medical care for employees or family members of employees; flexible work accommodations for other family obligations; and health insurance and retirement plan options. The awards are presented by the Governor and come with a logo that a designated employer may use for promotional purposes.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1056 **An Act To Update and Amend the Finance Authority of Maine Act** **PUBLIC 160**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R HERBIG E	OTP-AM	H-224

This bill does the following.

1. It amends the Finance Authority of Maine Act by removing various references to bond financing for major business expansion projects and eliminating that financing.

2. It reallocates the bonding authority for securing the Finance Authority of Maine's capital reserve funds supporting other programs.

3. It removes definitions pertaining to the Clean Fuel Vehicle Fund, which was repealed in 2013. **Committee Amendment "A" (H-224)**

This amendment increases the maximum amount of insurance the Finance Authority of Maine may provide to related entities from $7,000,000 to $7,500,000.

Enacted Law Summary

Public Law 2019, chapter 160 does the following.

1. It amends the Finance Authority of Maine Act by removing various references to bond financing for major business expansion projects and eliminating that financing.

2. It reallocates the bonding authority for securing the Finance Authority of Maine's capital reserve funds supporting other programs.

3. It removes definitions pertaining to the Clean Fuel Vehicle Fund, which was repealed in 2013.

4. It increases the maximum amount of insurance the Finance Authority of Maine may provide to related entities from $7,000,000 to $7,500,000.

LD 1087 **An Act To Keep Maine Businesses Competitive** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER J	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to keep Maine businesses competitive.

LD 1136 **An Act To Provide Snow Sports Safety Information to Consumers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A GRATWICK G	ONTP	

This bill requires a ski area operator to annually create a safety plan for the ski area and make that plan accessible to the public. It also requires ski area operators to report on skiing accidents from the previous year and make those reports accessible to the public.

LD 1160 **An Act To Transfer the Kim Wallace Adaptive Equipment Loan Program Fund to the Office of the Treasurer of State** **PUBLIC 166 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
SHARPE B CARSON B	OTP-AM	H-258

This bill transfers the Kim Wallace Adaptive Equipment Loan Program Fund from the Finance Authority of Maine to the Treasurer of State and allows the Treasurer of State to make disbursements from the fund only upon written direction of the Kim Wallace Adaptive Equipment Loan Program Fund Board. This bill also provides funds to establish the fund in the Office of the Treasurer of State.

Committee Amendment "A" (H-258)

This amendment retains language in the current statute allowing for funds to be deposited with and maintained by other state agencies. The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2019, chapter 166 transfers the Kim Wallace Adaptive Equipment Loan Program Fund from the Finance Authority of Maine to the Treasurer of State, requires funds to be deposited with and maintained by the Treasurer or other state agency and allows the Treasurer of State to make disbursements from the fund only upon written direction of the Kim Wallace Adaptive Equipment Loan Program Fund Board. This bill also provides funds to establish the fund in the Office of the Treasurer of State.

Public Law, 2019, chapter 166 was enacted as an emergency measure effective May 30, 2019.

LD 1193 **Resolve, Directing the Maine Community College System To Evaluate the Need To Expand Workforce Training Options in Waldo County** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E KINNEY M		

This resolve directs the Maine Community College System to evaluate the unmet need and capacity for expanding workforce training options in Waldo County with the goal of providing additional capacity for training in industries with identified employee shortages. The Maine Community College System is required to submit a report with

suggested legislation by December 4, 2019 to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, which may submit legislation to the Second Regular Session of the 129th Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1217 **An Act To Clarify the Oversight of the Family Development Account Program** **PUBLIC 239**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E JORGENSEN E	OTP-AM	S-167

This bill amends the family development account program in the following ways.

1. It transfers administration of the program from the Finance Authority of Maine to the University of Maine System.

2. It allows the University of Maine System to consult key stakeholders such as program participants, community development organizations and financial institutions, as well as organizations representing the interests of low-income persons in the State, as part of administering the program and assessing its effectiveness.

Committee Amendment "A" (S-167)

This amendment:

1. Adds a definition of "eligible person";

2. Modifies the definition of "account holder";

3. Adds language allowing the University of Maine System to solicit proposals from community development organizations on a schedule established by the system;

4. Allows, instead of requires, the system to adopt rules;

5. Allows, instead of requires, enforcement of the penalty for unauthorized withdrawals;

6. Changes the makeup of the Advisory Committee on Family Development Accounts from 12 members to 10 members and changes the descriptions of members; and

7. Adds a section describing the transition of the program from the Finance Authority of Maine to the University of Maine System.

Enacted Law Summary

Public Law 2019, chapter 239 does the following.

1. It transfers administration of the program from the Finance Authority of Maine to the University of Maine System.

2. It allows the University of Maine System to consult key stakeholders such as program participants, community development organizations and financial institutions, as well as organizations representing the interests of

low-income persons in the State, as part of administering the program and assessing its effectiveness.

3. It adds a definition of "eligible person".

4. It modifies the definition of "account holder".

5. It adds language allowing the University of Maine System to solicit proposals from community development organizations on a schedule established by the system.

6. It allows, instead of requires, the system to adopt rules.

7. It allows, instead of requires, enforcement of the penalty for unauthorized withdrawals.

8. It changes the makeup of the Advisory Committee on Family Development Accounts from 12 members to 10 members and changes the descriptions of members.

9. It adds a section describing the transition of the program from the Finance Authority of Maine to the University of Maine system.

LD 1240 **An Act To Provide Career and Technical Training Options for Electricians** **PUBLIC 261**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J HERBIG E	OTP-AM	H-257 H-336 HANDY J

This bill allows the Electricians' Examining Board to accept satisfactory evidence of completion of a career and technical electrical education program approved pursuant to the Maine Revised Statutes, Title 20-A, section 8306-B as a secondary student when issuing a journeyman-in-training electrician license.

Committee Amendment "A" (H-257)

This amendment strikes and replaces the bill. The amendment amends the requirements for licensure as a journeyman electrician to credit graduates of a secondary school career and technical electrical education program approved pursuant to the Maine Revised Statutes, Title 20-A, section 8306-B with 1,000 hours of work experience in electrical installations and makes it clear that such graduates are eligible to sit for the journeyman examination.

House Amendment "A" To Committee Amendment "A" (H-336)

This amendment clarifies the language in Committee Amendment "A" regarding the requirements for licensure as a journeyman electrician. Under this amendment, graduates of a secondary school career and technical education electrical program approved pursuant to the Maine Revised Statutes, Title 20-A, section 8306-B are credited with 1,000 hours of work experience in electrical installations and are eligible to sit for the journeyman examination. This amendment specifically provides that the 1,000 hours credited may not be applied to any other pathway to licensure.

Enacted Law Summary

Public Law 2019, chapter 261 credits graduates of a secondary school career and technical education electrical program approved pursuant to the Maine Revised Statutes, Title 20-A, section 8306-B with 1,000 hours of work experience in electrical installations and allows graduates to sit for the journeyman examination. It provides that the 1,000 hours credited may not be applied to any other pathway to licensure.

LD 1290 **An Act To Increase Transparency with Regard to Pawnshops** **PUBLIC 296**

Sponsor(s)	Committee Report	Amendments Adopted
HARRINGTON M	OTP-AM	H-415

This bill requires pawnbrokers to, within 10 days of a pawn transaction, submit a report of the transaction to the law enforcement agency of jurisdiction and to a regional property and recovery tracking system administered by a regional law enforcement organization recognized by the Department of Public Safety, Bureau of State Police. The transaction report must include:

1. The name and address of the pawnbroker;

2. The date and time of the transaction;

3. The name, address, date of birth, telephone number, if any, and unique identifying number on the written proof of identification required of the consumer or seller; and

4. Information on every item involved in the transaction, including a description of the item, manufacturer, if known, serial number, if any, and amount of the loan or purchase price given for the item.

This bill makes a violation of the reporting requirements a Class E crime.

Committee Amendment "A" (H-415)

This amendment removes the criminal provision included in the bill, removes the requirement for reporting to a law enforcement agency of jurisdiction and provides an effective date of July 1, 2020.

Enacted Law Summary

Public Law 2019, chapter 296 requires pawnbrokers to, within 10 days of a pawn transaction, submit a report of the transaction to a regional property and recovery tracking system administered by a regional law enforcement organization recognized by the Department of Public Safety, Bureau of State Police. The transaction report must include:

1. The name and address of the pawnbroker;

2. The date and time of the transaction;

3. The name, address, date of birth, telephone number, if any, and unique identifying number on the written proof of identification required of the consumer or seller; and

4. Information on every item involved in the transaction, including a description of the item, manufacturer, if known, serial number, if any, and amount of the loan or purchase price given for the item.

This law takes effect July 1, 2020.

LD 1334 **An Act To Rename the Maine International Trade Center the Maine Trade Center and To Establish within the Center International and Domestic Export Branches** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY S DILL J	ONTP	

This bill changes the name of the Maine International Trade Center to the Maine Trade Center and directs the center to establish international and domestic export branches within the center.

LD 1342 **An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	OTP-AM ONTP	H-467 S-341 BREEN C

This bill establishes the Maine Workforce, Research, Development and Student Achievement Institute to collect and analyze information related to workforce training, research and development, student debt and economic advancement in the State, to make policy recommendations to the Legislature and to conduct targeted research for the Legislature.

The bill directs the Legislature, through the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters, to contract with the University of Maine System to establish a steering committee to direct the work of the Institute. The steering committee consists of one member from each of the following:

1. The joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters;

2. The Department of Education;

3. The State Board of Education;

4. The University of Maine System;

5. The Maine Education Association;

6. The Maine Municipal Association;

7. The Department of Economic and Community Development; and

8. The State Workforce Board, established under Title 26, section 2006.

The bill establishes a two-year term for committee members and directs the committee to meet at least four times per year. The analysis, recommendations and research gathered shall be maintained by the institute at the University of Maine System and be available for use by any interested group or individual.

Committee Amendment "A" (H-467)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment strikes and replaces the bill to reallocate the language establishing the Maine Workforce, Research, Development and Student Achievement Institute from the Maine Revised Statutes, Title 20-A to Title 5. This amendment changes the membership of the Maine Workforce, Research, Development and Student Achievement Institute Steering Committee to consist of the following:

1. One member from each of the following:

    A. The joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters;

    B. The University of Maine System;

    C. The Maine Municipal Association;

    D. The Department of Economic and Community Development;

    E. The State Workforce Board, established under Title 26, section 2006;

    F. The Department of Labor;

    G. A statewide organization representing business interests in the State;

    H. A state-based organization involved in workforce and business policy and development;

    I. An independent college in the State;

    J. The Maine Community College System;

    K. A regional economic development organization serving one or more of the following: Aroostook County, Franklin County, Oxford County, Piscataquis County, Somerset County and Washington County; and

    L. A statewide organization responsible for business attraction and expansion;

2. The State Economist, who serves ex officio;

3. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee, who serves ex officio;

4. An individual involved in adult education;

5. An individual involved in career and technical education;

6. An individual employed in the public sector; and

7. An individual employed in the private sector.

This amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-341)

This amendment removes the requirement that the Legislature contract with the University of Maine System for the establishment and maintenance of the institute and removes the appropriation of associated funding. The amendment also revises the process of appointing steering committee members such that appointments are made by the President of the Senate and the Speaker of the House rather than by the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters.

LD 1368 **An Act To Require Postsecondary Institutions To Meet the Expected Family Contribution without Additional Loan Burdens for Students** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
CROCKETT E POULIOT M	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to require postsecondary institutions to meet the expected family contribution without additional loan burdens on students. The expected family contribution is an index number that postsecondary institutions use to determine how much financial aid a student would receive annually if the student were to attend that postsecondary institution. Included in financial aid packages are federal Stafford loans, which are fixed-rate student loans originated by the Federal Government. This bill is designed to limit exposure of a student's loan burden to federal Stafford loans only.

Committee Amendment "A" (H-559)

This amendment is the minority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment replaces the bill. It prohibits a postsecondary institution from billing or otherwise holding an in-state undergraduate student responsible for any amount of the cost of attendance at that postsecondary institution that exceeds the student's expected family contribution, with the exception of federal Stafford loans.

This amendment was not adopted.

LD 1440 **An Act To Create Transparency in Tax Increment Financing and Credit Enhancement Agreement Proposals** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill makes non propriety the following information regarding applicants for tax increment financing and credit enhancement agreement proposals:

1. The name of the applicant, including the business principal; and

2. The amount of assistance being requested.

This bill removes this information from the list of information that must be released after provision of assistance, unless the information has not already been released.

LD 1445 **An Act To Provide Debt-free Educational Opportunities for Maine Residents** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BROOKS H MIRAMANT D	ONTP	

This bill establishes the Debt-free Educational Opportunities for Maine Residents program. The bill requires, beginning in fiscal year 2019-20, the Finance Authority of Maine to provide eligible Maine residents a grant in the amount of the cost of tuition and other expenses related to the cost of attendance at an eligible school, including the cost of room and board, books, supplies and fees, charged to a student enrolled in courses leading to completion of an eligible program of study on at least a part-time basis at a public institution of higher education in the State in which the student is enrolled, less all other gift aid. An eligible program of study means a curriculum leading to a baccalaureate degree, associate degree or certificate. An eligible full-time or part-time student may receive a grant for one academic year and may receive grants for the equivalent of a four-year baccalaureate program at the eligible school the student is attending.

LD 1481 **An Act To Establish the Big Moose Mountain Regional Development Authority** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
STEARNS P DAVIS P		

This bill does the following:

1. Establishes the Big Moose Mountain Regional Development Authority as a public municipal corporation with associated rights and responsibilities, including the ability to sue and be sued; adopt bylaws and rules; exercise the general powers of corporations; exercise the power of eminent domain; impose rules relating to the use of the property; charge and collect fees; contract with the federal government, the state and other public and private entities; borrow money; apply for loans, grants and other forms of assistance; provide funds for the maintenance, construction and operation of facilities; and take other lawful actions;

2. Establishes a board of trustees comprised of 10 voting members appointed by the Governor and subject to review by the Legislative committee having jurisdiction over economic development matters and to confirmation by the Senate;

3. Allows the authority to acquire, sell, or leased in order to accomplish the purposes of the bill;

4. Allows the authority to form special utility districts and provide municipal utility services within its jurisdiction;

5. Allows the authority to issue bonds after providing public notice;

6. Allows the authority to ask the State to issue bond to finance the undertaking of any authorized activity. Such bonds must be authorized by the Legislature in accordance with the requirements of the Constitution of Maine;

7. Requires the authority to submit an annual report with specified information to the Governor, the Executive Director of the Legislative Council and the joint standing committee of the Legislature having jurisdiction over economic development matters no later than 120 days after the close of the authority's fiscal year; and

8. Requires the authority to report the status of the establishment of the authority to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business during the Second Regular Session of the 129th Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1502 **An Act To Expand Access to the Workforce through Apprenticeships** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FARRIN B HIGGINS N	ONTP	

This bill establishes an alternative path to licensure through apprenticeship for certain professions. The bill requires that, beginning January 1, 2020, the appropriate licensing authority grant to a person that has successfully completed eighth grade, passed any required examinations and completed an approved apprenticeship a license to practice as:

1. An auctioneer;

2. A dietetic technician;

3. A veterinary technician;

4. A pharmacy technician;

5. A basic emergency medical technician;

6. A well driller, geothermal heat exchange well driller, geothermal heat exchange well pump installer or pump installer;

7. An athletic trainer;

8. A cosmetologist, barber, limited barber, nail technician or aesthetician;

9. A massage therapist or massage practitioner; and

10. A limited interpreter, limited transliterator, limited deaf interpreter, certified interpreter, certified deaf interpreter or certified transliterator.

LD 1506 **Resolve, Directing the Department of Economic and Community Development To Facilitate the Creation of a Strategic Economic Plan** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
HUBBELL B DOW D		

This resolve directs the Department of Economic and Community Development to facilitate the creation of a 10-year strategic economic plan that recommends breakthrough strategies for increased economic prosperity for all citizens of the State in all regions, ultimately measured by increased household income, a growing workforce and sustainable business development.

This resolve directs the department to provide a report on the strategic plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Innovation, Development, Economic Advancement and Business by December 31, 2019. The joint standing committees are authorized to report out legislation based on the report to the Second Regular Session of the 129th Legislature.

LD 1519 An Act Concerning the Establishment of Benefit Corporations PUBLIC 328

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E	OTP	
FECTEAU R	ONTP	

This bill creates a statutory framework that allows a corporation to elect to become a benefit corporation by explicitly stating in its articles of incorporation that it has a purpose of creating general public benefit and allows such a corporation to state in its articles of incorporation one or more specific public benefit purposes, which are other than maximizing shareholder value. "General public benefit" means a material positive impact on society and the environment, taken as a whole, assessed against a third-party standard, from the business and operations of the benefit corporation. A specific public benefit can be providing goods and services to underserved individuals and communities, the promotion of economic opportunities, protecting the environment, improving human health or other particular benefits to society or the environment.

A benefit corporation may be subject to a benefit enforcement proceeding for failing to pursue or create general public benefit or a specific public benefit as set forth in its articles of incorporation, or for a violation of any obligation, duty or standard of conduct imposed. A benefit corporation must make its annual benefit report available publicly.

Enacted Law Summary

Public Law 2019, chapter 328 creates a statutory framework that allows a corporation to elect to become a benefit corporation by explicitly stating in its articles of incorporation that it has a purpose of creating general public benefit and allows such a corporation to state in its articles of incorporation one or more specific public benefit purposes, which are other than maximizing shareholder value. "General public benefit" means a material positive impact on society and the environment, taken as a whole, assessed against a third-party standard, from the business and operations of the benefit corporation. A specific public benefit can be providing goods and services to underserved individuals and communities, the promotion of economic opportunities, protecting the environment, improving human health or other particular benefits to society or the environment.

A benefit corporation may be subject to a benefit enforcement proceeding for failing to pursue or create general public benefit or a specific public benefit as set forth in its articles of incorporation, or for a violation of any obligation, duty or standard of conduct imposed. A benefit corporation must make its annual benefit report available publicly.

LD 1530 **An Act To Expand Incentives To Live and Work in Maine through a Tax Credit for Certain Student Loans** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BABBIDGE C CLAXTON N	ONTP	

This bill provides an income tax credit of up to $1,000 for individuals for certain student loan payments made during the tax year if the individuals were first employed in Maine on or after January 1, 2020. The credit is equal to the lesser of 50% of the loan payments actually made and 50% of income tax liability in the first year in which the credit is claimed declining to 10% of income tax liability in the fifth and final year in which the credit is claimed. The credit may not exceed 50% of the individual's outstanding student loan debt and may not be claimed if the individual claims the credit for educational opportunity.

LD 1584 **An Act To Attract, Build and Retain an Early Childhood Education Workforce through Increased Training, Education and Career Pathways** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R POULIOT M	OTP-AM ONTP	H-464

This bill requires the Commissioner of Health and Human Services, the Commissioner of Education and the Commissioner of Labor jointly to develop and implement an early childhood educators workforce support program to recruit and retain early childhood educators working with children up to five years of age. Components of the program include:

1. Increasing opportunities for course work in early education by:

   A. Expanding the number of career and technical education centers at which early childhood education programs are available;

   B. Supporting early childhood education courses with funding and course material purchases; and

   C. Creating articulation agreements with the Maine Community College System for credit transfers for work related to early childhood education and enrollment in courses in furtherance of the issuance of a postsecondary degree;

2. Offering comprehensive scholarships that allow individuals providing child care services who agree to work for at least one year following graduation with an approved employer to attain early childhood education credentials and take classes leading to associate or bachelor's degrees.

3. Expanding the number of Department of Labor registered apprenticeships available in early childhood child care; and

4. Establishing a system of salary supplements, based on education level, experience and other factors, for providers of child care and early childhood educators working with children up to five years of age.

This bill also provides funding to carry out the program.

Committee Amendment "A" (H-464)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment does the following.

1. It adds a requirement for the Commissioner of Health and Human Services to collect and review early childhood educator workforce data and, on a biennial basis, conduct a review of the adequacy of the pathways to early childhood education careers.

2. It clarifies the definition of institution of higher education as referenced in the section of the bill requiring development of apprenticeship programs.

3. It requires the Commissioner of Health and Human Services, the Commissioner of Education and the Commissioner of Labor to collaborate with local adult education providers of school administrative units, apprenticeship sponsors, career and technical education programs, the Maine Community College System and the University of Maine System to create articulation agreements between these entities for the transfer of credits for course work related to early childhood education and to facilitate enrollment in courses that lead to the issuance of a postsecondary degree by a degree-granting institution.

4. It requires the commissioners to collaborate with these same entities to provide support for individuals, including immigrants and other populations lacking experience in Maine's workforce, who require foundational skills development to enter and succeed in early childhood education courses, including but not limited to English as a second language, literacy, numeracy and employability skills.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table.

This amendment was not adopted.

LD 1601 **An Act To Amend the Laws Governing the Educators for Maine Program** **PUBLIC 303**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T MILLETT R	OTP-AM	H-417

This bill amends the laws governing the Educators for Maine Program by:

1. Expanding the definition of graduating high school senior to include students who complete home instruction programs;

2. Expanding the definition of return service to include service at a publicly supported secondary school and special education facility;

3. Adding service in an underserved geographic areas as an eligibility criterion, and adding a definition of underserved geographic areas;

4. Removing the maximum loan amounts of $2,000 per year and $8,000 in total in favor of a minimum annual award of $3,000 per year for undergraduate study and $2,000 per year for post-baccalaureate certification.

5. Establishing a maximum award period of eight semesters for undergraduate and four semesters for

post-baccalaureate students.

6. Removing the provision whereby the Governor announces selected recipients annually;

7. Removing the preference for loans to undergraduate students enrolled in a course of study related to underserved subject areas; and

Increasing from 5 to 10 years the amount of time a recipient has to complete the return service requirement.

Committee Amendment "A" (H-417)

This amendment removes the word "completes" as it references home instruction programs.

Enacted Law Summary

Public Law 2019, chapter 303 amends the laws governing the Educators for Maine Program by:

1. Expanding the definition of graduating high school senior to include students who graduate from a home instruction program;

2. Expanding the definition of return service to include service at a publicly supported secondary school and special education facility;

3. Adding service in an underserved geographic areas as an eligibility criterion, and adding a definition of underserved geographic areas;

4. Removing the maximum loan amounts of $2,000 per year and $8,000 in total in favor of a minimum annual award of $3,000 per year for undergraduate study and $2,000 per year for post-baccalaureate certification;

5. Establishing a maximum award period of eight semesters for undergraduate and four semesters for post-baccalaureate students;

6. Removing the provision whereby the Governor announces selected recipients annually;

7. Removing the preference for loans to undergraduate students enrolled in a course of study related to underserved subject areas; and

8. Increasing from five to ten years the amount of time a recipient has to complete the return service requirement.

LD 1629 **An Act Regarding Future Evaluations of the Pine Tree Development Zone Program** **PUBLIC 305**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill strikes a provision regarding the Pine Tree Development Zone program that establishes the specific date of January 15, 2021 by which the Office of Program Evaluation and Government Accountability must complete a review of the program. This provision is unnecessary as current law already provides that the Government Oversight Committee establish a schedule for the Office of Program Evaluation and Government Accountability to conduct reviews of tax expenditure programs based on priority and the grouping of programs with similar goals.

Enacted Law Summary

Public law 2019, chapter 305 strikes a provision regarding the Pine Tree Development Zone program that establishes the specific date of January 15, 2021 by which the Office of Program Evaluation and Government Accountability must complete a review of the program. This provision is unnecessary as current law already provides that the Government Oversight Committee establish a schedule for the Office of Program Evaluation and Government Accountability to conduct reviews of tax expenditure programs based on priority and the grouping of programs with similar goals.

LD 1640 **An Act To Exempt Auctioneers from Certain Record-keeping Requirements** **PUBLIC 279**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E CUDDY S	OTP	

This bill exempts auctioneers from the requirement to record the date of purchase, the seller's name and address and a brief description of the property, including any identification numbers, before completing the purchase of any used personal property.

Enacted Law Summary

Public Law 2019, chapter 279 exempts auctioneers from the requirement to record the date of purchase, the seller's name and address and a brief description of the property, including any identification numbers, before completing the purchase of any used personal property.

LD 1685 **An Act To Facilitate Entry of Immigrants into the Workforce** **PUBLIC 447**

Sponsor(s)	Committee Report	Amendments Adopted
CLOUTIER K LIBBY N	OTP-AM	H-416

This bill establishes and provides funding for the Foreign Credentialing and Skills Recognition Revolving Loan Program, to be administered by the Finance Authority of Maine. Under the program, the authority may provide interest-free loans to foreign-educated or foreign-trained, experienced immigrants who need assistance while awaiting federal employment authorization to pay the costs of certain actions and activities that will improve their work-readiness once they receive their work permits.

To be eligible for assistance, individuals must have filed an application or petition with federal immigration authorities that entitles the individual to request a work permit, but have not yet received or been denied a work permit.

Funds are awarded directly to the individual pursuant to a contract established by the authority providing that the awardee use the funds only for eligible costs, that the awardee repay the loan in compliance with the terms and conditions established by the authority, that the awardee retain recipients for eligible expenditures, that breach of contract may require immediate loan repayment and other terms and conditions established by the authority.

Loans may not exceed $700, though this limit may be adjusted at least biannually to reflect inflation or cost of living or other adjustments.

Loans must be repaid within 18 months of disbursement and no earlier than 60 days after the individual has obtained a work permit and 30 days after employment is obtained, though extensions may be granted and may

include up to a 5% administrative fee.

The bill provides that the authority may adopt routine technical rules to carry out the program.

Committee Amendment "A" (H-416)

This amendment clarifies language regarding applications for work permits, making it clear that individuals with pending applications for work permits are eligible for the program, and makes technical edits to the bill.

Enacted Law Summary

Public law 2019, chapter 447 establishes and provides funding for the Foreign Credentialing and Skills Recognition Revolving Loan Program, to be administered by the Finance Authority of Maine. Under the program, the authority may provide interest-free loans to foreign-educated or foreign-trained, experienced immigrants who need assistance while awaiting federal employment authorization to pay the costs of certain actions and activities that will improve their work-readiness once they receive their work permits.

To be eligible for assistance, individuals must have filed an application or petition with federal immigration authorities that entitles the individual to request a work permit, but have not yet received or been denied a work permit.

Funds are awarded directly to the individual pursuant to a contract established by the authority providing that the awardee use the funds only for eligible costs, that the awardee repay the loan in compliance with the terms and conditions established by the authority, that the awardee retain recipients for eligible expenditures, that breach of contract may require immediate loan repayment and other terms and conditions established by the authority.

Loans may not exceed $700, though this limit may be adjusted at least biannually to reflect inflation or cost of living or other adjustments.

Loans must be repaid within 18 months of disbursement and no earlier than 60 days after the individual has obtained a work permit and 30 days after employment is obtained, though extensions may be granted and may include up to a 5% administrative fee.

The law provides that the authority may adopt routine technical rules to carry out the program.

LD 1690 **An Act To Certify and Promote Products That Are Made in Maine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a "Maine Made" certification depicted by a seal or a stamp placed upon products produced in the State and used or marketed worldwide to promote the products. The certification would be used in conjunction with or in substitution for the current Maine Made America's Best program administered by the Department of Economic and Community Development, office of business development and innovation.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1746 **An Act To Amend the Licensing Laws of Certain Professions and Occupations** **PUBLIC 503**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E	OTP-AM	S-303
	OTP-AM	S-316 HERBIG E

The bill makes the following changes to the licensing laws of certain professions and occupations.

1. It provides authority for the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to reduce license fees by order.

2. It adds failure by a licensee to provide treatment records to a patient within a reasonable time when requested by the patient in writing as a new ground for discipline.

3. It increases from one to two the number of helper electricians that may be supervised by a master, journeyman or limited electrician at any one time and corrects an error in hours of work experience required for a journeyman-in-training to apply for a master electrician license.

4. It repeals current license requirements for real estate appraisers and replaces them with less stringent license requirements adopted by rule by the federally authorized appraiser qualifications board.

5. It authorizes the issuance of licenses to speech-language pathology assistant applicants who have a degree higher than an associate degree and exempts temporary licensees, speech-language pathology assistants and trainee licensees from continuing education requirements at the time of license renewal.

Committee Amendment "A" (S-303)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

This amendment does the following.

1. It removes the increase from one to two of the number of helper electricians that a journeyman, master and limited electrician may supervise, retaining the limit at one.

2. It changes the language that allows an office, board or commission to discipline a licensee for failure to provide treatment records in a reasonable amount of time to instead reference the Maine Revised Statutes, Title 22, section 1711 and Title 22, section 1711-B.

3. It amends Title 22, section 1711 and Title 22, section 1711-B to reference the requirements of the federal Health Insurance Portability and Accountability Act of 1996 regarding access to patient records.

Committee Amendment "B" (S-304)

This amendment is the minority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

This amendment does the following.

1. It changes the language that allows an office, board or commission to discipline a licensee for failure to provide

treatment records in a reasonable amount of time to instead reference the Maine Revised Statutes, Title 22, section 1711 and Title 22, section 1711-B.

2. It amends Title 22, section 1711 and Title 22, section 1711-B to reference the requirements of the federal Health Insurance Portability and Accountability Act of 1996 regarding access to patient records.

This amendment was not adopted.

House Amendment "A" (H-626)

This amendment removes the authority, as proposed in the bill, for the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to reduce license fees by order.

This amendment was not adopted.

Senate Amendment "A" (S-316)

This amendment removes the authority, as proposed in the bill, for the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to reduce license fees by order.

Enacted Law Summary

Public Law 2019, chapter 503 does the following.

1. It adds failure by a licensee to provide treatment records in accordance with the requirements of Maine Revised Statutes, Title 22, section 1711 or Title 22, section 1711-B a new ground for discipline by a licensing board.

2. It amends Title 22, section 1711 and Title 22, section 1711-B to reference the requirements of the federal Health Insurance Portability and Accountability Act of 1996 regarding access to patient records.

3. It increases from one to two the number of helper electricians that may be supervised by a master, journeyman or limited electrician at any one time and corrects an error in hours of work experience required for a journeyman-in-training to apply for a master electrician license.

4. It repeals current license requirements for real estate appraisers and replaces them with less stringent license requirements adopted by rule by the federally authorized appraiser qualifications board.

5. It authorizes the issuance of licenses to speech-language pathology assistant applicants who have a degree higher than an associate degree and exempts temporary licensees, speech-language pathology assistants and trainee licensees from continuing education requirements at the time of license renewal.

LD 1751 **An Act To Amend and Clarify the Laws Concerning American Sign Language Interpreters** **PUBLIC 284**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	OTP-AM	H-418

This bill amends the laws governing American Sign Language interpreters to do the following:

1. Add definitions of “accredited”, “American Sign Language proficiency interview,” “Director”; and “National

Interpreter certi9fication knowledge exam";

2. Establish a new conditional license category and add a definition of "conditional license";

3. Remove the transliterator license category;

4. Remove the requirement for a high school diploma;

5. Clarify that licensure is required for video-based interpreting in which one or more participants are physically located in the State;

6. Establish a maximum fee of $100 for an initial license fee for applicants who are deaf;

7. Add language regarding placing a licensee on inactive status; and

8. Clarify continuing education requirements.

Committee Amendment "A" (H-418)

This amendment removes the provision describing the treatment of inactive licenses. This language is duplicative of existing statute.

Enacted Law Summary

Public law 2019, chapter 284 amends the laws governing American Sign Language interpreters to do the following:

1. Add definitions of "accredited", "American Sign Language proficiency interview", "Director", and "National interpreter certification knowledge exam";

2. Establish a new conditional license category and add a definition of "conditional license";

4. Remove the transliterator license category;

5. Remove the requirement for a high school diploma;

6. Clarify that licensure is required for video-based interpreting in which one or more participants are physically located in the State;

7. Establish a maximum fee of $100 for an initial license fee for applicants who are deaf; and

8. Clarify continuing education requirements.

LD 1754 **An Act To Amend the Geologist and Soil Scientist Licensing Laws** **PUBLIC 285**

Sponsor(s)	Committee Report	Amendments Adopted
HIGGINS N	OTP	

This bill establishes a new pathway to licensure for persons who seek to become licensed soil scientists. The new pathway allows individuals with an associate degree in soil science or another natural resources field to qualify with specific documented work experience to take required state and national exams. Current law requires a four-year undergraduate degree in soil science. The bill also allows applicants for geologist and soil scientist licenses to take

certain required examinations prior to completing all work experience requirements. The bill also updates licensing terminology and deletes outdated provisions.

Enacted Law Summary

Public law 2019, chapter 285 establishes a new pathway to licensure for persons who seek to become licensed soil scientists. The new pathway allows individuals with an associate degree in soil science or another natural resources field to qualify with specific documented work experience to take required state and national exams. Current law requires a four-year undergraduate degree in soil science. The law also allows applicants for geologist and soil scientist licenses to take certain required examinations prior to completing all work experience requirements. The law also updates licensing terminology and deletes outdated provisions.

LD 1768 **An Act To Amend the Barbering and Cosmetology Licensing Laws** **PUBLIC 373**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	OTP-AM	H-533

This bill makes the following changes to the laws governing barbering and cosmetology.

1. It eliminates the demonstrator license.

2. It eliminates the barber license and renames the "limited barbering" license the "barber hair styling" license.

3. It clarifies provisions regarding establishment owners and booth owners by creating level one establishments and level two establishments and providing that leased space is considered an establishment.

4. It replaces references to "shop" with "establishment."

5. It clarifies that the cosmetology scope of practice includes shaving.

6. It exempts certain cosmetology-associated activities from licensure requirements.

7. It allows the practice of cosmetology, barber hair styling, aesthetics and nail technology on inmates of institutions of the Department of Corrections.

8. It changes the seven-day reporting requirement for the change of ownership or location of an establishment to a 10-day reporting requirement for consistency with general reporting requirements of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation under the Maine Revised Statutes, Title 10, section 8003-G. Where applicable, the bill adds the word "calendar" to other reporting requirements. The bill eliminates the necessity of submitting a new application and fee for an establishment location change and makes a location change of a level one establishment or level two establishment a reporting requirement. The new location is still subject to meeting all current laws and rules and inspection requirements.

9. It repeals provisions regarding the age and minimum education requirements for initial practice licenses.

10. It clarifies reporting requirements for trainees for a change in employer or qualified supervisor and also clarifies the number of trainees per establishment that may be trained at one time.

11. It authorizes the Director of the Office of Professional and Occupational Regulation to issue a license to a person who holds a valid license in another jurisdiction of the United States.

12. Current law requires that a student enrolling in a course of study be at least 16 years of age. The bill adjusts the minimum school enrollment age to 15 years of age with the stipulation that the student turns 16 years of age at some point during the student's course of study.

13. It exempts career and technical education centers that do not collect student tuition for a course of study from surety bond and financial audit requirements.

Committee Amendment "A" (H-533)

This amendment creates a hair designer license with limited practice to performing hair and chemical services. It also eliminates the requirement for a special event services permit.

Enacted Law Summary

Public law 2019, chapter 373 makes the following changes to the laws governing barber and cosmetology licensing.

1. It eliminates the demonstrator license.

2. It eliminates the barber license and renames the "limited barbering" license the "barber hair styling" license.

3. It clarifies provisions regarding establishment owners and booth owners by creating level one establishments and level two establishments and providing that leased space is considered an establishment.

4. It replaces references to "shop" with "establishment."

5. It clarifies that the cosmetology scope of practice includes shaving.

6. It exempts certain cosmetology-associated activities from licensure requirements.

7. It creates a new hair designer license type.

8. It allows the practice of cosmetology, barber hair styling, aesthetics and nail technology on inmates of institutions of the Department of Corrections.

9. It changes the seven-day reporting requirement for the change of ownership or location of an establishment to a 10-day reporting requirement for consistency with general reporting requirements of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation under the Maine Revised Statutes, Title 10, section 8003-G. Where applicable, the law adds the word "calendar" to other reporting requirements. The law eliminates the necessity of submitting a new application and fee for an establishment location change and makes a location change of a level one establishment or level two establishment a reporting requirement. The new location is still subject to meeting all current laws and rules and inspection requirements.

10. It repeals provisions regarding the age and minimum education requirements for initial practice licenses.

11. It clarifies reporting requirements for trainees for a change in employer or qualified supervisor and also clarifies the number of trainees per establishment that may be trained at one time.

12. It authorizes the Director of the Office of Professional and Occupational Regulation to issue a license to a person who holds a valid license in another jurisdiction of the United States.

13. Current law requires that a student enrolling in a course of study be at least 16 years of age. The law adjusts the minimum school enrollment age to 15 years of age with the stipulation that the student turns 16 years of age at some

point during the student's course of study.

14. It exempts career and technical education centers that do not collect student tuition for a course of study from surety bond and financial audit requirements.

15. It eliminates the requirement for a special event services permit.

LD 1791 An Act To Amend Licensure for Professional Engineers PUBLIC 375

Sponsor(s)	Committee Report	Amendments Adopted
STETKIS J	OTP	

This bill makes changes to the laws governing licensure for professional engineers and certification for engineer-interns. The bill:

1. Changes the term "technology accreditation commission" to "engineering technology education commission" to reflect current usage;

2. Clarifies language regarding the use of professional engineers in public works projects;

3. Repeals the temporary licensing provisions for nonresidents;

4. Clarifies and updates references to the building standards and eliminates references to standards that have been superseded;

5. Increases the maximum penalty for violations to $10,000;

6. Clarifies that the State Board of Licensure for Professional Engineers may refuse to renew a license for failure to pay a required fee or for failure to meet continuing education requirements, which the bill renames professional development requirements;

7. Allows the board to maintain its roster of active licensed professional engineers on its publicly accessible website;

8. Changes the term "certificate of record" to "active national council record" to reflect current usage of the National Council of Examiners for Engineering and Surveying;

9. Clarifies and updates language regarding education requirements and examinations;

10. Identifies the National Council of Examiners for Engineering and Surveying engineering education standard as the standard used by the board when accepting engineering and engineering technology credits from a program not approved by the accreditation board;

11. Eliminates language regarding examinations on fundamental engineering subjects and amends language on passing examination grades and the number of times an examination may be taken by an applicant; and

12. Clarifies language regarding reinstatement of a license after revocation.

Enacted Law Summary

Public law 2019, chapter 375 amends the laws governing licensure for professional engineers and certification for engineer-interns. The law:

1. Changes the term "technology accreditation commission" to "engineering technology education commission" to reflect current usage;

2. Clarifies language regarding the use of professional engineers in public works projects;

3. Repeals the temporary licensing provisions for nonresidents;

4. Clarifies and updates references to the building standards and eliminates references to standards that have been superseded;

5. Increases the maximum penalty for violations to $10,000;

6. Clarifies that the State Board of Licensure for Professional Engineers may refuse to renew a license for failure to pay a required fee or for failure to meet continuing education requirements, which the law renames professional development requirements;

7. Allows the board to maintain its roster of active licensed professional engineers on its publicly accessible website;

8. Changes the term "certificate of record" to "active national council record" to reflect current usage of the National Council of Examiners for Engineering and Surveying;

9. Clarifies and updates language regarding education requirements and examinations;

10. Identifies the National Council of Examiners for Engineering and Surveying engineering education standard as the standard used by the board when accepting engineering and engineering technology credits from a program not approved by the accreditation board;

11. Eliminates language regarding examinations on fundamental engineering subjects and amends language on passing examination grades and the number of times an examination may be taken by an applicant; and

12. Clarifies language regarding reinstatement of a license after revocation.

LD 1810 **An Act To Amend the Jurisdiction of Certain Reviews Conducted Pursuant to the State Government Evaluation Act** **PUBLIC 378**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill changes the responsibility for reviews pursuant to the State Government Evaluation Act of boards responsible for the licensing of health care professions from the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters to the joint standing committee of the Legislature having jurisdiction over professional licensing of health care professions matters.

Enacted Law Summary

Public law 2019, chapter 378 changes the responsibility for reviews pursuant to the State Government Evaluation Act of boards responsible for the licensing of health care professions from the joint standing committee of the

Legislature having jurisdiction over business, research and economic development matters to the joint standing committee of the Legislature having jurisdiction over professional licensing of health care professions matters.

LD 1821 **Resolve, To Address the Population Shortage in Rural Maine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T		

This resolve directs the Department of Economic and Community Development to work with the Northern Border Regional Commission in the establishment of a program to recruit working families to relocate to rural areas of the State.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1833 **An Act Establishing a Review Process for Measures with a Potential Economic Impact and Directing the Department of Economic and Community Development To Develop a Strategic Economic Plan** **Died On Adjournment**

Sponsor(s)	Committee Report	Amendments Adopted

This bill was not referred to committee.

This bill establishes a process in statute by which the Joint Standing Committee on Innovation, Development, Economic Advancement and Business reviews all legislative measures with potential economic impact. The bill authorizes the committee to report out legislation regarding this provision in the Second Regular Session of the 130th Legislature. This provision is repealed 90 days following the adjournment of the Second Regular Session of the 130th Legislature.

The bill also directs the Department of Economic and Community Development to develop a strategic plan to recommend strategies for increased economic prosperity in the State. The bill establishes goals for the plan and directs the department to include an analysis of gaps in funding and policy in the plan. The bill requires that the department establish a steering committee and a work team to guide the development of the plan. The bill requires the department to report on the plan to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and provides the committee permission to report out related legislation in the Second Regular Session of the 129th Legislature.

LD 1835 **An Act To Authorize Early Payment of Anticipated Funds to the Loring Job Increment Financing Fund** **PUBLIC 356 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM	S-271

This bill requires the State Tax Assessor, upon the recommendation of the Commissioner of Economic and Community Development or at the direction of the Governor, to transfer anticipated funds to the Loring Job Increment Financing Fund prior to the July 31, 2019 payment date.

Committee Amendment "A" (S-271)

This amendment changes the final payment date for which funds may be advanced to July 31, 2020 from July 31, 2019. The amendment adds language clarifying that, upon approval, the assessor is required to both deposit funds into the contingent account and pay those funds into the fund. The amendment also requires approval by the Commissioner of Administrative and Financial Services for early transfers and payments recommended by the Commissioner of Economic and Community Development. The amendment adds language clarifying that any difference between the amount advanced and the amount finally determined to be due, in the event of an underpayment, must be added to the final payment due by July 31, 2020, or, in the event of an overpayment, must be deducted from the final payment due by July 31, 2021. The amendment repeals the temporary provision on August 1, 2021.

Enacted Law Summary

Public law 2019, chapter 356 requires the State Tax Assessor, upon the recommendation of the Commissioner of Economic and Community Development or at the direction of the Governor, to transfer anticipated funds to the Loring Job Increment Financing Fund prior to the July 31, 2020 payment date. It states that upon approval, the assessor is required to both deposit funds into the contingent account and pay those funds into the fund. It requires approval by the Commissioner of Administrative and Financial Services for early transfers and payments recommended by the Commissioner of Economic and Community Development. It states that any difference between the amount advanced and the amount finally determined to be due, in the event of an underpayment, must be added to the final payment due by July 31, 2020, or, in the event of an overpayment, must be deducted from the final payment due by July 31, 2021.

Public law 2019, chapter 356 was enacted as an emergency measure effective June 18, 2019.

LD 1841 **Resolve, Directing the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Barriers to Credentialing** **RESOLVE 79**

Sponsor(s)	Committee Report	Amendments Adopted

This resolve was not referred to committee.

This resolve directs the Commissioner of Professional and Financial Regulation to create a working group to study credentialing skilled individuals with foreign credentials and those with licenses in other states. The working group consists of eight to ten persons representing licensing boards and professional organizations served by the licensing boards in professions in the State for which there is a need for and an opportunity to credential skilled individuals with foreign credentials and those with out-of-state licenses. The working group is required to submit its report along with any recommendations and suggested legislation to the Commissioner of Professional and Financial Regulation. The commissioner is required to submit the report with any recommendations and suggested legislation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The committee is permitted to report out a bill relating to the subject matter of the report to the Second Regular Session of the 129th Legislature. In the event the working group or the commissioner requires additional time to complete the work, the Joint Standing Committee on Innovation, Development, Economic Advancement and Business may extend the reporting deadline.

Enacted Law Summary

Resolve 2019, chapter 79 directs the Commissioner of Professional and Financial Regulation to create a working

group to study credentialing skilled individuals with foreign credentials and those with licenses in other states. The working group consists of eight to ten persons representing licensing boards and professional organizations served by the licensing boards in professions in the State for which there is a need for and an opportunity to credential skilled individuals with foreign credentials and those with out-of-state licenses. The working group is required to submit its report along with any recommendations and suggested legislation to the Commissioner of Professional and Financial Regulation. The commissioner is required to submit the report with any recommendations and suggested legislation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The committee is permitted to report out a bill relating to the subject matter of the report to the Second Regular Session of the 129th Legislature. In the event the working group or the commissioner requires additional time to complete the work, the Joint Standing Committee on Innovation, Development, Economic Advancement and Business may extend the reporting deadline.

Joint Standing Committee on Innovation, Development, Economic Advancement and Business

SUBJECT INDEX

Bonds

Enacted

LD 435	**An Act To Provide for the 2019 and 2020 Allocations of the State Ceiling on Private Activity Bonds**	**P & S 2 EMERGENCY**

Business Regulation

Enacted

LD 37	**An Act To Allow for the Sale of Nonprescription Drugs through Vending Machines**	**PUBLIC 454**
LD 277	**An Act to Ban Telephone Solicitations Using an Artificial or Prerecorded Voice and Enhance Caller Identification**	**PUBLIC 185**
LD 1290	**An Act To Increase Transparency with Regard to Pawnshops**	**PUBLIC 296**
LD 1519	**An Act Concerning the Establishment of Benefit Corporations**	**PUBLIC 328**

Not Enacted

LD 15	**An Act To Provide for Municipalities To Allow Grocery Stores up to 10,000 Square Feet To Open on Thanksgiving, Easter and Christmas**	**Died Between Houses**
LD 348	**An Act To Prohibit the Providing of Misleading or Inaccurate Information via Caller Identification Services during Telemarketing Calls**	**ONTP**
LD 1690	**An Act To Certify and Promote Products That Are Made in Maine**	**CARRIED OVER**

Consumer Protections

Enacted

LD 771	**An Act Regarding the Cancellation of Subscription Services**	**PUBLIC 175**

Not Enacted

LD 88	**An Act To Require the Truthful Display of Gasoline Prices**	**ONTP**
LD 191	**An Act To Protect Heating Fuel Customers Who Close Their Accounts**	**ONTP**
LD 862	**An Act To Limit the Amount of Money That May Be Retained on Construction Contracts**	**Died Between Houses**
LD 875	**An Act To Require Warranty Coverage for Damage to Manufactured Homes during Transportation and Handling**	**ONTP**
LD 1136	**An Act To Provide Snow Sports Safety Information to Consumers**	**ONTP**

Economic Development - Initiatives

Not Enacted

LD 130	**An Act To Provide Funding To Continue the Strategic Economic and Sustainable Development of Northern Aroostook County**	**ONTP**
LD 895	**An Act To Promote Economic Development through Research and Development**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 897	**An Act To Restore Funding for the Capital Riverfront Improvement District**	**Majority (ONTP) Report**
LD 1051	**An Act To Create the Maine Family First Employer Program**	**CARRIED OVER**
LD 1087	**An Act To Keep Maine Business Competitive**	**ONTP**
LD 1334	**An Act To Rename the Maine International Trade Center to Maine Trade Center and to Establish within the Center International and Domestic Export Branches**	**ONTP**
LD 1481	**An Act To Establish the Big Moose Mountain Regional Development Authority**	**CARRIED OVER**

LD 1502	**An Act to Expand Access to the Workforce through Apprenticeships**	**ONTP**

Economic Development - Planning

Not Enacted

LD 50	**An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Development of a Long-range Strategic Plan for Economic Improvement in the State**	**ONTP**
LD 288	**Resolve, Establishing the Commission To Create a Statewide Economic Development Plan**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1506	**Resolve, Directing the Department of Economic and Community Development To Facilitate the Creation of a Strategic Economic Plan**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1833	**An Act Establishing a Review Process for Measures with a Potential Economic Impact and Directing the Department of Economic and Community Development To Develop a Strategic Economic Plan**	**Died on Adjournment**

Economic Development - Research

Not Enacted

LD 814	**An Act To Strengthen Maine's Economy through Research and Innovation led by the University of Maine System**	**CARRIED OVER**
LD 909	**Resolve, Directing the Commissioner of Economic and Community Development To Establish a Blockchain Technology Working Group**	**ONTP**
LD 1342	**An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute**	**HELD BY GOVERNOR**

Educational Loans and Debt Repayment

Enacted

LD 440	**An Act To Continue the Doctors for Maine's Future Scholarship Program**	**PUBLIC 510**
LD 681	**An Act To Amend the Maine Dental Education Loan Program**	**PUBLIC 102**
LD 1601	**An Act To Amend the Laws Governing the Educators for Maine Program**	**PUBLIC 303**

Not Enacted

LD 3	**An Act To Enhance and Increase the Availability of Mental Health Providers in Maine**	**ONTP**
LD 183	**An Act To Increase the Number of Teachers in Maine**	**ONTP**
LD 397	**Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Building Contractors, Insulation Installers and Energy Auditors**	**ONTP**
LD 461	**An Act To Improve the Affordability of Higher Education**	**ONTP**
LD 509	**An Act To Increase the Minimum Grant Amount under the Maine State Grant Program**	**CARRIED OVER**
LD 624	**An Act To Facilitate the Purchase of Textbooks for Low-income College Students**	**ONTP**
LD 799	**An Act To Create the Maine Health Care Provider Loan Repayment Program**	**CARRIED OVER**
LD 872	**An Act To Forgive Education Debt for Certain Health Care Professionals Who Work in the State**	**ONTP**
LD 1368	**An Act To Require Postsecondary Institutions To Meet the Expected Family Contribution without Additional Loan Burdens for Students**	**Majority (ONTP) Report**
LD 1445	**An Act To Provide Debt-free Educational Opportunities for Maine Residents**	**ONTP**

Family Development Accounts

Enacted

LD 1217	**An Act To Clarify the Oversight of the Family Development Account Program**	**PUBLIC 239**

Government Oversight Act

Enacted

LD 1810	**An Act To Amend the Jurisdiction of Certain Reviews Conducted Pursuant to the State Government Evaluation Act**	**PUBLIC 378**

Miscellaneous

Enacted

LD 1056	**An Act To Update and Amend the Finance Authority of Maine Act**	**PUBLIC 160**
LD 1160	**An Act To Transfer the Kim Wallace Adaptive Equipment Loan Program Fund to the Office of the Treasurer of State**	**PUBLIC 166 EMERGENCY**
LD 1685	**An Act To Facilitate Entry of Immigrants into the Workforce**	**PUBLIC 447**
LD 1835	**An Act To Authorize Early Payment of Anticipated Funds to the Loring Job Increment Financing Fund**	**PUBLIC 356 EMERGENCY**

Not Enacted

LD 1821	**Resolve, To Address the Population Shortage in Rural Maine**	**CARRIED OVER**

Occupational and Professional Regulation

Enacted

LD 671	**Resolve, To Require Professional Licensure for Home Inspectors**	**RESOLVE 61**
LD 679	**An Act Regarding the Licensing of Funeral Practitioners**	**PUBLIC 101**
LD 904	**Resolve, Directing the Commissioner of Professional and Financial Regulation to Conduct a Sunrise Review Regarding the Proposal To License Operators of Cranes**	**RESOLVE 75**
LD 1240	**An Act To Provide Career and Technical Training Options for Electricians**	**PUBLIC 261**
LD 1640	**An Act To Exempt Auctioneers from Certain Record-keeping Requirements**	**PUBLIC 279**
LD 1746	**An Act To Amend the Licensing Laws of Certain Professions and Occupations**	**PUBLIC 503**
LD 1751	**An Act To Amend and Clarify the Laws Concerning American Sign Language Interpreters**	**PUBLIC 284**
LD 1754	**An Act To Amend the Geologist and Soil Scientist Licensing Laws**	**PUBLIC 285**

LD 1768	**An Act To Amend the Barbering and Cosmetology Licensing Laws**	**PUBLIC 373**
LD 1791	**An Act To Amend Licensure for Professional Engineers**	**PUBLIC 375**
LD 1841	**Resolve, Directing the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Barriers to Credentialing**	**RESOLVE 79**

Not Enacted

LD 106	**An Act To Amend the Maine Veterinary Practice Act Relating to Alternative Therapy or Collaborative Treatment**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 486	**An Act To Improve Efficiencies in Cosmetology Licensing**	**ONTP**
LD 532	**Resolve, Directing Professional Licensing and Certification Boards To Study the Barriers To Obtaining Professional Licensure and Certification**	**ONTP**
LD 686	**An Act To Ease Record-keeping Requirements for Auctioneers**	**ONTP**
LD 769	**Resolve, To Direct the Commissioner of Professional and Financial Regulation To Create a Working Group to Study Credentialing Skilled Individuals with Foreign Credentials**	**ONTP**
LD 890	**An Act To Expand Workforce Access by Creating Apprenticeship Programs To Increase Access to Licensure in Certain Occupations**	**ONTP**
LD 896	**Resolve, Directing the Department of Professional and Financial Regulation To Study a Voluntary Licensing System for General Contractors for Home Improvement and Construction**	**ONTP**
LD 902	**Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Certain Mechanical Trades**	**ONTP**

Pine Tree Development Zone

Enacted

LD 1629	**An Act Regarding Future Evaluations of the Pine Tree Development Zone Program**	**PUBLIC 305**

Recreation and Tourism

Not Enacted

LD 105	**An Act To Establish the Office of Outdoor Recreation**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 371	**An Act To Create the Small Communities Tourism Fund**	**ONTP**
LD 742	**Resolve, To Examine How To Retain Reservation Booking Commissions in the State**	**ONTP**

Tax Credits

Not Enacted

LD 349	**An Act To Extend the Refundability of the Educational Opportunity Tax Credit to Students in the Behavioral Health Field**	**ONTP**
LD 1530	**An Act To Expand Incentives To Live and Work in Maine through a Tax Credit for Certain Student Loans**	**ONTP**

Tax Increment Financing

Not Enacted

LD 1440	**An Act To Create Transparency in Tax Increment Financing and Credit Enhancement Agreement Proposals**	**ONTP**

Workforce Development

Enacted

LD 138	**An Act Regarding the Maine Coworking Development Fund**	**PUBLIC 507**

Not Enacted

LD 386	**An Act To Establish a Comprehensive Wildlife Biology Internship Program**	**ONTP**
LD 570	**An Act To Create an Airplane Mechanic Education Program**	**ONTP**
LD 647	**An Act To Attract, Educate and Retain New State Residents To Strengthen the Workforce**	**CARRIED OVER**

LD 768	**Resolve, To Establish the Commission To Research the Economic Disparities of Racial and Ethnic Populations**	**ONTP**
LD 772	**An Act To Encourage Continued Learning**	**CARRIED OVER**
LD 813	**Resolve, To Encourage Relocation of Working Professionals**	**ONTP**
LD 1193	**Resolve, Directing the Maine Community College System To Evaluate the Need to Expand Workforce Training Options in Waldo County**	**CARRIED OVER**
LD 1584	**An Act To Attract, Build and Retain an Early Childhood Education Workforce through Increased Training, Education and Career Pathways**	**CARRIED OVER**

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

August 2019

MEMBERS:

SEN. MICHAEL E. CARPENTER, CHAIR
SEN. SHENNA BELLOWS
SEN. LISA M. KEIM

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LD 8 **An Act To Allow and Recognize a Legal Name Change upon Marriage** **PUBLIC 82**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM ONTP	H-97

This bill allows a person who is getting married to change that person's name by indicating the new name on the application for recording notice of intent to marry, which becomes effective upon the completion of the marriage license.

Committee Amendment "A" (H-97)

This amendment adds an appropriations and allocations section to authorize the one-time use of Other Special Revenue Funds to update the marriage license and marriage certificate forms in the online vital records ordering system used by the Department of Health and Human Services, Office of Data, Research and Vital Statistics. This amendment also adds a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 82, allows a person who is getting married to change that person's name by indicating the new name on the application for recording notice of intent to marry, which becomes effective upon the completion of the marriage license.

LD 9 **An Act To Increase Juror Compensation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	ONTP	

This bill increases a juror's daily compensation rate from $15 to $40.

See also LD 279.

LD 60 **An Act To Require the Disclosure of the Names of Members of a Limited Liability Company** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R		

This bill requires the disclosure of the name of each member of a limited liability company formed in Maine to be included in the company's certificate of formation and the name of each member to be included in the company's annual report to the Secretary of State. The bill also requires the disclosure of the name of each member of a foreign limited liability company in the company's statement of foreign qualifications to conduct activities. The bill also requires that if any member of a limited liability company or foreign limited liability company is an organization, the names of each person who forms that organization's governing body be listed.

LD 82 **An Act To Determine the Necessity for a Public Guardian or Conservator Bond** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D CARPENTER M		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to implement recommendations relating to the bond requirements for public guardians and conservators under the Maine Revised Statutes, Title 18-C, section 5-710. The recommendations must be based on a review of the bond requirements to determine whether the requirements should be changed.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 89 **An Act To Impose Requirements on the Rental of Residential Property That Has Been Used in the Manufacture of Methamphetamine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A WOODSOME D		

This bill requires that landlords and other persons entering into a lease or tenancy at will agreement for residential property ensure that property used in the manufacture of methamphetamine be decontaminated and tested in accordance with the standards established by the United States Environmental Protection Agency's March 2013 revised edition of the Voluntary Guidelines for Methamphetamine Laboratory Cleanup or other standards established in rule by the Department of Economic and Community Development. The bill also requires that landlords and other persons entering into a lease or tenancy at will agreement disclose to the potential tenant or lessee that a property has been used in the manufacture of methamphetamine. The bill makes violation of these provisions a civil violation, punishable by a fine of up to $500, and also states that failure to decontaminate or disclose constitutes a breach of the implied warranty of fitness for human habitation. The bill gives the Department of Economic and Community Development authority to adopt rules to implement these provisions.

This bill was carried over to any special or regular session, or both, of the 129th Legislature pursuant to joint order, H.P. 1322.

LD 96 **An Act To Require Disclosure at the Sale or Transfer whether Methamphetamine Is Present or Has Been Removed from Real Estate** **PUBLIC 234**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A WOODSOME D	OTP-AM	H-386

This bill amends the law requiring disclosures by the seller of residential real property to require the seller to disclose whether the property has been used for the manufacture of methamphetamine.

Committee Amendment "A" (H-386)

The bill requires a seller of residential real property to disclose that the property has been used in the manufacture

of methamphetamine. Current law requires the disclosure of the presence or prior removal of any hazardous materials. This amendment strikes and replaces the text of the bill to include methamphetamine as a specific hazardous material, the presence or prior removal of which must be disclosed by the seller of the residential real property.

Enacted Law Summary

Public Law 2019, chapter 234, includes methamphetamine as a specific hazardous material, the presence or prior removal of which must be disclosed by the seller of the residential real property. Current law requires the disclosure of the presence or prior removal of any hazardous materials.

LD 187 **An Act To Restore the Laws Governing the Reunification of Parents and Children** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
GRAMLICH L	ONTP	
GRATWICK G	OTP	

Recently enacted law eliminated language that established family rehabilitation and reunification as a priority under the Child and Family Services and Child Protection Act. This bill restores family rehabilitation and reunification as a priority under the laws governing child protective services.

LD 194 **An Act To Allow the Reduction of a MaineCare Lien** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B		

Under current law, when MaineCare benefits are provided to an individual for the costs of injury, disability or other occurrence for which a third party is held liable, the Commissioner of Health and Human Services is entitled to recover the costs of MaineCare benefits, and the statutory lien may not be reduced to reflect an assessment of a pro rata share of the recipient's attorney's fees or litigation costs. This bill amends that provision of law to allow the statutory lien to be reduced.

This bill was carried over to any special or regular session, or both, of the 129th Legislature pursuant to joint order, H.P. 1322.

LD 208 **An Act Regarding Small Claims Court Jurisdiction** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BRADSTREET D	ONTP	
GUERIN S		

This bill increases the jurisdictional limits for small claims from $6,000 to $15,000.

LD 214 **An Act To Increase Funding for Civil Legal Services** **PUBLIC 509**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B CARPENTER M	OTP-AM ONTP	H-316 S-370 BREEN C

This bill is a concept draft pursuant to Joint Rule 208. It proposes to increase funding for civil legal services.

Committee Amendment "A" (H-316)

This amendment, the majority report, replaces the bill. The amendment improves funding for civil legal services by providing an appropriation from the General Fund to be distributed through the existing procedures of the Civil Legal Services Fund Commission. The amendment clarifies the qualifications for providers to be eligible for funding.

Senate Amendment "A" To Committee Amendment "A" (S-370)

This amendment amends Committee Amendment "A" by replacing the $5,000,000 General Fund appropriation in the committee amendment with Other Special Revenue Funds allocations of $715,010 in fiscal year 2019-20 and $953,346 in fiscal year 2020-21 as a result of increasing the percentage of judicial fees allocated to the Maine Civil Legal Services Fund and from revenues collected from a filing fee surcharge to be deposited in the Maine Civil Legal Services Fund.

Enacted Law Summary

Public Law 2019, chapter 509, provides Other Special Revenue Funds allocations of $715,010 in fiscal year 2019-20 and $953,346 in fiscal year 2020-21 as a result of increasing the percentage of judicial fees allocated to the Maine Civil Legal Services Fund and from revenues collected from a filing fee surcharge to be deposited in the Maine Civil Legal Services Fund.

LD 229 **An Act To Increase the Safety of Home Buyers Concerning Chimney Inspections** **PUBLIC 37**

Sponsor(s)	Committee Report	Amendments Adopted
STEARNS P	OTP-AM	H-44

This bill requires that, in conveyances of residential real property, if the chimneys and vents of the property have not been inspected, the seller's disclosure to the buyer must state that the seller is making no representation as to the inspection or safety of the chimneys or vents and any inspector commissioned by the buyer must provide the buyer with a report stating that the inspection does not include the condition or safety of chimneys or vents on the property.

Committee Amendment "A" (H-44)

This amendment replaces the bill to require that the residential real property disclosure include the date of the most recent inspection of the chimneys and vents for the system or source that is used to supply heat to the property. The amendment does not impose any inspection requirements.

Enacted Law Summary

Public Law 2019, chapter 37, requires that the residential real property disclosure include the date of the most recent inspection of the chimneys and vents for the system or source that is used to supply heat to the property.

Chapter 37 does not impose any inspection requirements.

LD 250 **An Act To Establish the Statute of Limitations in Product Liability Cases** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P	ONTP	

This bill extends the statute of limitations for product liability actions from six to 15 years.

LD 251 **An Act To Amend the Maine Condominium Act by Extending the Lien Period for Nonpayment of Assessments** **PUBLIC 3**

Sponsor(s)	Committee Report	Amendments Adopted
FOLEY R	OTP	

This bill extends the lien period for nonpayment of assessments under the Maine Condominium Act from five years to six years.

Enacted Law Summary

Public Law 2019, chapter 3, extends the lien period for nonpayment of assessments under the Maine Condominium Act from five years to six years.

LD 279 **An Act To Raise Juror Pay to $50 per Day** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P	OTP-AM	S-24
PERRY A	OTP-AM	

This bill increases a juror's daily compensation rate from $15 to $50.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

Committee Amendment "A" (S-24)

This amendment, which is the majority report, adds an appropriation and allocations section and incorporates a fiscal note.

This amendment was adopted by the House and Senate before the bill was carried over on the Special Appropriations Table.

Committee Amendment "B" (S-25)

This amendment, which is the minority report, changes the increased juror compensation amount in the bill to $25 per day. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 287 **An Act To Impose on Mental Health Professionals a Duty To Warn and Protect** **PUBLIC 317**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D GRATWICK G	OTP-AM ONTP	H-450

This bill imposes on certain mental health professionals a duty to warn and protect if a patient or client is likely to engage in physical violence that poses a serious risk of harm to self or others or that constitutes a serious threat of substantial damage to real property. The duty to warn and protect applies to osteopathic physicians, physicians, psychologists, alcohol and drug counselors, social workers and counseling professionals.

Committee Amendment "A" (H-450)

This amendment, which is the majority report, clarifies the duty that the bill imposes on certain professionals to warn and protect if a patient or client is likely to engage in physical violence by limiting the duty to cases in which there is a belief that the patient is likely to pose a serious risk of harm to self or others. The bill includes a duty with regard to a serious threat of substantial damage to real property, which this amendment deletes.

This amendment also replaces the immunity language provided in the bill to make clear that there is no monetary liability and that the specific mental health professionals are not subject to a cause of action based on the disclosure of information to a third party in an effort to discharge the duty to warn or protect.

Enacted Law Summary

Public Law 2019, chapter 317, statutorily imposes a duty on certain professionals to warn and protect if a patient or client is likely to engage in physical violence that poses a serious risk of harm to self or others. Chapter 317 provides that there is no monetary liability and that the specific mental health professionals are not subject to a cause of action based on the disclosure of information to a third party in an effort to discharge the duty to warn or protect. The duty to warn and protect applies to osteopathic physicians, physicians, psychologists, alcohol and drug counselors, social workers and counseling professionals.

LD 302 **An Act To Amend the Laws Governing Post-conviction Review in Order To Facilitate the Fair Hearing of All Evidence in Each Case Involving a Claim of Innocence** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J MIRAMANT D		

This bill amends the statutory provisions regarding criminal post-conviction review to allow the filing of a petition for post-conviction review claiming actual innocence at any time during the period of direct impediment, except that it may not be filed within one year of a judgment on a prior petition for post-conviction review on the same conviction. This bill requires that a petition for post-conviction review claiming actual innocence receive at least one evidentiary hearing in which the petitioner may submit new evidence and evidence submitted in prior proceedings on the same matter.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 328 **An Act To Institute Safe Children Court Team Programs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MADIGAN C BELLOWS S	ONTP	

This bill authorizes the Judicial Department to establish safe children court team programs, modeled on the "Safe Babies Court Team" approach supported by the Quality Improvement Center for Research-based Infant-Toddler Court Teams funded by the United States Department of Health and Human Services, Administration for Children and Families, Children's Bureau. The purpose is to develop a community-based system to provide local systems and services for children and families that interact with the State's child protection system.

LD 357 **An Act Regarding Court Facilities in York County** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
WOODSOME D MASTRACCIO A	ONTP OTP-AM	

This bill resolves logistical issues created by the construction of a consolidated courthouse for York County in Biddeford. Earlier legislation that authorized construction of the courthouse did not factor in adequate space for the office of the district attorney, a required component of the judicial process. This bill provides for the construction of a building of sufficient size to accommodate the office of the district attorney to be connected to the new courthouse. This bill authorizes the issuance of up to $6,000,000 in Maine Government Facilities Authority securities to construct the building, but the planning and design, a joint project by the judicial branch and York County, will be covered by the existing funding of the courthouse.

The goal of this bill is to make the new building as cost-neutral to the parties as possible. York County will pay the debt service on the bonds and pay annual rent for the land of $1 until the debt service is fully paid, at which time the State will transfer the land and building to York County for $1. In addition, the three district court buildings vacated when the new consolidated courthouse opens must be transferred at no cost to York County for its exclusive use.

Committee Amendment "A" (S-273)

This amendment is the minority report of the committee. It amends the bill to:

1. Require the architect and construction manager costs to be included as part of the cost of the design and construction of the new building to accommodate the office of the York County district attorney. The bill includes those costs as part of the new Biddeford courthouse construction costs; and

2. Remove the portion of the bill that transfers the three district courthouses to York County when they are vacated.

This amendment was not adopted.

LD 384 **Resolve, Directing the Secretary of State To Review the Revised Uniform Law on Notarial Acts** **RESOLVE 11**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M	OTP ONTP	

This resolve directs the Secretary of State to review uniform legislation governing notarial practice and to submit a report including a recommendation regarding adoption of the uniform law, along with any proposed implementing legislation, to the joint standing committee of the Legislature having jurisdiction over judiciary matters, which is authorized to report out a bill to the 130th Legislature.

Enacted Law Summary

Resolve 2019, chapter 11, directs the Secretary of State to review uniform legislation governing notarial practice and to submit a report including a recommendation regarding adoption of the uniform law, along with any proposed implementing legislation, to the joint standing committee of the Legislature having jurisdiction over judiciary matters, which is authorized to report out a bill to the 130th Legislature.

LD 409 **An Act To Allow Fair Access to Child Advocacy Center Records** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C BELLOWS S	ONTP	

This bill allows confidential information related to services provided by a child advocacy center established pursuant to the Maine Revised Statutes, Title 22, section 4019 to be disclosed to an attorney representing a person charged with committing a crime related to an allegation of child sexual abuse or other child abuse and neglect against a child who is the subject of confidential records and an attorney in a child protection proceeding representing a parent of a child who is the subject of confidential records.

LD 417 **An Act To Allow an Attorney To Use a Photocopied Driver's License To Consummate a Financial Transaction** **PUBLIC 183**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J CARPENTER M	OTP-AM	H-231

This bill allows an attorney to photocopy a driver's license for legal purposes without the permission of the Secretary of State.

Committee Amendment "A" (H-231)

This amendment is the majority report of the committee. This amendment replaces the bill and changes the title. Current law authorizes the photocopying of a driver's license solely for proof of identification for the consummation of a financial transaction. The amendment revises current law to provide that either the driver or the driver's attorney can consummate a financial transaction using the photocopied driver's license for identification.

Enacted Law Summary

Public Law 2019, chapter 183, provides that either the driver or the driver's attorney can consummate a financial

transaction using the photocopied driver's license for identification.

LD 433 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Prohibit Discrimination Based on the Sex of an Individual** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
RECKITT L	OTP-AM	H-230
MILLETT R	ONTP	

This resolution proposes to amend the Constitution of Maine to prohibit the denial or abridgment by the State or any political subdivision of the State of equal rights based on the sex of an individual.

This resolution was reported out of committee and then carried over in the House to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

Committee Amendment "A" (H-230)

This amendment is the majority report of the committee. This amendment incorporates a fiscal note.

LD 471 **An Act To Amend the Child and Family Services and Child Protection Act To Require the Department of Health and Human Services To Make Best Efforts To Prevent Removal of a Child from a Home** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HYMANSON P	ONTP	

This bill amends the Child and Family Services and Child Protection Act to require that best efforts, rather than reasonable efforts, be made by the Department of Health and Human Services to rehabilitate and reunify families as a means of protecting the welfare of children.

LD 475 **An Act Concerning Caller Access to E-9-1-1 Call Recordings** **PUBLIC 84**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N	OTP-AM	S-45

This bill allows disclosure of an audio recording of an E-9-1-1 call to the person who made the call or the person's attorney.

Committee Amendment "A" (S-45)

This amendment replaces the bill. It provides that, instead of requiring that the custodian of the recording of an E-9-1-1 call give a copy of the recording to the person who made the call as provided in the bill, a party to a protection from harassment or protection from abuse action to which the E-9-1-1 call is relevant may request that the recording be sent to the clerk's office of the court in which the action is pending. The court may then review the recording and determine whether the parties or their attorneys, if the parties are represented, should have access to or, for good cause shown, a copy of the recording.

When requesting a recording be sent to the clerk, the party making the request to the custodian is required to provide the names of the parties, the court that is presiding over the action and the docket number. The request

must be made in writing, which may include e-mail. The request must be made so as to allow the custodian a reasonable amount of time to search for, retrieve and send the recording. The custodian must send the recording in the format that both the custodian and the courts use.

Enacted Law Summary

Public Law 2019, chapter 84 provides that a party to a protection from harassment or protection from abuse action to which the E-9-1-1 call is relevant may request that the recording be sent to the clerk's office of the court in which the action is pending. The court may then review the recording and determine whether the parties or their attorneys, if the parties are represented, should have access to or, for good cause shown, a copy of the recording.

When requesting a recording be sent to the clerk, the party making the request to the custodian is required to provide the names of the parties, the court that is presiding over the action and the docket number. The request must be made in writing, which may include e-mail. The request must be made so as to allow the custodian a reasonable amount of time to search for, retrieve and send the recording. The custodian must send the recording in the format that both the custodian and the courts use.

LD 479 **An Act Concerning Spousal Support** **PUBLIC 272**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T BAILEY D	OTP-AM	S-166

Under current law, the court may terminate spousal support when the payee and another person have entered into a relationship that is the functional equivalent of marriage for at least 12 months of a period of 18 consecutive months. This bill changes the time frame of cohabitation necessary for cessation of spousal support to five years over a period of seven consecutive years.

Committee Amendment "A" (S-166)

This amendment strikes the bill and amends the provision regarding modification of an order of spousal support by specifying that an award of spousal support issued on or after October 1, 2013, is subject to modification when there is a substantial change in financial circumstances and additionally, as required in current law, it appears that justice requires the modification. The amendment also repeals the Maine Revised Statutes, Title 19-A, section 951-A, subsection 12, because this amendment addresses the modification of spousal support including in cases of cohabitation.

Enacted Law Summary

Public Law 2019, chapter 272 repeals the specific provision in current law addressing termination of spousal support based on cohabitation and instead amends the provision regarding modification of an order of spousal support by specifying that an award of spousal support issued on or after October 1, 2013, is subject to modification when there is a substantial change in financial circumstances and additionally, as required in current law, it appears that justice requires the modification.

LD 488 **An Act To Provide Campground Owners Immunity from Liability for the Inherent Risks of Camping** **Accepted Report A (ONTP)**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE J O'CONNOR B	ONTP OTP-AM OTP	

This bill provides private campground owners immunity if camping participants or their guests are injured, killed or sustain property damage from the inherent risks of camping. The campground owner or operator is required to post a warning sign explaining that the camping participant assumes the inherent risks of camping.

Committee Amendment "A" (S-18)

This amendment, one of two minority reports, replaces "immunity" with "limited liability" to provide a clearer description of the law. It also provides that the limitation on a campground owner's or operator's liability does not apply unless notice of the assumption of risk of the inherent risks of camping is given. It changes the title of the bill to be consistent with these changes.

This amendment was not adopted.

LD 492 **An Act To Extend from 6 Months to One Year the Notice Period Required under the Maine Tort Claims Act** **PUBLIC 214**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N	OTP-AM ONTP	S-135

This bill extends from 180 days to one year the notice period required under the Maine Tort Claims Act.

Committee Amendment "A" (S-135)

This amendment, which is the majority report, adds an application section to provide that the longer notice period applies prospectively and only to causes of action that accrue on or after January 1, 2020.

Enacted Law Summary

Public Law 2019, chapter 214, extends from 180 days to one year the notice period required under the Maine Tort Claims Act. This change applies prospectively and only to causes of action that accrue on or after January 1, 2020.

LD 496 **An Act To Extend the Availability of Protection from Abuse and Protection from Harassment Orders** **PUBLIC 359**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN S	OTP-AM	S-282

This bill expands the definition of "family or household member" in the laws governing protection from abuse in order to include, for purposes of a protection from abuse order, all related individuals regardless of whether the individuals are adult household members.

This bill also directs a court in which a protection from harassment or a protection from abuse complaint is filed to notify the plaintiff if appropriate or greater relief is available.

Committee Amendment "A" (S-282)

This amendment replaces the bill.

The amendment clarifies the bill's language regarding the court's discretion in a protection from harassment action to issue a protection from harassment order even if the notice to stop harassing the plaintiff was not issued to the defendant.

The amendment clarifies that an adult who has been abused, as defined in the Maine Revised Statutes, Title 19-A, section 4002, subsection 1, can seek a protection from abuse order if the adult has been abused by, in addition to a family or household member or a dating partner as provided in current law, an individual related to the adult by consanguinity or affinity. The amendment provides the same protection for a minor child.

The amendment directs the offices of the court clerks to provide plaintiffs with written contact information for resources from which the plaintiff may receive legal or social service assistance when the contact information for those services has been provided to the Administrative Office of the Courts by the various providers, including the Maine State Bar Association or successor organization, any local or statewide organizations providing domestic violence services and sexual assault services and any other agency providing reliable and relevant resource contact information.

Enacted Law Summary

Public 2019, chapter 359, clarifies the court's discretion in a protection from harassment action to issue a protection from harassment order even if the notice to stop harassing the plaintiff was not issued to the defendant. Chapter 359 clarifies that an adult who has been abused, can seek a protection from abuse order if the adult has been abused by, in addition to a family or household member or a dating partner as provided in current law, an individual related to the adult by consanguinity or affinity; the same protection applies for a minor child.

Public Law 2019, chapter 359 directs the offices of the court clerks to provide plaintiffs with written contact information for resources from which the plaintiff may receive legal or social service assistance when the contact information for those services has been provided to the Administrative Office of the Courts by the various providers, including the Maine State Bar Association or successor organization, any local or statewide organizations providing domestic violence services and sexual assault services and any other agency providing reliable and relevant resource contact information.

LD 506 **An Act To Provide Architects, Engineers and Certain Other Professionals Immunity from Civil Liability When Volunteering for Evaluating Damage from Disasters** **PUBLIC 49**

Sponsor(s)	Committee Report	Amendments Adopted
RYKERSON D	OTP-AM ONTP	H-34

This bill provides civil immunity for architects, contractors, environmental professionals, land surveyors, landscape architects, planners and professional engineers who provide voluntary professional services during or within 90 days of a natural disaster or catastrophe when the services are provided under the applicable license or certification, are related to the natural disaster or catastrophe and are provided at the request of a federal, state or local public official, law enforcement official, public safety official or building inspection official. No immunity is provided for reckless or intentional misconduct.

The bill is based on a similar Massachusetts law.

Committee Amendment "A" (H-34)

This amendment is the majority report of the committee. This amendment clarifies that the immunity applies only when an emergency is declared by the President or the Governor. It also removes from the bill the provision of immunity for the 90 days after the emergency and it makes the language consistent with the Maine Tort Claims Act.

Enacted Law Summary

Public Law 2019, chapter 49, provides civil immunity for architects, contractors, environmental professionals, land

surveyors, landscape architects, planners and professional engineers who provide voluntary professional services during a natural disaster or catastrophe, when an emergency is declared by the President or the Governor, when the services are provided under the applicable license or certification, are related to the natural disaster or catastrophe and are provided at the request of a federal, state or local public official, law enforcement official, public safety official or building inspection official. No immunity is provided for reckless or intentional misconduct.

LD 531 **An Act To Provide Counsel for a Person Who Is the Subject of an Adult Guardianship, Conservatorship or Other Protective Arrangement Proceeding** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B CARPENTER M		

This bill requires a probate court to appoint an attorney for a person who is not already represented by an attorney when the person is the subject of a petition for adult guardianship, conservatorship or other protective arrangement.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 536 **An Act To Direct the Judicial Branch To Establish a Veterans Treatment Court** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B CARSON B	ONTP	

Current law allows the Chief Justice of the Supreme Judicial Court to establish veterans treatment courts. This bill instead requires the Chief Justice to establish a veterans treatment court and allows the Chief Justice to establish additional such courts.

LD 540 **An Act Regarding Qualifications for District Attorneys** **PUBLIC 85**

Sponsor(s)	Committee Report	Amendments Adopted
MORRIS J	OTP-AM OTP-AM	H-98

Current law requires that only attorneys who are admitted to the practice of law in the State may be elected or appointed district attorney. This bill adds the requirement that an attorney may not have been suspended from the practice of law in the State or any other jurisdiction during the previous 10 years in order to be elected or appointed district attorney and specifies that disbarment or suspension from the practice of law vacates the office.

Committee Amendment "A" (H-98)

This amendment, which is the majority report, requires a district attorney to be a "member in good standing of the bar of the State," which is consistent with the generally accepted standard of qualification of attorneys for positions. Language from the law governing qualifications for the Attorney General is added to the law governing qualifications for a district attorney to make these provisions consistent. The amendment does not require a waiting period after a suspension.

Committee Amendment "B" (H-99)

This amendment, which is the minority report, requires a district attorney to be a "member in good standing of the bar of the State," which is consistent with the generally accepted standard of qualification of attorneys for positions. Language from the law governing qualifications for the Attorney General is added to the law governing qualifications for a district attorney to make these provisions consistent. Any suspension must have ended at least 10 years prior to the attorney's election or appointment as district attorney.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 85, requires a district attorney to be a "member in good standing of the bar of the State," which is consistent with the generally accepted standard of qualification of attorneys for positions. The new qualifications for a district attorney are consistent within those for the Attorney General. No waiting period is required after a suspension.

LD 542 **An Act To Allow a Person To Enter a Place of Public Accommodation Accompanied by a Medically Necessary Assistance Animal That Is a Dog** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S DILL J	ONTP	

This bill requires a place of public accommodation to allow the use of a dog that is an assistance animal by an individual with a physical or mental disability.

LD 545 **An Act To Ban Child Marriage** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	OTP ONTP	

Under current law, a marriage license may be issued to parties who are under 16 years of age with the written consent of their parents, guardians or legal custodians and the consent of the probate judge in the county where each minor resides. This bill amends the law to prohibit the issuance of a marriage license to a person under 16 years of age.

LD 573 **An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M		

This bill extends all time limits for both the Passamaquoddy Tribe and the Penobscot Nation to add to their respective trust lands under the Act to Implement the Maine Indian Claims Settlement to January 31, 2030.

Because this bill amends the Act to Implement the Maine Indian Claims Settlement, this bill does not take effect unless the Joint Tribal Council of the Passamaquoddy Tribe and the Tribal Chief and Council of the Penobscot Nation agree to these changes and certify their agreement to the Secretary of State within 60 days of the adjournment of the First Regular Session of the 129th Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 574 **An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services** **PUBLIC 427**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M	OTP-AM ONTP	H-155

This bill includes in the definition of "indigent legal services" the filing, on behalf of an indigent party or defendant or a juvenile, of a petition for certiorari to the Supreme Court of the United States from an adverse decision of the Law Court on a case for which indigent legal services were provided. This bill also requires the Maine Commission on Indigent Legal Services to develop a procedure for approving requests by counsel for authorization to file a petition for certiorari. Compensation for the preparation and filing of the petition may not exceed $1,500.

Committee Amendment "A" (H-155)

This amendment, which is the majority report, deletes the cap on compensation for a court-appointed attorney's work on filing a petition for certiorari to the Supreme Court of the United States. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 427, includes in the definition of "indigent legal services" the filing, on behalf of an indigent party or defendant or a juvenile, of a petition for certiorari to the Supreme Court of the United States from an adverse decision of the Law Court on a case for which indigent legal services were provided. Chapter 427 also requires the Maine Commission on Indigent Legal Services to develop a procedure for approving requests by counsel for authorization to file a petition for certiorari.

LD 588 **An Act To Confer Maine Jurisdiction in Civil Suits Involving Certain Contracts** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH D		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to allow a resident of this State or a corporation incorporated in this State that enters into a contract in this State for services or products to be provided exclusively in this State to bring suit or defend against suit in this State. It proposes to provide that contractual language that requires a resident of this State or a corporation incorporated in this State that has entered into a contract in this State for services or products to be provided exclusively in this State to submit to the jurisdiction of a court outside this State is void.

LD 595 **An Act To Amend the Laws Governing the Unlawful Cutting of Trees** **PUBLIC 195**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE J MORRIS J	OTP-AM	S-126

Current law governing the measurement of damages for trees that are unlawfully cut, damaged or destroyed allows an owner of property zoned for residential use to recover the costs of replacing, replanting or restoring any tree. This bill limits recovery of the costs of replacement to trees that are ornamental or fruit trees.

Committee Amendment "A" (S-126)

This amendment provides the option of increased damages equal to the damages available under current law in a residential zone when the trees are ornamental or fruit trees or when the trees are located within 400 feet of a dwelling. The court has discretion to reduce the damages awarded for good cause shown when the cutting of the trees was done negligently or without fault, which under current law is not applicable in residential zones.

Enacted Law Summary

Public Law 2019, chapter 195 provides the option of increased damages equal to the damages available under current law in a residential zone when the trees are ornamental or fruit trees or when the trees are located within 400 feet of a dwelling. Current law governing the measurement of damages for trees that are unlawfully cut, damaged or destroyed allows an owner of property zoned for residential use to recover the costs of replacing, replanting or restoring any tree The court has discretion to reduce the damages awarded for good cause shown when the cutting of the trees was done negligently or without fault, which under current law is not applicable in residential zones.

LD 627 **An Act Regarding Portable Electronic Device Content, Location Information and Tracking Devices** **PUBLIC 489**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-634

This bill sets forth procedures to govern the installation and monitoring of tracking devices by law enforcement officers. It amends the definition of "portable electronic device" to clarify that the device is electric and defines "tracking device." The bill also establishes parallel terms and procedures in the laws governing portable electronic device content information, electronic device location information and tracking information, including parallel definitions of "adverse result" and "serious physical injury." It provides an exception to the requirement that notice be given to the owner or user if the government entity is unable to identify the owner or user.

Committee Amendment "A" (H-634)

This amendment clarifies the definition of "tracking device" to limit the definition to those devices the primary purpose of which is to track a person or object and to provide that the definition does not include the electronic devices covered by Title 16, chapter 3, subchapters 10 (content information) and 11 (location information).

This amendment makes consistent the definition of "adverse result," used when requesting that notice not be provided when a warrant is issued, to include "immediate danger of death or serious physical injury to any person" and "seriously jeopardizing an investigation" but not including "other significantly detrimental consequence." The definition is used in the new subchapter on tracking devices as well as the existing subchapters on access to content and location information of electronic devices and the warrant procedure requirements for content and location information.

The bill authorizes the court to issue a search warrant for the installation and monitoring of a tracking device and waive notice of the issuance of the warrant. This amendment directs the Right To Know Advisory Committee to review the law concerning the application for and issuance of search warrants authorizing the installation and monitoring of tracking devices, as well as obtaining content information and location information, and make recommendations concerning the public's right to know aggregate information about the warrants, including warrants in which the application for the warrant included a request for an order to waive notice of the issuance of the warrant. The Right To Know Advisory Committee is required to include in its report submitted by January 15, 2020, pursuant to Title 1, section 411, subsection 10, a summary of its review and any recommendations.

Enacted Law Summary

Public Law 2019, chapter 489, adds a new subchapter on obtaining search warrants for tracking devices and makes changes to the laws governing access to content of and location information pertaining to portable electronic devices, including cellular telephones.

Public Law 2019, chapter 489, clarifies the definition of "tracking device" to limit the definition to those devices the primary purpose of which is to track a person or object and to provide that the definition does not include the electronic devices covered by the Maine Revised Statutes, Title 16, chapter 3, subchapters 10 (content information) and 11 (location information).

Public Law 2019, chapter 489, makes consistent the definition of "adverse result," used when requesting that notice not be provided when a warrant is issued, to include "immediate danger of death or serious physical injury to any person" and "seriously jeopardizing an investigation" but not including "other significantly detrimental consequence." The definition is used in the new subchapter on tracking devices as well as the existing subchapters on access to content and location information of electronic devices and the warrant procedure requirements for content and location information.

Public Law 2019, chapter 489, authorizes the court to issue a search warrant for the installation and monitoring of a tracking device and waive notice of the issuance of the warrant. Chapter 489 directs the Right To Know Advisory Committee to review the law concerning the application for and issuance of search warrants authorizing the installation and monitoring of tracking devices, as well as obtaining content information and location information, and make recommendations concerning the public's right to know aggregate information about the warrants, including warrants in which the application for the warrant included a request for an order to waive notice of the issuance of the warrant. The Right To Know Advisory Committee is required to include in its report submitted by January 15, 2020, pursuant to Title 1, section 411, subsection 10, a summary of its review and any recommendations.

LD 634 **An Act Regarding Implementation of Differentiated Case Management in the Judicial Branch** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish guidelines for implementation of a differentiated case management system in the Judicial Department.

LD 639 **An Act To Protect Student Privacy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M MCCREA D		

This bill provides that video and audio recordings made by security or surveillance cameras on school grounds or in school vehicles are not public records for purposes of the Freedom of Access Act.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 644 **An Act To Improve Safety at State Courthouses** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DOORE D DESCHAMBAULT S	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide funding to update screening equipment at courthouses located throughout the State and to replace outdated screening equipment that may be causing exposure to radiation. It proposes to establish a protocol for testing and repairing existing screening equipment. It also proposes to develop a long-range plan for testing and replacing screening equipment in a timely manner.

LD 657 **An Act To Reorganize the Probate Courts** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B CARPENTER M		

This bill is a concept draft pursuant to Joint Rule 208. Maine voters amended the Constitution of Maine in 1967 and conditionally repealed the offices of Probate Judge and Register. The repeal is to become effective when the Legislature reforms the probate court system and provides it with full-time judges. While changes to the Probate Code since 1967 have made the system different, there have been a number of unsuccessful legislative efforts to address the need for full-time judges as envisioned by the constitutional amendment.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order H.P. 1322.

LD 666 **An Act To Protect Pregnant Workers** **PUBLIC 490**

Sponsor(s)	Committee Report	Amendments Adopted
CARNEY A SANBORN H	OTP-AM ONTP	H-639

This bill provides that it is unlawful employment discrimination for an employer to fail to provide a reasonable accommodation for an employee's pregnancy-related condition, unless provision of an accommodation would impose an undue hardship on the employer.

Committee Amendment "A" (H-639)

This amendment, which is the majority report, clarifies the definition of "pregnancy-related condition" to provide that the limitation on the pregnant employee's ability to perform the functions of a job due to pregnancy, childbirth or related medical conditions, including lactation, must be known.

The amendment revises the description of unlawful employment discrimination to apply to an employer's failure to provide a reasonable accommodation after it has been requested. An exception to the reasonable accommodation requirement is based on the employer's demonstration that the accommodation would impose an undue hardship on the operation of the business of the employer.

The amendment provides examples of reasonable accommodations.

Enacted Law Summary

Public Law 2019, chapter 490, provides that it is unlawful employment discrimination for an employer to fail to provide a reasonable accommodation for an employee's pregnancy-related condition, unless provision of an accommodation would impose an undue hardship on the operation of the business of the employer. The definition of "pregnancy-related condition" provides that the limitation on the pregnant employee's ability to perform the functions of a job due to pregnancy, childbirth or related medical conditions, including lactation, must be known.

Public Law 2019, chapter 490 provides that unlawful employment discrimination applies when an employer fails to provide a reasonable accommodation after it has been requested. Examples of reasonable accommodations are included.

LD 673 **An Act To Amend the Laws Governing the Circumstances of Death That Must Be Reported to the Office of Chief Medical Examiner** **PUBLIC 87**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M	OTP ONTP	

This bill amends the law governing the Department of the Attorney General, Office of Chief Medical Examiner as follows.

1. It clarifies that, absent certain other circumstances, the fact that a patient dies within 24 hours of admission to a hospital or other health care facility need not be reported to the Office of Chief Medical Examiner.

2. It removes the requirement that deaths due to the consequences of long-term alcohol use be reported to the Office of Chief Medical Examiner.

3. It allows a duly appointed medicolegal death investigator, in addition to a medical examiner, to certify that further examination or judicial inquiry concerning the cause and manner of death of a person is not necessary.

Enacted Law Summary

Public Law 2019, chapter 87, amends the law governing the Department of the Attorney General, Office of Chief Medical Examiner as follows.

1. It clarifies that, absent certain other circumstances, the fact that a patient dies within 24 hours of admission to a

hospital or other health care facility need not be reported to the Office of Chief Medical Examiner.

2. It removes the requirement that deaths due to the consequences of long-term alcohol use be reported to the Office of Chief Medical Examiner.

3. It allows a duly appointed medicolegal death investigator, in addition to a medical examiner, to certify that further examination or judicial inquiry concerning the cause and manner of death of a person is not necessary.

LD 680 **An Act To Clarify the Intent of the Federal Maine Indian Claims Settlement Act of 1980 To Ensure the Federal Principle of Inherent Tribal Sovereignty** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J CHIPMAN B		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to clarify the intent of the federal Maine Indian Claims Settlement Act of 1980 to ensure the federal principle of inherent tribal sovereignty.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 690 **An Act To Amend the Maine Uniform Probate Code Regarding Claims for Personal Injury** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	ONTP	

This bill amends the Maine Uniform Probate Code to provide that appropriate probate, appointment or testacy proceedings may be commenced in relation to a claim for personal injury made against a decedent by a person without actual notice of the death within 6 years after the cause of action accrues.

This correction is contained in LD 1535, Public Law 2019, chapter 417.

LD 698 **An Act To Authorize Maine Courts To Award Attorney's Fees and Costs to Citizens Who Prevail in Civil Litigation against the Executive Branch** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARSON B	OTP-AM ONTP	S-312

This bill clarifies that when one or more citizens sue the Governor or any executive branch agency to enforce federal or state law and the citizen or citizens prevail or substantially prevail, the citizen or citizens may petition the court for the State to pay all costs. If the citizen or citizens demonstrate that the agency or Governor knowingly violated the law, the court is required to also award reasonable attorney's fees.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

Committee Amendment "A" (S-312)

This amendment is the majority report. It gives the court the discretion to award reasonable attorney's fees to be paid to the prevailing citizen or citizens if the citizen or citizens demonstrate that the violation was committed knowingly. The amendment also adds an appropriations and allocations section.

This amendment was adopted in the House and the Senate before the bill was carried over on the Special Appropriations Table.

LD 748 **An Act To Provide Relief to Survivors of Economic Abuse** **PUBLIC 407**

Sponsor(s)	Committee Report	Amendments Adopted
FAY J CARPENTER M	OTP-AM	H-585

This bill defines economic abuse in the context of protection from abuse and provides for the court to order compensation for losses resulting from the economic abuse. The bill also provides for an economic abuse survivor to be protected from debt collection and for the economic abuse survivor's credit to be repaired.

Committee Amendment "A" (H-585)

The bill adds remedies for economic abuse to the relief a court may include in a protection from abuse order. This amendment makes revisions to the bill ensuring that it does not conflict with the federal Fair Credit Reporting Act, including provisions concerning identity theft, as well as modifying the monetary relief generally available to the court to allow the court broader discretion in addressing economic abuse issues.

This amendment addresses concerns about preemption of state law by the federal Fair Credit Reporting Act and makes clear that a credit reporting agency's removal from a consumer's credit report of references to debt or any portion of a debt determined to be the result of economic abuse is not intended to conflict with federal law but complement the federal law and protect survivors of economic abuse when possible. The amendment requires the credit reporting agency to reinvestigate the debt, and if it is determined that the debt is the result of economic abuse, the credit reporting agency must remove reference to the debt, or any part determined to be the result of economic abuse, from the consumer's credit report.

The amendment clarifies the definition of "economic abuse" to include both unauthorized and coerced use of credit, recognizing that there are already remedies for the crime of identity theft. This amendment is not intended to address identity theft, which is covered by the federal Fair Credit Reporting Act in 15 United States Code, Section 1681c-2. Instead, the amendment includes, but is not limited to, the exploitative use of joint credit accounts without authorization by both joint owners and debt incurred through coercion.

The amendment adds language to the Protection from Abuse laws to ensure that it is clear that the abuse for which a plaintiff may seek the issuance of a protection from abuse order is what is defined as abuse in Title 19-A, section 4002, subsection 1. The bill does not add economic abuse as a type of conduct for which a protection from abuse order may be sought, although it does provide that if a protection from abuse order is issued, the court has expanded discretion to order appropriate monetary relief to help address the impact of any economic abuse that may be found by the court. The amendment makes clear that the court may make a finding of economic abuse.

The amendment strikes from the bill language specific to economic abuse relief that may be included in a protection from abuse order and instead amends the current law concerning monetary compensation. The amendment broadens the available relief by changing the monetary compensation in current law to monetary relief to the plaintiff that includes, but is not limited to, the existing types of relief and adds transitional living expenses, which are often necessary for plaintiffs who have suffered economic abuse. It also provides that the monetary relief component of a protection from abuse order does not limit the court's discretion to provide any other relief in a protection from abuse order, either as the statute specifically enumerates or as the court may find necessary and

appropriate to issue as part of the proceeding under its discretion in section 4007, subsection 1, paragraph M, and does not preclude the plaintiff from seeking monetary relief through other actions as permissible by law.

Enacted Law Summary

Public Law 2019, chapter 407, defines economic abuse in the context of protection from abuse and provides for the court to order monetary relief for losses resulting from the economic abuse. It also provides for an economic abuse survivor to be protected from debt collection and for the economic abuse survivor's credit to be repaired.

Public Law 2019, chapter 407, addresses concerns about preemption of state law by the federal Fair Credit Reporting Act and makes clear that a credit reporting agency's removal from a consumer's credit report of references to debt or any portion of a debt determined to be the result of economic abuse is not intended to conflict with federal law but complement the federal law and protect survivors of economic abuse when possible. It requires the credit reporting agency to reinvestigate the debt, and if it is determined that the debt is the result of economic abuse, the credit reporting agency must remove reference to the debt, or any part determined to be the result of economic abuse, from the consumer's credit report.

Public Law 2019, chapter 407, clarifies the definition of "economic abuse" to include both unauthorized and coerced use of credit, recognizing that there are already remedies for the crime of identity theft. It is not intended to address identity theft, which is covered by the federal Fair Credit Reporting Act in 15 United States Code, Section 1681c-2. Instead, chapter 407 includes, but is not limited to, the exploitative use of joint credit accounts without authorization by both joint owners and debt incurred through coercion.

Public Law 2019, chapter 407 adds language to the Protection from Abuse Laws to ensure that it is clear that the abuse for which a plaintiff may seek the issuance of a protection from abuse order is what is defined as abuse in Title 19-A, section 4002, subsection 1. It does not add economic abuse as a type of conduct for which a protection from abuse order may be sought, although it does provide that if a protection from abuse order is issued, the court has expanded discretion to order appropriate monetary relief to help address the impact of any economic abuse that may be found by the court. Chapter 407 makes clear that the court may make a finding of economic abuse.

Public Law 2019, chapter 407 amends the current law concerning monetary compensation ro broaden the available relief by changing the monetary compensation in current law to monetary relief to the plaintiff that includes, but is not limited to, the existing types of relief and adds transitional living expenses, which are often necessary for plaintiffs who have suffered economic abuse. It also provides that the monetary relief component of a protection from abuse order does not limit the court's discretion to provide any other relief in a protection from abuse order, either as the statute specifically enumerates or as the court may find necessary and appropriate to issue as part of the proceeding under its discretion in section 4007, subsection 1, paragraph M, and does not preclude the plaintiff from seeking monetary relief through other actions as permissible by law.

LD 759 **An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R	OTP-AM	H-573
CARPENTER M	ONTP	

This bill provides funding for two Paralegal positions and one Consumer Outreach position within the Maine Human Rights Commission and requires that the commission purchase a computer system. It also includes a $10,000 appropriation for the initial step in evaluating the commission's computer system needs.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

Committee Amendment "A" (H-573)

This amendment, which is the majority report, incorporates a fiscal note.

This amendment was adopted in the House and Senate before the bill was carried over on the Special Appropriations Table.

LD 764 **Resolve, To Create the Criminal Records Review Committee** **RESOLVE 90 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R	OTP-AM	H-614

This bill amends the Criminal History Record Information Act in the following ways:

1. Makes confidential all juvenile adjudications and related records after three years from the date of disposition;

2. Except for crimes involving sexual assault, sexual exploitation of minors and domestic violence, makes confidential all convictions and related records for Class E and Class D crimes after three years from the date of imposition of sentence;

3. Makes confidential all convictions and related records for Class E and Class D crimes involving sexual assault, sexual exploitation of minors and domestic violence after seven years from the date of imposition of sentence;

4. Makes confidential all convictions and related records for Class C, Class B and Class A crimes that are based solely on the defendant's convictions for prior Class E and Class D crimes; and

5. Limits the dissemination of confidential criminal history record information to criminal justice agencies for the purpose of the administration of criminal justice and criminal justice agency employment and pursuant to court order.

Committee Amendment "A" (H-614)

This amendment strikes the bill and replaces it with a resolve that establishes the Criminal Records Review Committee, consisting of 15 members, including a member representing the judicial branch if one is designated by the Chief Justice of the Supreme Judicial Court.

The review committee is directed to look at all issues concerning limiting public availability of criminal records and to provide recommendations to the Joint Standing Committee on Judiciary by December 4, 2019. The review committee's funding must come from outside sources. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Resolve 2019, chapter 90, establishes the Criminal Records Review Committee, consisting of 15 members, including a member representing the judicial branch if one is designated by the Chief Justice of the Supreme Judicial Court.

The review committee is directed to look at all issues concerning limiting public availability of criminal records and to provide recommendations to the Joint Standing Committee on Judiciary by December 4, 2019. The review committee's funding must come from outside sources.

Resolve 2019, chapter 90, was finally passed as an emergency measure effective June 20, 2019.

LD 766 **An Act Regarding the Penobscot Nation's and Passamaquoddy Tribe's Authority To Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010 and the Federal Violence Against Women Reauthorization Act of 2013** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R	OTP-AM	H-648
CARPENTER M	OTP-AM	H-655 TALBOT ROSS R

This bill amends the Act To Implement the Maine Indian Claims Settlement by:

1. Transferring jurisdiction over violations of a tribal ordinance from the State to the Passamaquoddy Tribe and the Penobscot Nation over a person who is not a member of either tribe or nation in accord with and to the extent authorized by federal law;

2. Increasing the level of certain criminal offenses from a maximum period of imprisonment of one year and a maximum amount of $5,000 to a maximum period of imprisonment of three years and a maximum amount of $15,000 over which the Penobscot Nation has the right to exercise exclusive jurisdiction as authorized by the federal Tribal Law and Order Act of 2010; and

3. Clarifying that the Penobscot Nation has concurrent jurisdiction with the State over criminal offenses as authorized by the federal Violence Against Women Reauthorization Act of 2013.

Committee Amendment "A" (H-648)

This amendment, which is the majority report, provides authority for the Passamaquoddy Tribe and the Penobscot Nation to extend the jurisdiction of their respective tribal courts over certain criminal offenses committed by an individual, regardless of whether the individual is a member of a federally recognized Indian tribe. The criminal offenses are domestic violence offenses in the Maine Criminal Code and criminal violation of a protection from abuse order. The criminal offenses are Class D crimes, and the tribe's and nation's jurisdictions are concurrent with the State's jurisdiction for the crimes.

The Joint Standing Committee on Judiciary has authority to report out legislation to the Second Regular Session of the 129th Legislature concerning the extension of tribal court jurisdiction to felony domestic violence offenses consistent with the federal Violence Against Women Reauthorization Act of 2013 and the Tribal Law and Order Act of 2010.

The tribal courts are required to participate in uniform crime reporting by reporting certain information to the Department of Public Safety, State Bureau of Identification, and the bureau will share its annual reports with tribal law enforcement agencies.

The changes to the Act To Implement the Maine Indian Claims Settlement included in the bill and this amendment do not take effect unless the tribes affected approve of the changes and certify their approval.

Committee Amendment "B" (H-649)

This amendment is the minority report. It differs from the majority by sunsetting the expanded tribal court jurisdiction January 1, 2026.

This amendment was not adopted.

House Amendment "A" To Committee Amendment "A" (H-655)

This amendment clarifies that application of the expanded jurisdiction does not include domestic violence crimes committed agains nontribal members or property crimes committed against nontribal members.

LD 776 **An Act Regarding Post-judgment Motion by a Person Seeking To Satisfy the Prerequisites for Obtaining Special Restrictions on the Dissemination and Use of Criminal History Record Information for Certain Criminal Convictions** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R JACKSON T		

This bill amends the law concerning a post-judgment motion by a person seeking to satisfy the prerequisites for obtaining special restrictions on the dissemination and use of criminal history record information for certain criminal convictions as follows.

1. Current law makes convictions of only certain Class E crimes eligible for special restrictions on dissemination and use of criminal history record information. This bill expands eligibility to include convictions of both certain Class E crimes and certain Class D crimes.

2. Current law allows eligibility for restrictions on dissemination and use of criminal history record information only for persons who at the time of the commission of the crime were 18 to 20 years of age. This bill expands eligibility to a person who at the time of the commission of the crime was 18 to 25 years of age.

3. This bill removes the provision repealing the current law October 1, 2019.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 781 **An Act To Increase Judicial Compensation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M BAILEY D	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to increase judicial compensation.

LD 787 **An Act To Support Victims of Child Sexual Abuse** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B		

This bill provides for the admissibility in a criminal trial of a recording of a statement of a child under 16 years of age who is a victim of sexual abuse if certain requirements are met, including that the court is satisfied that the

statement possesses particularized guarantees of trustworthiness. The child must be available at the trial and be available for cross-examination, unless the court finds certain grounds exist to determine that the child is unavailable to testify. The person who interviewed the child for the recording must be available at trial.

LD 793 **An Act To Improve Accountability of Opioid Manufacturers** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM	S-320
MADIGAN C	ONTP	S-321 JACKSON T

This bill prohibits opioid medication manufacturers and distributors from falsely advertising that an opioid medication does not have abuse liability or has a lower abuse liability than another opioid medication; distributing a quantity of opioid medications that is not medically reasonable; or failing to report orders that are not medically reasonable. It establishes a civil violation and authorizes the Attorney General to investigate violations. It creates a fund into which the penalties and fees must be paid. This legislation applies retroactively to January 1, 1985.

Committee Amendment "A" (S-320)

This amendment is the majority report of the committee. This amendment replaces the bill.

The amendment raises the annual fee for a manufacturer of opioid medication to $55,000. The amendment establishes a registration fee due from manufacturers of opioid medications of $250,000 if the manufacturer sells, delivers or distributes 2,000,000 or more units of an opioid medication within this State, not including units that are prescribed for the purpose of medication-assisted treatment of substance use disorder. The fees are deposited into the Opioid Use Disorder Prevention and Treatment Fund, which is established to provide opioid use disorder prevention and treatment services and administered by the Department of Health and Human Services.

The amendment also requires manufacturers and wholesale distributors of opioid medications to provide to the State the same information as provided to the United States Drug Enforcement Administration under its Automation of Reports and Consolidated Orders System regarding controlled substances transactions in this State on the same schedule that information is provided to the Federal Government.

The amendment requires the Maine Board of Pharmacy to evaluate and report whether the fees have affected the prescribing practices for opioid medications by reducing the number of opioid medication prescriptions issued during calendar years 2020, 2021 and 2022 or whether the fees have created any unintended consequences in the availability of opioid medications for the treatment of chronic or intractable pain, to the extent the board has the ability to identify a correlation. The board shall provide the report to the joint standing committee of the Legislature having jurisdiction over health and human services matters, which may report out legislation based upon the report. The reports must be submitted annually by March 1st.

Senate Amendment "A" To Committee Amendment "A" (S-321)

This amendment exempts from the opioid medication fee a manufacturer of opioid medications exclusively for use in veterinary medicine.

LD 800 **An Act To Amend Mandatory Law Enforcement Agency Policies Regarding Recording Suspects To Include Cases of Murder and Class A, Class B and Class C Crimes** **PUBLIC 466**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C	OTP-AM ONTP	H-572

Current law requires that law enforcement agencies only adopt written policies for the recording of interviews of suspects of serious crimes. This bill requires law enforcement officers to record interviews of suspects in custody or otherwise deprived of freedom of action in any significant way whenever feasible and always where questioning occurs at a place of detention.

Committee Amendment "A" (H-572)

This amendment, which is the majority report, strikes and replaces the title and the bill. The amendment amends the mandatory policies for law enforcement agencies, which are set by the Board of Trustees of the Maine Criminal Justice Academy, regarding digital, electronic, audio, video or other recording of law enforcement interviews of suspects to specifically include all suspects of murder and Class A, Class B and Class C crimes, instead of suspects in "serious crimes."

Enacted Law Summary

Public Law 2019, chapter 466, amends the mandatory policies for law enforcement agencies, which are set by the Board of Trustees of the Maine Criminal Justice Academy, regarding digital, electronic, audio, video or other recording of law enforcement interviews of suspects to specifically include all suspects of murder and Class A, Class B and Class C crimes, instead of suspects in "serious crimes."

LD 801 **An Act Regarding Recording of Witness Interviews** **Veto Sustained**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C	OTP ONTP	

Current law requires that law enforcement agencies adopt written policies for the recording of interviews of only suspects in serious crimes. This bill extends that requirement to include recording of interviews of witnesses.

LD 831 **An Act Concerning Visitation Rights of Great-grandparents** **PUBLIC 197**

Sponsor(s)	Committee Report	Amendments Adopted
CUDDY S	OTP-AM	H-315

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures to ensure rights of visitation and contact with a minor child for the child's grandparents and great-grandparents when the child's parents divorce.

Committee Amendment "A" (H-315)

This amendment strikes the bill, which is a concept draft, and replaces the title accordingly. It amends the

definition of "grandparent" in the Grandparents Visitation Act to include great-grandparents. It also amends the title of the chapter of the statutes and the short title of the Act to include great-grandparents. This amendment does not affect the standing requirements or the standard for awarding visiting rights.

Enacted Law Summary

Public Law 2019, chapter 197, amends the definition of "grandparent" in the Grandparents Visitation Act to include great-grandparents. It also amends the title of the chapter of the statutes and the short title of the Act to include great-grandparents. Chapter 197 does not affect the standing requirements or the standard for awarding visiting rights.

LD 841 **An Act To Amend the Laws Governing Damages Awarded for Wrongful Death** **PUBLIC 198**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M LAWRENCE M	OTP-AM	H-314

This bill provides that a jury in a case of wrongful death may give damages as it determines a fair and just compensation for the probable duration of life of the deceased person but for the injury. It increases the limit on damages for the loss of comfort, society and companionship and emotional distress from $500,000 to $1,000,000 and removes the limit on punitive damages in a case of wrongful death.

Committee Amendment "A" (H-314)

This amendment deletes from the bill new language on compensatory damages based on the probable duration of the deceased person's life if the injury hadn't occurred. It also reduces the cap on noneconomic damages from $1,000,000 to $750,000 and retains the cap on punitive damages.

Enacted Law Summary

Public Law 2019, chapter 198, increases the cap on noneconomic damages available in a wrongful death action from $500,000 to $750,000.

LD 846 **Resolve, To Provide for the Sealing of Records of Convictions for Marijuana-related Violations That Are No Longer Crimes** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R JACKSON T	ONTP	

This resolve requires the Department of Public Safety, Bureau of State Police, State Bureau of Identification to ensure that all criminal conviction records in the possession of the department that relate to the conviction for an offense involving marijuana that is no longer illegal are made confidential and prohibits the dissemination of such records. The department is required to submit a report to the 130th Legislature regarding the progress of the department in meeting the requirements of this legislation.

LD 847 **An Act To Ensure Persons with Disabilities Have Access to Public Rest Rooms** **PUBLIC 516**

Sponsor(s)	Committee Report	Amendments Adopted
RILEY T	OTP-AM ONTP	H-640

This bill provides that single-occupancy bathrooms in existing buildings for use by the general public may not be designated as gender specific. It also requires that new construction of buildings for use by the general public include the construction of single-occupancy bathrooms that meet the standards of construction for new buildings and the federal Americans with Disabilities Act of 1990. The bathrooms may not be designated as gender specific; the purpose of this provision is to ensure that a person with a disability using the bathroom may be assisted by an attendant of a different gender.

Committee Amendment "A" (H-640)

This amendment strikes the bill and instead provides that after January 1, 2020, new construction of public buildings must include single-occupancy toilet facilities that meet the accessibility requirements established in the Maine Human Rights Act, if the new construction has a maximum occupant capacity exceeding 100 individuals. For example, after January 1, 2020, a restaurant that seats at least 101 individuals is subject to the single-occupancy toilet facilities requirement.

Enacted Law Summary

Public Law 2019, chapter 516 provides that after January 1, 2020, new construction of public buildings must include single-occupancy toilet facilities that meet the accessibility requirements established in the Maine Human Rights Act, if the new construction has a maximum occupant capacity exceeding 100 individuals. For example, after January 1, 2020, a restaurant that seats at least 101 individuals is subject to the single-occupancy toilet facilities requirement.

LD 856 **An Act To Give Probate Judges Latitude in Permitting Visitation by Grandparents** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
RILEY T	ONTP	

This bill authorizes a court to award a grandparent reasonable rights of visitation or access to a minor child regardless of objections the parents or legal guardians may have concerning the award of rights of visitation or access.

LD 868 **An Act To Require That the Terms of a Settlement to Which a Governmental Entity is a Party Be Made Available to the Public** **PUBLIC 215**

Sponsor(s)	Committee Report	Amendments Adopted
VEROW A	OTP-AM	H-269

This bill provides that the terms of a settlement of a claim against a county or municipality, including a payment by an insurer of the county or municipality, are a public record.

Committee Amendment "A" (H-269)

This amendment replaces the bill to make clear that a settlement agreement entered into by any governmental entity is a public record, except for any information in the agreement that is confidential by statute or is described by one of the exceptions to the definition of public record in the Freedom of Access Act.

Enacted Law Summary

Public Law 2019, chapter 215, makes clear that a settlement agreement entered into by any governmental entity is a public record, except for any information in the agreement that is confidential by statute or is described by one of

the exceptions to the definition of public record in the Freedom of Access Act.

LD 870 **An Act To Change the Membership of the Maine Commission on Domestic and Sexual Abuse To Include More Tribal Members** **PUBLIC 188**

Sponsor(s)	Committee Report	Amendments Adopted
STOVER H CLAXTON N	OTP	

This bill changes the membership of the Maine Commission on Domestic and Sexual Abuse by:

1. Reducing the representation of the statewide coalition of domestic violence projects from two members to one member;

2. Reducing the representation of the statewide coalition of sexual assault centers from two members to one member;

3. Allowing the member who is a chief of a municipal police department to appoint a designee to serve on the commission;
4. Allowing the member who is a county sheriff to appoint a designee to serve on the commission;

5. Correcting the description of a member from the statewide coordinator of a statewide coalition to end domestic violence to the executive director of a statewide coalition to end domestic violence;

6. Reducing the number of at-large members from six to four; and

7. Adding four new members, all of whom are appointed by the Governor, one of whom is an executive director of a tribal coalition against sexual assault and domestic violence, one of whom is chief of a tribal police department or the chief's designee, one of whom is a representative of a tribal court and one of whom is a representative of tribal government.

Enacted Law Summary

Public Law 2019, chapter 188 changes the membership of the Maine Commission on Domestic and Sexual Abuse by:

1. Reducing the representation of the statewide coalition of domestic violence projects from two members to one member;

2. Reducing the representation of the statewide coalition of sexual assault centers from two members to one member;

3. Allowing the member who is a chief of a municipal police department to appoint a designee to serve on the commission;

4. Allowing the member who is a county sheriff to appoint a designee to serve on the commission;

5. Correcting the description of a member from the statewide coordinator of a statewide coalition to end domestic violence to the executive director of a statewide coalition to end domestic violence;

6. Reducing the number of at-large members from six to four; and

7. Adding four new members, all of whom are appointed by the Governor, one of whom is an executive director of

a tribal coalition against sexual assault and domestic violence, one of whom is chief of a tribal police department or the chief's designee, one of whom is a representative of a tribal court and one of whom is a representative of tribal government.

LD 894 **An Act To Expressly Allow Nonprofit Corporations To Conduct Electronic Voting** **PUBLIC 200**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK G PICKETT R	OTP	

This bill specifically permits a nonprofit corporation to authorize in its bylaws the conduct of elections or voting, or both, through electronic transmission.

Enacted Law Summary

Public Law 2019, chapter 200, specifically permits a nonprofit corporation to authorize in its bylaws the conduct of elections or voting, or both, through electronic transmission.

LD 907 **An Act To Ensure That Defendants in Foreclosure Proceedings Receive Proper Notification** **PUBLIC 361**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	OTP-AM	H-543

This bill requires a mortgagee to send a mortgagor in a foreclosure action the right to cure notice by both certified mail, return receipt requested, and ordinary mail.

The time the notice is given to the mortgagor or cosigner is the sooner of:

1. The date the mortgagor or cosigner signs the receipt or, if the notice is undeliverable, the date the post office last attempts to deliver it, under the Maine Revised Statutes, Title 14, section 6111, subsection 3, paragraph A; and

2. The date the mortgagor or cosigner receives the notice under Title 14, section 6111, subsection 3, paragraph B. A post office department certificate of mailing to the mortgagor or cosigner is conclusive proof of receipt on the 7th calendar day after mailing when notice is provided under Title 14, section 6111, subsection 3, paragraph B.

Committee Amendment "A" (H-543)

This amendment restructures the subsection governing notice by a mortgagee to clarify that the date of notice is the date of the delivery or attempted delivery of the notice by certified mail or the date of receipt by ordinary first-class mail, whichever is sooner.

Enacted Law Summary

Public Law 2019, chapter 361, requires a mortgagee to send a mortgagor in a foreclosure action the right to cure notice by both certified mail, return receipt requested, and ordinary mail.

The time the notice is given to the mortgagor or cosigner is the date of the delivery or attempted delivery of the notice by certified mail or the date of receipt by ordinary first-class mail, whichever is sooner.

LD 916 **An Act To Improve the Child Protective Court System** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S HARNETT T	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill would establish a process within the court system to ensure, to the greatest extent possible, that child protective cases involving the same child are assigned to and heard by the same judge throughout the entire process while the child is a minor.

LD 954 **An Act To Rescind An Act To Implement the Maine Indian Claims Settlement** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B JACKSON T		

This bill repeals An Act to Implement the Maine Indian Claims Settlement. The repeal does not take effect unless approved by the Houlton Band Council of the Houlton Band of Maliseet Indians, the Tribal Chief and the Council of the Penobscot Nation and the Joint Tribal Council of the Passamaquoddy Tribe within 90 days after the adjournment of the First Regular Session of the 129th Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 978 **An Act To Clarify Maine's Protection from Abuse Statutes** **PUBLIC 176**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP ONTP	

This bill clarifies that when a court directs a defendant in a protection from abuse case to refrain from having any direct or indirect contact with the plaintiff, this includes direct or indirect contact via social media, consistent with the ruling of the Maine Supreme Judicial Court in *State v. Heffron*, 2018 ME 102, 190 A.3d 232.

Enacted Law Summary

Public Law 2019, chapter 176, clarifies that when a court directs a defendant in a protection from abuse case to refrain from having any direct or indirect contact with the plaintiff, this includes direct or indirect contact via social media, consistent with the ruling of the Maine Supreme Judicial Court in *State v. Heffron*, 2018 ME 102, 190 A.3d 232.

LD 991 **Resolve, To Expunge Criminal and Civil Records Related to Marijuana Activities Legalized by the Voters of Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DILL J STANLEY S	ONTP	

This bill requires the Department of Public Safety to expunge, by July 1, 2020, all records relating to criminal convictions and civil violations for conduct now authorized by the adult use of marijuana provisions in the Maine Revised Statutes.

LD 998 **Resolve, Requiring the Collection of Data on the Marriage of Minors** **RESOLVE 46**

Sponsor(s)	Committee Report	Amendments Adopted
BREEN C PIERCE T	OTP ONTP	

This resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention through its division of data, research and vital statistics to report by December 4, 2019 to the Joint Standing Committee on Judiciary on data on the incidence of marriage of minors in the State. The joint standing committee is authorized to report out a bill based on the report to the Second Regular Session of the 129th Legislature.

Enacted Law Summary

Resolve 2019, chapter 46, directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention through its division of data, research and vital statistics to report by December 4, 2019 to the Joint Standing Committee on Judiciary on data on the incidence of marriage of minors in the State. The joint standing committee is authorized to report out a bill based on the report to the Second Regular Session of the 129th Legislature.

LD 1021 **An Act To Require the Maine Commission on Indigent Legal Services To Pay Court-appointed Attorneys for Certain Probate Court Cases** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P		

This bill provides that when a probate court appoints an attorney for a party in a guardianship or protective proceeding, if the party is indigent or a minor, the attorney's fees must be paid by the Maine Commission on Indigent Legal Services.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1045 **An Act Regarding Bad Faith Assertions of Patent Infringement** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M MILLETT R	ONTP	

Current law prohibits a person from making a bad faith assertion of patent infringement against another person. A person who does make a bad faith assertion may have to pay remedies awarded by the court, including equitable relief, damages, costs and fees and punitive damages; however, the law exempts persons seeking relief pursuant to 35 United States Code, Section 271(e)(2) or 42 United States Code, Section 262 from the law prohibiting bad faith assertions of patent infringement, which may include businesses such as pharmaceutical companies. This bill removes the exemption.

LD 1053 **An Act To Reduce the Period of Enforcement for Judgments Based upon Consumer Obligations** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J BELLOWS S		

Current law provides that a judgment or decree of a court of record of the United States or of any state is presumed to be paid and satisfied at the end of 20 years after any duty or obligations accrued by virtue of such judgment or decree. This bill provides an exception to this law for a judgment or decree based upon a consumer obligation, which is irrebuttably presumed to be paid and satisfied at the end of one year after any duty or obligation accrued by virtue of the judgment or decree unless within that period the judgment creditor has commenced other action as permitted by law for the enforcement of the judgment or decree.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1057 **An Act To Streamline the Eviction Process** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
WADSWORTH N	OTP ONTP	

Current law requires that a sheriff or constable serving a writ of possession in an eviction must make three good faith efforts on three different days to serve the defendant in person before the writ of possession may be left at the defendant's home and a notice mailed. This bill reduces the number of efforts required to two.

LD 1061 **An Act To Establish a Fund To Compensate Unjustly Incarcerated Persons** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J DESCHAMBAULT S		

This bill creates the Unjustly Incarcerated Persons Compensation Fund and establishes compensation amounts and a process for the application for and determination of compensation. The bill establishes compensation of $25,000 per year of unjust incarceration and $10,000 for each year that the person eligible for compensation was required to register as a sex offender.

The bill provides for compensation payments to be made in a lump sum, and only in a lump sum in the case of a deceased person, or as an annuity.

A person is eligible to seek compensation if the person has served in whole or in part a sentence of imprisonment under the laws of this State and the person has:

1. Received a full and free pardon on the basis of innocence for the crime for which the person was sentenced;

2. Has been granted relief in accordance with a writ of habeas corpus that is based on a court finding or determination that the person is actually innocent of the crime for which the person was sentenced; or

3. Has been granted relief in accordance with a writ of habeas corpus and the court in which the person was convicted has entered an order dismissing the charge. The court's dismissal order must be based on a motion to dismiss in which the district attorney or the Attorney General states that no credible evidence exists that inculpates the defendant and, either in the motion or in an affidavit, the district attorney or the Attorney General states that the district attorney or Attorney General believes that the defendant is actually innocent of the crime for which the person was sentenced.

The bill repeals the existing law providing a maximum payment of $300,000 for wrongful imprisonment that is based on a pardon granted on the basis of innocence.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1067 **An Act To Promote Fairness and Efficiency in the Delivery of Indigent Legal Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to implement the recommendations of The Sixth Amendment Center regarding the delivery of indigent legal services in Maine.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1073 **Resolve, To Implement an Intensive Drug Treatment Court Pilot Project in the Midcoast** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN M	ONTP	H-475
DOW D	OTP-AM	

This resolve establishes an intensive drug treatment court two-year pilot project in the midcoast area of the State to be operational no later than November 1, 2019. The pilot project will serve ten participants who meet the requirements for participation in drug court programs. The support services provided by the Department of Health and Human Services under the pilot project are more intensive than those provided to current participants in drug court programs. The department is required to provide an interim report on implementation and a final report that includes the results of an independent evaluation of the project.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

Committee Amendment "A" (H-475)

This amendment, which is the minority report, revises the number of participants in the pilot project from ten to 25. The amendment also replaces the appropriations and allocations section.

This amendment was adopted in the House and Senate before the bill was carried over on the Special Appropriations Table.

LD 1091 **An Act Regarding the Personal Liability of Government Employees** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LAWRENCE M	ONTP	

Current law provides that the personal liability of an employee of a governmental entity for negligent acts or omissions within the course and scope of employment is subject to a limit of $10,000. This bill provides an exception to this limit for an employee who is covered by liability insurance covering the negligent acts or omissions, in which case the limit is equal to the limits of the policy.

LD 1097 **An Act To Protect Tenants from Sexual Harassment** **PUBLIC 351**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L	OTP-AM	S-165

This bill creates a rebuttable presumption that a forcible entry and detainer action was commenced in retaliation against a tenant if the tenant had made a complaint of an act of sexual harassment by the landlord or landlord's agent. The bill defines "sexual harassment."

Committee Amendment "A" (S-165)

This amendment is the majority report of the committee.

The bill addresses sexual harassment with regard to tenants in residential property. This amendment clearly states a landlord or a landlord's agent may not subject a tenant to sexual harassment. It retains the provision that nothing in the subchapter limits the application of the Maine Human Rights Act, which addresses discrimination in housing.

The amendment revises the definition of "sexual harassment" to include retaliation for communicating about or filing a complaint of sexual harassment.

The amendment replaces the rebuttable presumption that a forcible entry and detainer action was commenced in

retaliation against a tenant with additional options for the tenant: the tenant raises the rebuttable presumption of retaliation by having communicated to the landlord or the landlord's agent about an act of sexual harassment or filed a complaint with a law enforcement agency, the Maine Human Rights Commission or a court of an act of sexual harassment by the landlord or the landlord's agent against the tenant or a family or household member of the tenant. The tenant must have made the communication, which does not have to be in writing, or complaint prior to receiving the eviction notice. This is consistent with current law that creates a rebuttable presumption based on the tenant's filing a fair housing complaint prior to receiving an eviction notice.

In addition, the amendment provides that the defense of retaliation cannot be used in an eviction if the action is brought because the tenant violated a lease provision or for any reason that is listed in the Maine Revised Statutes, Title 14, section 6002, subsection 1 as grounds for an eviction with seven days' written notice. Thus, if the landlord commences an eviction based on nonpayment of rent, for example, the fact that the tenant had communicated about sexual harassment or filed a complaint of sexual harassment does not create a presumption that the eviction is in retaliation for the assertion of that right.

The amendment also provides a tenant who is the victim of sexual harassment by the landlord or the landlord's agent with the opportunity to terminate the lease early, using the same process currently in law for a victim of domestic violence, sexual assault or stalking, by providing specified written documentation with appropriate notice.

Enacted Law Summary

Public Law 2019, chapter 351, addresses sexual harassment with regard to tenants in residential property. It clearly states a landlord or a landlord's agent may not subject a tenant to sexual harassment. It provides that nothing in the subchapter limits the application of the Maine Human Rights Act, which addresses discrimination in housing.

Public Law 2019, chapter 351 defines "sexual harassment" to include retaliation for communicating about or filing a complaint of sexual harassment.

Public Law 2019, chapter 351 provides that when a tenat is subject to sexual harassment by the landlord or the landlord's agent, the tenant may raise the rebuttable presumption of retaliation by having communicated to the landlord or the landlord's agent about an act of sexual harassment or filed a complaint with a law enforcement agency, the Maine Human Rights Commission or a court of an act of sexual harassment by the landlord or the landlord's agent against the tenant or a family or household member of the tenant. The tenant must have made the communication, which does not have to be in writing, or complaint prior to receiving the eviction notice. This is consistent with current law that creates a rebuttable presumption based on the tenant's filing a fair housing complaint prior to receiving an eviction notice.

Public Law 2019, chapter 351 provides that the defense of retaliation cannot be used in an eviction if the action is brought because the tenant violated a lease provision or for any reason that is listed in the Maine Revised Statutes, Title 14, section 6002, subsection 1 as grounds for an eviction with seven days' written notice. Thus, if the landlord commences an eviction based on nonpayment of rent, for example, the fact that the tenant had communicated about sexual harassment or filed a complaint of sexual harassment does not create a presumption that the eviction is in retaliation for the assertion of that right.

Public Law 2019, chapter 351, also provides a tenant who is the victim of sexual harassment by the landlord or the landlord's agent with the opportunity to terminate the lease early, using the same process currently in law for a victim of domestic violence, sexual assault or stalking, by providing specified written documentation with appropriate notice.

LD 1100 **An Act To Clarify the Contents of the Complete Agency Record in the Appeal of an Agency's Failure or Refusal To Act** **PUBLIC 111**

Sponsor(s)	Committee Report	Amendments Adopted
CARSON B	OTP-AM	S-50

This bill permits a petitioner under the Maine Administrative Procedure Act to conduct discovery if any agency fails or refuses to act or there are alleged irregularities that are not adequately revealed in the record of a proceeding.

Committee Amendment "A" (S-50)

This amendment replaces the bill to clarify what must be included in the complete agency record when the failure or refusal of the agency to act is alleged in a petition filed in Superior Court for the review of final agency action under the Maine Administrative Procedure Act. The amendment explicitly requires the agency to include in the record filed in response to the petition all communications, whether written, electronic or memorialized in any other way, of all decisions by the agency to act, to refuse to act or to delay action. The record must also include all directives, orders and other documentation of those agency decisions.

Enacted Law Summary

Public Law 2019, chapter 111, clarifies what must be included in the complete agency record when the failure or refusal of the agency to act is alleged in a petition filed in Superior Court for the review of final agency action under the Maine Administrative Procedure Act. Chapter 111 explicitly requires the agency to include in the record filed in response to the petition all communications, whether written, electronic or memorialized in any other way, of all decisions by the agency to act, to refuse to act or to delay action. The record must also include all directives, orders and other documentation of those agency decisions.

LD 1113 **An Act To Change Procedures of the Governor's Board on Executive Clemency and To Seal Marijuana Convictions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J	ONTP	

This bill requires a board, commission or panel established to provide the Governor a recommendation on a pardon, clemency or commutation of a sentence to grant a hearing to a petitioner who has been convicted of a nonviolent crime and to consider certain personal criteria of the petitioner and allows an appeal of a recommendation of denial to the Secretary of State.

This bill also seals criminal history record information regarding convictions for crimes and civil violations relating to personal adult use of marijuana by making the information confidential.

LD 1133 **An Act To Require That Hospital Liens Be Satisfied on a Just and Equitable Basis** **PUBLIC 270**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C	OTP ONTP	

This bill requires that a hospital's statutory lien be reduced by the patient's proportionate share of a patient's litigation or other recovery costs, including, but not limited to, reasonable attorney's fees. It also provides that a

hospital lien must be satisfied on a just and equitable basis considering factors that diminish the patient's claim such as questions of liability or comparative negligence or other legal defenses, exigencies of trial and limits of insurance coverage.

Enacted Law Summary

Public Law 2019, chapter 270, requires that a hospital's statutory lien be reduced by the patient's proportionate share of a patient's litigation or other recovery costs, including, but not limited to, reasonable attorney's fees. It also provides that a hospital lien must be satisfied on a just and equitable basis considering factors that diminish the patient's claim such as questions of liability or comparative negligence or other legal defenses, exigencies of trial and limits of insurance coverage.

LD 1175 **An Act To Ensure the Timely and Proper Completion of Residential Foreclosures** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FOLEY R	ONTP	

This bill makes changes to the laws governing the adjournment of a public sale of foreclosed premises and where such a sale must be conducted. It provides that for any period of adjournment for the sale of a mortgaged condominium unit, the mortgagee is required to pay the condominium association the regular monthly condominium assessment assessed against the unit for the period between the original sale date and the date of the final sale. It clarifies several aspects of the post-foreclosure sale process regarding the filing of reports of sale and mandates that the report be filed within 45 days of the sale. If a foreclosure sale produces proceeds beyond those payable to the mortgagee, the bill requires the mortgagee to pay the surplus to the mortgagor or other party entitled to it no later than the time of the filing of the report of sale and provides a means for the party entitled to the surplus to obtain a court order for the turnover of the surplus if the mortgagee fails to do so. The bill clarifies that, after the redemption period has expired, but before a sale, a mortgagee may agree with a mortgagor to a reinstatement of the mortgage, and that the mortgagee may, in connection with the reinstatement, waive the foreclosure judgment and restore all parties to the action to the positions that they were in before any foreclosure.

LD 1183 **Resolve, To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation by Members of Public Bodies** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
	ONTP	

This resolve establishes the Study Committee on Remote Participation to explore the use of remote participation by members of public bodies in this State and other jurisdictions and determine the best way to guarantee government transparency and accountability, goals of the Freedom of Access Act, when considering the use of remote participation. The study committee consists of three Senators and four members of the House of Representatives. The study committee may hold a public hearing to collect public testimony on the use of remote participation. The study committee is required to make recommendations, which may include prohibition of or limitations on the use of remote participation. The study committee is required to submit a report, including any legislative recommendations, to the Joint Standing Committee on Judiciary no later than December 4, 2019.

See also the majority committee amendment to LD 1511.

LD 1212 **An Act To Adopt the Uniform Interstate Depositions and Discovery Act** **PUBLIC 109**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B CARPENTER M	OTP	

This bill enacts in Maine law the Uniform Interstate Depositions and Discovery Act.

Enacted Law Summary

Public Law 2019, chapter 109, enacts in Maine law the Uniform Interstate Depositions and Discovery Act.

LD 1219 **An Act To Establish an Independent Panel To Review the Use of Deadly Force by Law Enforcement Officers** **PUBLIC 435**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J LIBBY N	OTP-AM	H-644

This bill establishes the Independent Board To Review Law Enforcement Officer-involved Deaths to review investigations by law enforcement agencies concerning deaths involving law enforcement officers and to issue recommendations to the prosecuting attorneys or Attorney General. The board consists of seven members appointed to three-year terms, and members of the board are conferred immunity in performing their duties on the board, except when the plaintiff is the State. The bill requires the board to issue a public report of its findings and conclusions for every officer-involved death in the State.

Committee Amendment "A" (H-644)

This amendment replaces the bill and revises the title to reflect that the panel will review use of deadly force by law enforcement officers, not just officer-related deaths.

The amendment establishes a panel of 15 members. The following are ex officio members, although each may appoint a designee to attend meetings and participate as a panel member: the Commissioner of Public Safety; the Director of Investigations for the Office of the Attorney General; the Director of the Maine Criminal Justice Academy; and the Chief Medical Examiner. The remaining members are appointed by the Attorney General: an attorney who represents plaintiffs in actions under 42 United States Code, Section 1983; a municipal police chief; a county sheriff; a mental health professional; a representative of a statewide collective bargaining law enforcement organization; a representative of a statewide civil rights organization; an attorney who represents defendants in actions under 42 United States Code, Section 1983; a criminal prosecutor; and three citizens, each of whom is not and has never been a sworn law enforcement officer.

The panel is directed to select a chair and a vice-chair and must meet at least quarterly. The Attorney General must call the first meeting before January 1, 2020.

The panel examines deaths and serious injuries that result from a law enforcement officer's use of deadly force. The panel will wait to conduct its examination until the Attorney General conducts the investigation of the use of deadly force by a law enforcement officer as required in current law. The purpose of the examinations is to identify whether there was compliance with accepted and best practices under the particular circumstances and whether the practices were sufficient for the particular circumstances or whether the practices require adjustment or improvement. The panel must recommend methods of improving standards, including changes to statutes, rules,

training, policies and procedures designed to ensure incorporation of best practices that demonstrate increased public safety or officer safety.

The panel may request information and records that are necessary and relevant to the review. Persons providing information or records are not criminally or civilly liable for disclosing or providing information or records as directed by the panel. The panel may consult with content experts and other professionals and discuss necessary information or records within the scope of the consultations.

The proceedings of the panel are not public proceedings and records of the panel are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. To ensure oversight, the Legislature may inspect and review the records, but it must be under conditions that ensure the information is not further disclosed. The Office of the Attorney General shall disclose conclusions of the review panel but may not disclose information, records or data that are otherwise classified as confidential.

The panel is directed to submit a report on each incident it reviews, as well as annual reports summarizing its activities, to the joint standing committee of the Legislature having jurisdiction over judiciary matters beginning January 30, 2021.

Enacted Law Summary

Public Law 2019, chapter 435, establishes the Deadly Force Review Panel, a permanent panel of 15 members. The following are ex officio members, although each may appoint a designee to attend meetings and participate as a panel member: the Commissioner of Public Safety; the Director of Investigations for the Office of the Attorney General; the Director of the Maine Criminal Justice Academy; and the Chief Medical Examiner. The remaining members are appointed by the Attorney General: an attorney who represents plaintiffs in actions under 42 United States Code, Section 1983; a municipal police chief; a county sheriff; a mental health professional; a representative of a statewide collective bargaining law enforcement organization; a representative of a statewide civil rights organization; an attorney who represents defendants in actions under 42 United States Code, Section 1983; a criminal prosecutor; and three citizens, each of whom is not and has never been a sworn law enforcement officer. The panel is directed to select a chair and a vice-chair and must meet at least quarterly. The Attorney General must call the first meeting before January 1, 2020.

The panel examines deaths and serious injuries that result from a law enforcement officer's use of deadly force. The panel will wait to conduct its examination until the Attorney General conducts the investigation of the use of deadly force by a law enforcement officer as required in current law. The purpose of the examinations is to identify whether there was compliance with accepted and best practices under the particular circumstances and whether the practices were sufficient for the particular circumstances or whether the practices require adjustment or improvement. The panel must recommend methods of improving standards, including changes to statutes, rules, training, policies and procedures designed to ensure incorporation of best practices that demonstrate increased public safety or officer safety.

The panel may request information and records that are necessary and relevant to the review. Persons providing information or records are not criminally or civilly liable for disclosing or providing information or records as directed by the panel. The panel may consult with content experts and other professionals and discuss necessary information or records within the scope of the consultations.

The proceedings of the panel are not public proceedings and records of the panel are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. To ensure oversight, the Legislature may inspect and review the records, but it must be under conditions that ensure the information is not further disclosed. The Office of the Attorney General shall disclose conclusions of the review panel but may not disclose information, records or data that are otherwise classified as confidential.

The panel is directed to submit a report on each incident it reviews, as well as annual reports summarizing its

activities, to the joint standing committee of the Legislature having jurisdiction over judiciary matters beginning January 30, 2021.

LD 1229 **Resolve, To Establish the Committee To Study and Develop Recommendations To Address Guardianship Challenges That Delay Patient Discharges from Hospitals** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J DAVIS P	OTP-AM	H-452

This resolve establishes the Committee To Study and Develop Recommendations To Address Guardianship Challenges That Delay Patient Discharges from Hospitals. The committee is required to study and develop recommendations to address guardianship, conservatorship and authorization of transaction challenges that result in extended hospitalization of patients clinically qualified for discharge from a hospital.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Study Table by joint order, H.P. 1322.

Committee Amendment "A" (H-452)

This amendment revises the membership of the committee, requires the report to be submitted to both the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Judiciary, authorizes both committees to report out legislation based on the report to the Second Regular Session of the 129th Legislature and adds an emergency preamble and clause. It also allows the committee to accept outside contributions, approved by the Legislative Council, to help fund the committee.

This amendment was adopted in the House and Senate before the bill was carried over on the Special Study Table.

LD 1233 **An Act Regarding Offers of Settlement** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D		

This bill provides that prior to 28 days before trial, a party to a lawsuit may serve on the adverse party a written offer to stipulate to the entry of judgment for the whole or part of the claim. It sets forth how an offer or counteroffer may be accepted or rejected. It provides for the payment of costs if an offer is rejected. It provides that reasonable expert witness fees and expenses included as discretionary costs include fees associated with consulting, preparation and testifying at deposition or trial.

LD 1245 **An Act To Protect Victims of Domestic and Sexual Violence in Certain Provisions under the Maine Human Rights Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STOVER H	ONTP	

This bill amends certain portions of the Maine Human Rights Act to provide protections to victims of domestic and sexual violence.

LD 1291 **An Act To Update the Maine Parentage Act** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact changes to the Maine Parentage Act that have been adopted as updates to the Uniform Parentage Act by the Uniform Law Commission.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1294 **Resolve, Directing the Maine Human Rights Commission To Implement a Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R	OTP	
MOORE M	ONTP	

This resolve directs the Maine Human Rights Commission to create a two-year pilot program to receive, review and investigate incidents and complaints of harassment due to a person's lack of employment or housing status and other reports of interference with a person's access to public accommodations. In carrying out the pilot program, the commission must investigate and respond to incidents and complaints of harassment as set out in the Maine Revised Statutes, Title 5, sections 4611 and 4612. The commission is authorized to use any of its powers under Title 5, section 4566 to carry out the pilot program and may limit its scope. The commission is authorized to establish an advisory board to document and evaluate complaints and to advise the commission as to which incidents and complaints should be acted on and possible solutions. The commission is directed to produce an interim report for submission to the Joint Standing Committee on Judiciary by September 15, 2020 and a final report to the joint standing committee of the Legislature having jurisdiction over judiciary matters by September 15, 2021. The reports are authorized to contain recommendations on changes to the program or for its continuation as well as proposed legislation to carry out any recommendations.

LD 1301 **An Act Regarding the Confidentiality of Investigations by the Bureau of Forestry** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY M		
BLACK R		

This bill makes all complaints and investigative records of the Department of Agriculture, Conservation and Forestry related to violations of the forestry laws confidential during the pendency of an investigation. The bill provides exceptions to allow disclosures to department employees and other agencies and otherwise as determined warranted by the Commissioner of Agriculture, Conservation and Forestry. The provision or disclosure of investigative records of the Department of the Attorney General to a Department of Agriculture, Conservation and

Forestry employee designated by the commissioner does not constitute a waiver of the confidentiality of those records. A person who knowingly or intentionally makes a disclosure in violation of this provision commits a civil violation for which a fine not to exceed $1,000 may be adjudged.

LD 1304 **An Act To Ease Financial Burdens for Juveniles Involved in the Justice System** **PUBLIC 474**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM	H-616

This bill amends the Maine Juvenile Code concerning the payment of restitution and fines as follows.

1. It removes from the consideration of withholding an institutional disposition following the adjudication of a juvenile crime the juvenile's ability or agreement to make restitution for a victim's damages or injuries.

2. It caps the amount of restitution a juvenile may be ordered to pay at $800, requires the court to hold a hearing to determine the juvenile's financial capacity and allows the court to order community service in place of restitution.

3. Regarding a contempt proceeding concerning the enforcement of a dispositional order following the adjudication of a juvenile crime, the bill removes the ability of a court to incarcerate a juvenile or to levy execution of the monetary penalty or restitution to be collected as an unpaid civil judgment. The bill authorizes the court as a punitive or remedial sanction for the nonpayment of the restitution or fine to require the juvenile to earn credit by court-approved community service, which must be at a rate no less than the state minimum wage without considering whether the nonpayment was excusable or inexcusable.

Committee Amendment "A" (H-616)

This amendment replaces the bill. It enacts a new section in the Maine Juvenile Code governing court orders of restitution and orders to modify restitution. The new section:

1. Requires that restitution be considered by the court and, when the court does not order restitution, that the court state on the record or in writing the reasons for not imposing restitution;

2. Establishes criteria that must be considered in determining whether restitution is appropriate and the amount of restitution to be paid. The amendment specifically prohibits an order of restitution in enumerated circumstances;

3. Clarifies to whom restitution may be paid;

4. Establishes who has the burden of proof with regard to the capacity to pay restitution. If the juvenile is under 16 years of age, there is a rebuttable presumption that the juvenile does not have the capacity to pay restitution; the State may rebut the presumption by a preponderance of evidence. If the juvenile is 16 years of age or older, the juvenile has the burden of proving the incapacity to pay restitution by a preponderance of the evidence. On appeal, the juvenile has the burden of demonstrating that the court abused its discretion in ordering an amount of restitution;

5. Provides for the modification of orders of juvenile restitution; and

6. Provides that, in enforcing an order to pay restitution, the court may not enter an order for confinement as a remedial or contempt sanction unless the juvenile is at least 14 years of age. The court may also order the juvenile to complete community service.

Enacted Law Summary

Public Law 2019, chapter 474, enacts a new section in the Maine Juvenile Code governing court orders of

restitution and orders to modify restitution. The new section:

1. Requires that restitution be considered by the court and, when the court does not order restitution, that the court state on the record or in writing the reasons for not imposing restitution;

2. Establishes criteria that must be considered in determining whether restitution is appropriate and the amount of restitution to be paid. The amendment specifically prohibits an order of restitution in enumerated circumstances;

3. Clarifies to whom restitution may be paid;

4. Establishes who has the burden of proof with regard to the capacity to pay restitution. If the juvenile is under 16 years of age, there is a rebuttable presumption that the juvenile does not have the capacity to pay restitution; the State may rebut the presumption by a preponderance of evidence. If the juvenile is 16 years of age or older, the juvenile has the burden of proving the incapacity to pay restitution by a preponderance of the evidence. On appeal, the juvenile has the burden of demonstrating that the court abused its discretion in ordering an amount of restitution;

5. Provides for the modification of orders of juvenile restitution; and

6. Provides that, in enforcing an order to pay restitution, the court may not enter an order for confinement as a remedial or contempt sanction unless the juvenile is at least 14 years of age. The court may also order the juvenile to complete community service.

LD 1312 **An Act Regarding Access to Firearms by Extremely Dangerous and Suicidal Individuals** **Accepted Report B (ONTP)**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT R	OTP-AM	
GIDEON S	ONTP	
	OTP-AM	

This bill creates an extreme risk protection order to authorize a court to order a person to surrender that person's firearms temporarily for 14 days or on an extended basis for 365 days when it has been proved that the person poses a danger of causing personal injury to that person or another person. The bill provides the following:

1. A law enforcement officer, a law enforcement agency or a family or household member may file a petition for a temporary extreme risk protection order, which may be granted if the court finds probable cause exists to issue the order. The temporary extreme risk protection order expires in 14 days or when a hearing to determine whether to issue an extended extreme risk protection order is held, whichever occurs sooner. A temporary extreme risk protection order may be issued on an ex parte basis.

2. Whether or not the court issues a temporary extreme risk protection order, the court is required to hold a hearing within 14 days to determine whether the person poses a danger of causing personal injury to that person or another person. If the court, based on clear and convincing evidence, finds that an extended extreme risk protection order should be issued, the extended extreme risk protection order must be issued, and it expires 365 days after the issuance of the order unless extended after another hearing.

3. Following the issuance of a temporary or extended extreme risk protection order, the court is required to order law enforcement to serve the order and is required to issue a search warrant if the court finds probable cause that the person who is the subject of the order is in possession of a firearm.

4. A person who is the subject of a temporary or extended extreme risk protection order is required to surrender all

firearms in the person's possession to a law enforcement officer or law enforcement agency. The firearms must be returned to the person at the expiration of the extreme risk protection order unless an extended extreme risk protection order is issued.

5. A person against whom an extended extreme risk protection order is issued may request that the order be dissolved and be granted a hearing once during the term of the extended extreme risk protection order.

6. A person who possesses firearms in violation of an extreme risk protection order commits a Class D crime.

Committee Amendment "A" (S-285)

This amendment, which is the majority report, lists factors that a court may consider when determining whether the grounds for an extreme risk protection order exist. The list of factors is based on current Rhode Island law. The court is not precluded from considering other criteria.

This amendment revises the search warrant procedures in the bill to clarify that the court has discretion to issue a search warrant after an extreme risk protection order has been issued. If the court finds there is probable cause to believe the restrained individual owns, possesses or controls any firearms, the court is required to issue a warrant that describes the firearms and authorizes a search of the location where the described firearms are reasonably believed to be found and the seizure of any firearms in the possession or control of the restrained individual that are discovered pursuant to the search. The search warrant process for extreme risk protection orders described in this legislation is not intended to alter or supersede existing provisions governing search warrants, including exceptions for when a search warrant is not required.

This amendment requires the court, when issuing either a temporary extreme risk protection order or an extended extreme risk protection order, to inform the individual subject to the order of treatment resources that the individual may access.

This amendment authorizes the law enforcement agency that initially seized or received firearms as the result of an extreme risk protection order to make arrangements for transfer and storage of those firearms with another law enforcement agency or with a federally licensed firearms dealer.

This amendment adds an appropriations and allocations section.

This amendment was not adopted.

Committee Amendment "B" (S-286)

This amendment, which is one of two minority reports of the committee, replaces the bill with a resolve that directs the Commissioner of Education and the Commissioner of Public Safety to jointly convene a working group to examine the use of extreme risk protection orders regarding individuals who pose a serious threat to themselves or others, as well as other proposals to improve school safety, and to present the findings and recommendations of the working group to the Joint Standing Committee on Judiciary by January 1, 2020. The amendment authorizes the committee to submit legislation relating to the recommendations of the working group to the Second Regular Session of the 129th Legislature.

This amendment was not adopted.

LD 1327 **An Act To Require Residential Mortgage Loan Servicers To Act in Good Faith in Dealings with Homeowners** **PUBLIC 363**

Sponsor(s)	Committee Report	Amendments Adopted
CLAXTON N	OTP-AM	S-258

This bill requires servicers of residential mortgage loans to act in good faith when dealing with homeowners who are the borrowers under those loans. The bill changes the foreclosure mediation program to allow the courts to directly sanction a mortgage servicer when the servicer's conduct evidences a failure to mediate in good faith. The bill requires an order of sanctions to identify the name of the mortgage servicer so that, when a servicer is found to have failed to act in good faith, the court may take into account previous misconduct in fashioning a sanction sufficient to deter continuation of the misconduct in the same case or in future cases.

Committee Amendment "A" (S-258)

This amendment excludes certain types of entities from the definitions of "mortgage servicer" and "servicer" to provide that the mortgage servicer's duty of good faith as established in the bill does not apply to most financial institutions licensed by the State, including licensed banks and credit unions, supervised financial organizations, Maine financial institutions and mutual holding companies whose home state is Maine, as well as the Maine State Housing Authority.

Enacted Law Summary

Public Law 2019, chapter 363, requires servicers of residential mortgage loans to act in good faith when dealing with homeowners who are the borrowers under those loans. It changes the foreclosure mediation program to allow the courts to directly sanction a mortgage servicer when the servicer's conduct evidences a failure to mediate in good faith. It requires an order of sanctions to identify the name of the mortgage servicer so that, when a servicer is found to have failed to act in good faith, the court may take into account previous misconduct in fashioning a sanction sufficient to deter continuation of the misconduct in the same case or in future cases.

Public Law 2019, chapter 363, excludes certain types of entities from the definitions of "mortgage servicer" and "servicer" to provide that the mortgage servicer's duty of good faith as established in the bill does not apply to most financial institutions licensed by the State, including licensed banks and credit unions, supervised financial organizations, Maine financial institutions and mutual holding companies whose home state is Maine, as well as the Maine State Housing Authority.

LD 1352 **An Act To Provide for Consistency Regarding Persons Authorized To Conduct Examinations for Involuntary Hospitalization and Guardianship** **PUBLIC 276**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK G	OTP	

This bill changes the Maine Uniform Probate Code, Title 18-C, in the provision governing professional evaluation in an adult guardianship matter to replace the term "licensed physician or psychologist" with the term "medical practitioner," the definition of which is added to the provision by the bill and is the same as under the Maine Revised Statutes, Title 34-B, section 3801, which provides definitions for provisions governing hospitalization by psychiatric hospitals.

Enacted Law Summary

Public Law 2019, chapter 276, changes the Maine Uniform Probate Code in the provision governing professional evaluation in an adult guardianship matter to replace the term "licensed physician or psychologist" with the term "medical practitioner," the definition of which is added to the provision by the bill and is the same as under the Maine Revised Statutes, Title 34-B, section 3801, which provides definitions for provisions governing hospitalization by psychiatric hospitals.

LD 1366 **An Act To Require Information Regarding Implied Warranties When Offering an Extended Warranty at the Point of Sale** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
RILEY T	ONTP	

This bill requires a seller that offers an extended warranty on goods at the point of sale to inform the buyer of the implied warranty provisions under state law by stating: "Maine's implied warranty law covers most consumer goods for up to four years as long as the item is seriously defective and not simply worn out."

LD 1380 **An Act To Transfer the Violations Bureau from the Courts to the Office of the Secretary of State** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN J		

This bill transfers the responsibilities of the violations bureau, which processes traffic infractions, from the Judicial Branch to the Office of the Secretary of State.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1381 **An Act To Create a Post-judgment Mechanism To Provide Relief to Victims of Sexual Exploitation and Sex Trafficking** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
RECKITT L	ONTP	

This bill provides for a comprehensive post-judgment method of relief for a person for whom one or more criminal convictions in which a final judgment has been entered were the result of the person's sexual exploitation or being subjected to sex trafficking. This method of relief is similar to that provided in law to a person whose identity has been stolen and falsely used by another person in a criminal, civil violation or traffic infraction proceeding. The relief offered is the court's vacating the conviction and the correction of the court records and related criminal justice agency records.

LD 1388 **Resolve, Directing the Attorney General To Pursue the State's Claim That It Holds Title to Maine's Intertidal Lands** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DOW D EVANGELOS J	ONTP	

At the time this bill was printed, there were cases addressing the State's title to intertidal lands pending before the Law Court. This resolve directs the Attorney General to seek review in the United States Supreme Court of any decision by the Law Court that does not fully vindicate the State's title to intertidal lands. If there is no Law Court decision to appeal within two years, the Attorney General shall bring a declaratory judgment action in federal court to declare the State's title to intertidal lands, pursuing the case through to an appeal to the Supreme Court if

necessary.

LD 1392 **An Act To Establish a Formal Tribal Consultation Process with the State** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
NEWELL R MIRAMANT D		

This bill requires a state agency to develop and implement a policy that:

1. Promotes effective communication between the state agency and federally recognized Indian tribes in the State;

2. Promotes positive government-to-government relations between the State and federally recognized Indian tribes in the State; and

3. Enables federally recognized Indian tribes in the State to consult with the state agency in a meaningful and timely manner regarding the development of legislation, rules and policies proposed by the state agency on matters that significantly or uniquely affect the tribes.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1405 **An Act To Amend the Laws Governing Foreclosure To Ensure Timely Completion** **PUBLIC 408**

Sponsor(s)	Committee Report	Amendments Adopted
CARNEY A	OTP-AM	H-584

This bill amends the laws governing foreclosure proceedings in order to ensure timely completion of foreclosure sales. This bill:

1. Extends the mortgagee's time to sell the property following an adjournment of the sale, and requires that additional extensions of time be approved by the court;

2. Provides that a mortgagee may execute a waiver of foreclosure only with the written consent of the mortgagor; and

3. Establishes a time frame for the mortgagee to file a report of sale.

Committee Amendment "A" (H-584)

This amendment amends time limits in the bill to provide that a sale may be adjourned for any time not exceeding 60 days and the court may grant appropriate extensions.

It provides that, when there is a waiver of foreclosure, the waiver and the consent of the mortgagor must be included in a stipulation of dismissal of the foreclosure. The stipulation of dismissal must be signed by the mortgagee and mortgagor or their respective attorneys. Upon the filing of the stipulation of dismissal, along with the waiver and consent with the court, all other rights of the parties remain as if no foreclosure had been commenced.

It extends the time for the mortgagee to file a report of sale within the earlier of 90 days after the public sale and 45

days after the mortgagee's delivery of the deed conveying the mortgaged property. The court may extend the deadline upon a showing of good cause by the mortgagee.

Enacted Law Summary

Public Law 2019, chapter 408, amends the laws governing foreclosure proceedings in order to ensure timely completion of foreclosure sales. It provide thats a sale may be adjourned for any time not exceeding 60 days and the court may grant appropriate extensions. It provides that, when there is a waiver of foreclosure, the waiver and the consent of the mortgagor must be included in a stipulation of dismissal of the foreclosure. The stipulation of dismissal must be signed by the mortgagee and mortgagor or their respective attorneys. Upon the filing of the stipulation of dismissal, along with the waiver and consent with the court, all other rights of the parties remain as if no foreclosure had been commenced. It extends the time for the mortgagee to file a report of sale within the earlier of 90 days after the public sale and 45 days after the mortgagee's delivery of the deed conveying the mortgaged property. The court may extend the deadline upon a showing of good cause by the mortgagee.

LD 1414 **An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Penalties for Violations of the Freedom of Access Act** **PUBLIC 247**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill replaces the existing penalty provision of the Freedom of Access Act to establish a tiered schedule of fines for the civil violation of willfully violating the Freedom of Access Act.

A state government agency or local government entity is subject to a fine of up to $500 for a first violation, a fine of up to $1,000 for a second violation and a fine of up to $2,000 for third and subsequent violations committed within four years of an adjudication for a willful violation. For the purposes of determining previous adjudications, a willful violation can be committed by any employee of the agency or entity.

Enacted Law Summary

Public Law 2019, chapter 247, replaces the existing penalty provision of the Freedom of Access Act to establish a tiered schedule of fines for the civil violation of willfully violating the Freedom of Access Act.

A state government agency or local government entity is subject to a fine of up to $500 for a first violation, a fine of up to $1,000 for a second violation and a fine of up to $2,000 for third and subsequent violations committed within four years of an adjudication for a willful violation. For the purposes of determining previous adjudications, a willful violation can be committed by any employee of the agency or entity.

LD 1416 **An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Freedom of Access Training for Public Officials** **PUBLIC 300**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-451

Current law requires public officials elected to certain positions to complete training on the requirements of the Freedom of Access Act. This bill implements the recommendation of the Right To Know Advisory Committee that officials appointed to those same positions also be required to complete the training.

Committee Amendment "A" (H-451)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2019, chapter 300, implements the recommendation of the Right To Know Advisory Committee that officials appointed to those same positions be required to complete the training on the requirements of the Freedom of Access Act, whihc is currently required of public officials elected to certain positions.

LD 1423 **An Act To Require Corporate Transparency When Taxpayer Funding Is Provided** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H	ONTP	

This bill changes the standards of conduct for directors under the Maine Nonprofit Corporation Act and for directors and officers under the Maine Business Corporation Act to add compliance with the laws governing monopolies and profiteering and acting in accordance with the purpose for which the corporation is organized and not in a manner that facilitates bias and partiality in governance. It specifies that officers and directors of business corporations may not act to cause a detrimental effect on the purpose of nonprofit corporations. It requires a corporation under the Maine Nonprofit Corporation Act to include a list of private contributions received in its annual report. It requires a corporation under the Maine Business Corporation Act that receives a business equipment tax exemption or participates in a tax increment financing or credit enhancement program to include a list of all donations distributed to nonprofit corporations or public entities in its annual report.

LD 1426 **An Act To Increase Protections for Land Installment Contracts** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
HARNETT T BELLOWS S	OTP-AM ONTP	H-582

This bill expands the definition of "land installment contracts," creates foreclosure procedures for residential land installment contracts that include a 90-day redemption period and removes the right to cure of the purchaser and imposes mortgagee requirements on the foreclosing party. This bill also requires the vendor of a land installment contract to certify that the property meets the warranty of habitability under state law, makes the vendor of a land installment contract a creditor under the Maine Consumer Credit Code and, along with other remedies, makes a violation of the provisions regarding land installment contracts a violation under the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-582)

This amendment, which is the majority report, amends the bill to make clear that the parties to a rent-to-own or option-to-buy contract may agree to treat the agreement as a residential lease subject to the rental statutes in the Maine Revised Statutes, Title 14, chapters 709, 710 and 710-A; otherwise the residential properties foreclosure procedures apply. If the contract is treated as a residential lease agreement, the down payment is treated as a security deposit and must be returned when the rental ends.

The bill requires vendors who engage in land installment contracts to be treated as creditors under the Maine Consumer Credit Code. The amendment exempts vendors who engage in no more than one land installment

contract per year.

LD 1442 **An Act To Provide for Court-appointed Advocates for Justice in Animal Cruelty Cases** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D CHIPMAN B	OTP-AM ONTP	H-574

This bill allows courts to appoint law students or volunteer lawyers to advocate for the interests of justice in animal cruelty proceedings.

Committee Amendment "A" (H-574)

The bill requires the Department of Agriculture, Conservation and Forestry to keep a list of attorneys with knowledge of animal issues and the legal system and a list of law schools that have students with an interest in animal issues and the legal system, and requires the Commissioner of Agriculture, Conservation and Forestry to provide that list to the courts. The courts will use the list to appoint a separate advocate to represent the interests of justice in cases involving animal cruelty. This amendment moves the responsibilities concerning the list from the department and the commissioner to the Maine State Bar Association.

LD 1449 **An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities** **Died On Adjournment**

Sponsor(s)	Committee Report	Amendments Adopted
LOCKMAN L TIMBERLAKE J		

This bill establishes prohibitions concerning restricting the sharing and use of immigration and citizenship information. It prohibits restricting the enforcement of federal immigration law. It establishes a complaint process and a duty to report.

This bill also provides that if the Attorney General, upon investigation, determines that a government entity is violating these prohibitions, the Attorney General must issue an opinion stating that finding. The government entity has 30 days to appeal the finding to the Superior Court. If the Superior Court agrees with the Attorney General, the court must immediately enjoin the policy or practice. The government entity that continues the policy or practice is subject to a $500 fine for each day the policy or practice remains in effect. If the Superior Court disagrees with the Attorney General, the Attorney General must immediately certify that the government entity is in compliance with the law.

LD 1457 **An Act To Make Certain References in the Maine Revised Statutes Gender-neutral** **PUBLIC 475**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M	OTP-AM	H-565

This bill changes language in the Maine Revised Statutes to make certain references to the Governor and the Chief Justice of the Supreme Judicial Court and associate justices gender neutral. The Revisor of Statutes is directed to review the Maine Revised Statutes to determine where further references to the Governor and the Chief Justice of

the Supreme Judicial Court and associate justices need to be made gender neutral and to implement these revisions when updating, publishing or republishing the statutes.

Committee Amendment "A" (H-565)

This amendment strikes the title of the bill and directs that certain references in the Maine Revised Statutes be made gender-neutral, not just references to the Governor and the Supreme Judicial Court Justices as proposed in the bill. Specifically, this amendment makes all references in Title 3 of the Maine Revised Statutes gender-neutral and it adds a revision clause to direct the Revisor of Statutes to determine where references to individuals occurring throughout the statutes need to be made gender-neutral and to make these revisions when updating, publishing or republishing the statutes. The amendment further directs the Revisor of Statutes to develop a schedule to change all gender-specific terms to gender-neutral terms in all Titles of the Maine Revised Statutes as soon as reasonably practicable and to include in the annual revisor's report an update on progress in carrying out the schedule.

Enacted Law Summary

Public Law 2019, chapter 475, changes language in the Maine Revised Statutes to make certain references to the Governor and the Chief Justice of the Supreme Judicial Court and associate justices gender neutral, and to make all references in Title 3 of the Maine Revised Statutes gender neutral. Chapter 475 includes a revision clause to direct the Revisor of Statutes to determine where references to individuals occurring throughout the statutes need to be made gender-neutral and to make these revisions when updating, publishing or republishing the statutes. Chapter 475 directs the Revisor of Statutes to develop a schedule to change all gender-specific terms to gender-neutral terms in all Titles of the Maine Revised Statutes as soon as reasonably practicable and to include in the annual revisor's report an update on progress in carrying out the schedule.

LD 1468 **An Act To Enact the Maine Uniform Directed Trust Act** **PUBLIC 301**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill enacts the Maine Uniform Directed Trust Act as approved by the Uniform Law Commissioners in 2017. It includes conforming amendments to the Uniform Trust Code, adopted in this State as the Maine Revised Statutes, Title 18-B, Part 1, the Maine Uniform Trust Code.

Enacted Law Summary

Public Law 2019, chapter 301, enacts the Maine Uniform Directed Trust Act as approved by the Uniform Law Commissioners in 2017. It includes conforming amendments to the Uniform Trust Code, adopted in this State as the Maine Revised Statutes, Title 18-B, Part 1, the Maine Uniform Trust Code.

LD 1475 **An Act To Eliminate Profiling in Maine** **PUBLIC 410**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN C MIRAMANT D	OTP-AM ONTP	H-581

This bill creates the Act To Eliminate Profiling in Maine, which establishes policies and procedures for law enforcement officers and law enforcement agencies to prohibit and eliminate profiling. The bill defines profiling as the discriminatory practice of a law enforcement officer or law enforcement agency relying, to any degree, on actual or perceived race, gender, ethnicity, religion, socioeconomic status, ancestry or national origin in targeting an

individual for routine or spontaneous investigatory activities or in deciding upon the scope and substance of law enforcement activity following the initial investigatory procedure, except when there is trustworthy information, relevant to the locality and time frame, that links a person with a particular characteristic to an identified criminal incident or scheme.

Specifically, the bill directs the Board of Trustees of the Maine Criminal Justice Academy to establish policies and procedures to eliminate profiling and require mandatory training and anti-profiling education by all law enforcement agencies in the State. All law enforcement agencies must adopt written policies on profiling. The bill requires law enforcement agencies to implement procedures for receiving, investigating and responding to complaints of profiling. The bill also directs the Attorney General to adopt rules and guidelines for collecting and reporting data regarding profiling. Rules must define what data must be collected, how it must be collected and how the data may be reported and used to eliminate profiling and inform law enforcement, the public and the joint standing committees of the Legislature having jurisdiction over judiciary matters and criminal justice and public safety matters.

Committee Amendment "A" (H-581)

The bill prohibits profiling on the basis of actual or perceived race, gender, ethnicity, religion, socioeconomic status, ancestry or national origin by law enforcement and requires data collection to provide information about whether profiling is occurring and, if so, the extent to which it is occurring. This amendment retains the prohibition on profiling on the basis of race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin or ancestry by requiring the establishment of anti-profiling policies but removes the data collection requirement and instead directs the Attorney General to explore data collection techniques and report to the Joint Standing Committee on Judiciary findings and recommendations by March 15, 2020. The committee may report out legislation to the Second Regular Session of the 129th Legislature.

The amendment requires that training of law enforcement officers include anti-profiling education and instruction.

The amendment directs the Attorney General to establish procedures for receiving, investigating and responding to complaints alleging profiling by law enforcement officers or law enforcement agencies. The Attorney General may adopt rules to address the operation of administrative complaint procedures and independent audit programs to ensure that programs and procedures provide an appropriate response to allegations of profiling by law enforcement officers or law enforcement agencies.

Enacted Law Summary

Public Law 2019, chapter 410, prohibits profiling on the basis of race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin or ancestry by requiring the establishment of anti-profiling policies. It directs the Attorney General to explore data collection techniques and report to the Joint Standing Committee on Judiciary findings and recommendations by March 15, 2020. The committee may report out legislation to the Second Regular Session of the 129th Legislature.

Public Law 2019, chapter 410, requires that training of law enforcement officers include anti-profiling education and instruction.

Public Law 2019, chapter 410, directs the Attorney General to establish procedures for receiving, investigating and responding to complaints alleging profiling by law enforcement officers or law enforcement agencies. The Attorney General may adopt rules to address the operation of administrative complaint procedures and independent audit programs to ensure that programs and procedures provide an appropriate response to allegations of profiling by law enforcement officers or law enforcement agencies.

LD 1483 **An Act To Clarify the Disposition of Funds Presumed Abandoned in a Lawyer's Trust Account** **PUBLIC 496**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B BELLOWS S	OTP-AM OTP ONTP	H-575

This bill clarifies that funds presumed abandoned under the Uniform Unclaimed Property Act in a lawyer's trust account for which identifying client information can be found must be delivered to the Treasurer of State. It provides that funds presumed abandoned in a lawyer's trust account for which no identifying client information can be found must be transferred to the lawyer's trust account program manager to be used to provide funding to organizations whose primary purpose is to provide civil legal aid to low-income residents of the State.

Committee Amendment "A" (H-575)

This amendment, which is the majority report, provides that unclaimed funds, submited by attorneys and banks from IOLTA accounts, that are currently held as unclaimed property without identifying client information be transferred by the Treasurer of State to the lawyer's trust account program manager.

Enacted Law Summary

Public Law 2019, chapter 496, clarifies that funds presumed abandoned under the Uniform Unclaimed Property Act in a lawyer's trust account for which identifying client information can be found must be delivered to the Treasurer of State. It provides that funds presumed abandoned in a lawyer's trust account for which no identifying client information can be found must be transferred to the lawyer's trust account program manager to be used to provide funding to organizations whose primary purpose is to provide civil legal aid to low-income residents of the State. Chapter 496 provides that unclaimed funds, submited by attorneys and banks from IOLTA accounts, that are currently held as unclaimed property and not identified as belonging to anyone be transferred by the Treasurer of State to the lawyer's trust account program manager.

LD 1490 **An Act To Enhance Tribal-State Collaboration in the Enforcement of Child Support** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R		

The purpose of this bill is to establish legal authority to allow federally recognized Indian tribes in the State to use the same legal tools that are currently available to the State to compel noncustodial parents to assist in the support of their children.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1503 **An Act To Establish the Maine False Claims Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M	ONTP	

This bill repeals the existing law governing the civil liability of persons making false claims, and enacts the Maine False Claims Act in order to protect the State against false and fraudulent claims upon or against the State and to protect the State and the Federal Government against false and fraudulent claims under the Medicaid program, known in the State as the MaineCare program. This bill provides authorization for qui tam actions, which are brought by a person for the benefit of the person and the State in the name of the State. This bill provides protection from discrimination for an employee who participates in a qui tam action. This bill provides possible recoveries for the person who brings the qui tam action in addition to recoveries for the State. This bill establishes the Maine False Claims Act Fund to receive the proceeds payable to the State as a result of false claims litigation to be used in part for investigatory, enforcement and litigation expenses.

LD 1507 **An Act Relating to Amateur Radio Service** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DEVEAU J	ONTP	

This bill prohibits a homeowners association, which is defined in this bill, from restricting the construction and operation of an amateur radio station by an amateur radio operator licensed by the Federal Communications Commission. This bill allows homeowners associations to establish certain requirements concerning the construction and appearance of amateur radio station antennas.

LD 1511 **An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM ONTP	

This bill implements statutory changes recommended by the Right To Know Advisory Committee pursuant to its responsibility to review existing public records exceptions.

The bill eliminates specific protection for social security numbers in the context of constituent communications because social security numbers are designated as not public records for all contexts.

Current law provides that personally identifying information concerning minors that is obtained or maintained by a municipality in providing recreational or nonmandatory educational programs or services is not a public record as long as the municipality has adopted an ordinance that protects the information from disclosure. The bill repeals the requirement that a municipality adopt such an ordinance in order to protect the information about minors.

Current law provides a public record exception for records or information describing the architecture, design, access authentication, encryption or security of information technology infrastructure, systems and software. The bill amends the provision to specifically include records or information maintained to ensure government operations and technology continuity and to enable disaster recovery.

The bill amends the statutes governing the confidentiality of the working papers of the Office of Program Evaluation and Government Accountability to clarify that the working papers, whether in the possession of the office or an entity with which the office director has contracted, remain confidential even after the report is released to the public. It removes duplicative language that is already captured in the definition of "working papers."

The bill amends the Maine Human Rights Act to update and clarify the language describing medical history and information about disabilities, as well as to update a reference to employee health and wellness programs.

Committee Amendment "A" (H-641)

This amendment, which is the majority report, designates the contents of the bill as Part A. The amendment adds Parts B and C.

Part B of the amendment does the following.

It clarifies when members of public bodies may participate remotely in public proceedings of those bodies. It prohibits a body subject to the Freedom of Access Act from allowing its members to participate in its public proceedings through telephonic, video, electronic or other similar means of communication unless the body has adopted a written policy that authorizes remote participation in a manner that allows all members to simultaneously hear and speak to each other during the public proceeding and allows members of the public attending the public proceeding at the location identified in the meeting notice to hear all members of the body.

It prohibits remote participation in executive session. It also prohibits a member who is participating remotely in a proceeding from voting on an issue that was discussed in executive session that immediately preceded the vote in the public proceeding.

It requires a quorum of the body to be physically present at the location identified in the meeting notice unless immediate action is imperative and physical presence of a quorum is not reasonably practicable within the period of time requiring action, or, for public bodies that consist of three or fewer members, at least one member of the public body must be physically present at the location identified in the meeting notice.

It requires that each member of a public body subject to the Freedom of Access Act be physically present in at least one public proceeding each year.

It requires that each member participating remotely identify all persons present at the remote location, that all votes be taken by roll call and that members participating remotely receive documents or other materials presented or discussed at the public proceeding in advance or when made available at the meeting, if the technology is available. The amendment prohibits members who are not physically present at the meeting location from participating and voting in adjudicatory proceedings.

It requires that a state public body adopt its remote participation policy as a major substantive rule under the Maine Administrative Procedure Act.

It authorizes municipalities and counties to impose stricter requirements than are provided in this amendment and allows municipalities and counties to prohibit the use of remote participation by any public body under their jurisdictions. The stricter requirements or the prohibition must be imposed through the adoption of an ordinance by the municipality or the county.

It provides that an elected public body may adopt a remote participation policy only after the constituency of the elected public body has voted to authorize the body to adopt the policy.

It prohibits the Legislature from allowing its members to participate in its public proceedings through telephonic, video, electronic or other similar means of communication, but allows the Finance Authority of Maine, the Commission on Governmental Ethics and Election Practices, the Maine Health and Higher Educational Facilities Authority, the Maine State Housing Authority, the Maine Municipal Bond Bank, the Emergency Medical Services' Board and the Workers' Compensation Board to continue allowing remote participation at their public proceedings as currently authorized in law.

Part C of the amendment amends the Freedom of Access Act to require the joint standing committee of the Legislature having jurisdiction over judiciary matters to conduct a review of any proposed statutory authorization of remote participation or change in accessibility with respect to public proceedings.

This amendment was not adopted.

LD 1516 **An Act To Improve Efficiency in Communication in the Court System** **PUBLIC 497**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M SANBORN L	OTP-AM	H-270 S-344 BREEN C

This bill provides funding to the Judicial Branch to allow it to develop and implement a text message notification system to provide information regarding pending court cases, such as location, calendar, case category and case type, to involved parties.

Committee Amendment "A" (H-270)

This amendment removes the emergency preamble and emergency clause and reduces the appropriation to reflect the new effective date.

Senate Amendment "A" To Committee Amendment "A" (S-344)

This amendment replaces the appropriations and allocations section. It provides funding for one part-time Project Manager Associate position instead of one full-time position.

Enacted Law Summary

Public Law 2019, chapter 497, provides funding to the Judicial Branch to allow it to develop and implement a text message notification system to provide information regarding pending court cases, such as location, calendar, case category and case type, to involved parties. It provides funding for one part-time Project Manager Associate position.

LD 1522 **An Act To Amend the Laws Regarding Orders of Abandonment for Residential Properties in Foreclosure** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FOLEY R CAMPBELL D	ONTP	

This bill allows a condominium association to act as a party in interest in a judicial foreclosure action to present evidence of abandonment of mortgaged premises and file a motion to determine that the premises are abandoned. This bill also requires a plaintiff prevailing in a foreclosure action against premises that include dwelling units occupied by tenants to pay any rent received from those tenants, after deducting reasonable costs for acting as the landlord, to a condominium association that is a party in interest.

LD 1535 **An Act To Correct Errors and Inconsistencies Related to the Maine Uniform Probate Code and To Make Other Substantive Changes** **PUBLIC 417 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-632

This bill is submitted pursuant to Public Law 2017, chapter 402, Part G, section 2.

This bill contains recommendations submitted by the Probate and Trust Law Advisory Commission and the Family Law Advisory Commission to Changes the Maine Uniform Probate Code. This bill does the following.

1. It provides that a guardian or conservator can petition the court to require a third party to recognize the authority of the guardian or conservator, as well as accept a decision of the guardian or conservator. If the court finds that the refusal of a third party was made in bad faith and without justification, the court may charge the third party for attorney's fees and costs. Notice of the petition for an order to recognize the authority or accept the decision of the guardian or conservator must be provided to the adult subject to guardianship or conservatorship and everyone else entitled to notice.

2. It addresses an inconsistency and a potential constitutional infirmity in the minor guardianship termination provision in Title 18-C, section 5-210, subsection 7 identified by the Family Law Advisory Commission. Subsection 7 establishes the standards and burdens of proof applicable to a parent's petition to terminate a minor guardianship when the termination is opposed by the guardian. This bill provides that the guardian has the burden of proving by clear and convincing evidence that the parent seeking to terminate the guardianship is currently unfit to regain custody of the minor.

3. It requires the court, in determining whether to appoint a guardian or conservator, to find that any appropriate supportive services, technological assistance or supportive decision making provides adequate protection for the particular respondent. It adds that a less restrictive alternative to guardianship or conservatorship must provide adequate protection for the respondent.

4. It provides that if the respondent exercises the right to decline to participate in a professional evaluation or refuses to provide medical reports, the court may enter an order of guardianship or other protective arrangement if the court otherwise finds that there is a basis for the order.

5. Throughout Article 5, Parts 3, 4 and 5, it provides that participation in a hearing by telephone, rather than real-time audiovisual technology, is permitted only if real-time audiovisual technology is not available.

6. In the provisions governing confidentiality of records regarding adult guardianship, conservatorship and other protective arrangements, it establishes an effective date of January 1, 2021 to provide sufficient time for the Supreme Judicial Court to adopt rules governing the confidentiality of all court records.

7. It provides that the right to vote and the right marry are automatically preserved when a guardian is appointed, unless the court orders otherwise.

8. It creates an exception, for guardianships and conservatorships established prior to the July 1, 2019 effective date of Title 18-C, to the imposition of certain duties of notice and restrictions of powers until an express order of the court so directs the guardian.

9. It repeals Title 18-C, section 5-404, which was carried over from the former Title 18-A, section 5-404, and enacts Title 18-C, section 5-404-A. Section 5-404-A is derived from section 404 of the Uniform Guardianship, Conservatorship and Other Protective Arrangements Act and concerns an order to preserve property while a petition for appointment of a conservator is pending.

10. It provides that if the respondent exercises the right to decline to participate in a professional evaluation or refuses to provide medical reports, the court may enter an order of conservatorship or other protective arrangement if the court otherwise finds that there is a basis for the order.

11. It directs the Family Law Advisory Commission to study and provide recommendations on the following

matters related to the Maine Uniform Probate Code: petitions for termination of parental rights in the context of adoption; competing adoption petitions; and rights of contact between a minor and the former guardian when the guardianship is terminated. The Family Law Advisory Commission is required to submit a report, including specific recommendations for amendments to the Maine Uniform Probate Code and other family law statutes, to the Joint Standing Committee on Judiciary by December 1, 2019.

12. It enacts as new Article 10 the Maine Revised Uniform Fiduciary Access to Digital Assets Act, originally enacted by Public Law 2017, chapter 359, which was enacted as Article 10 of former Title 18-A.

Committee Amendment "A" (H-632)

This amendment changes the effective date of the Maine Uniform Probate Code, the Maine Revised Statutes, Title 18-C, enacted by Public Law 2017, chapter 402, from July 1, 2019 to September 1, 2019.

This amendment amends the adult guardianship, conservatorship and other protective arrangements provisions to clarify that the court retains its discretion when determining whether guardianship, conservatorship, protective arrangements or other less restrictive alternatives, including supported decision making, are appropriate in each case before the court. The court may consider any proposed vetting of the person or persons chosen to provide support in decision making; reports to the court by an interested party or parties regarding the effectiveness of an existing supported decision-making arrangement; or any other information the court determines necessary or appropriate to determine whether supportive services, technological assistance, supported decision making, protective arrangements or less restrictive arrangements will provide adequate protection for the respondent when a petition has been filed for guardianship, conservatorship or other protective arrangements.

This amendment updates Title 18-C with amendments that were included in the Maine Revised Uniform Fiduciary Access to Digital Assets Act, enacted by Public Law 2017, chapter 359 as amendments to the Maine Revised Statutes, Title 18-A, in the definition of "property" to include digital assets and to authorize an agent under a power of attorney to exercise authority over the content of an electronic communication of the principal if specifically authorized to do so in a power of attorney.

This amendment clarifies that a person may refuse to recognize the authority of a guardian or conservator to act on behalf of an individual subject to guardianship or conservatorship if the guardian's or conservator's proposed action would be inconsistent with not only the Maine Uniform Probate Code but any other law, rule or regulation. It also provides that a person who refuses to accept the authority of the guardian or conservator in any situation is required to report the refusal and the reason for the refusal to the court. This gives the court the opportunity to review the guardian or conservator and determine if removal or other action is appropriate.

This amendment replaces the provisions governing the appointment of a guardian for a minor on an emergency basis and is based on recommendations from the Family Law Advisory Commission. The amendment to the Title 18-C, section 5-204 permits the appointment of a guardian for a minor on an emergency basis for up to 90 days upon evidence that the appointment is needed to prevent substantial harm to the minor's physical health or safety.

This amendment provides that a professional evaluation is not required before the appointment of an emergency guardian or emergency conservator if the court finds from affidavit or testimony that the basis for an emergency has been met and the petitioner has good cause for not submitting a professional evaluation before the emergency order.

This amendment deletes the repeal of 18-C, section 5-404 as proposed in the bill and instead adds the proposed language concerning the preservation and protection of property pending a conservatorship proceeding.

This amendment provides that when the court has appointed a public guardian, no coguardian may be appointed, and no coconservator may be appointed when a public conservator has been appointed.

This amendment cross-references the requirements that apply to private guardians and conservators to ensure that the same requirements apply to public guardians and conservators.

This amendment resolves an inconsistency in the adoptions laws between Title 18-C, section 9-202, subsection 4, which allows a parent to have five days to revoke a written consent to an adoption or a surrender and release of their parental rights, and subsection 6, which states that a consent or surrender and release are final and irrevocable upon execution. This amendment eliminates this inconsistency by eliminating "when duly executed" and in its place providing that a surrender and release or a consent is final and irrevocable upon the court's approval pursuant to the other requirements of that section, as set forth in subsection 2.

Enacted Law Summary

Public Law 2019, chapter 417, is based on recommendations from the Probate and Trust Law Advisory Commission and the Family Law Advisory Commission pursuant to Public Law 2017, chapter 402, Part G.

Public Law 2019, chapter 417 includes the following changes.

1. It changes the effective date of the Maine Uniform Probate Code, Title 18-C, from July 1, 2019 to September 1, 2019.

2. It provides that a guardian or conservator can petition the court to require a third party to recognize the authority of the guardian or conservator, as well as accept a decision of the guardian or conservator. If the court finds that the refusal of a third party was made in bad faith and without justification, the court may charge the third party for attorney's fees and costs. Notice of the petition for an order to recognize the authority or accept the decision of the guardian or conservator must be provided to the adult subject to guardianship or conservatorship and everyone else entitled to notice. Chapter 417 clarifies that a person may refuse to recognize the authority of a guardian or conservator to act on behalf of an individual subject to guardianship or conservatorship if the guardian's or conservator's proposed action would be inconsistent with not only the Maine Uniform Probate Code but any other law, rule or regulation. It also provides that a person who refuses to accept the authority of the guardian or conservator in any situation is required to report the refusal and the reason for the refusal to the court. This gives the court the opportunity to review the guardian or conservator and determine if removal or other action is appropriate.

3. It replaces the provisions governing the appointment of a guardian for a minor on an emergency basis and is based on recommendations from the Family Law Advisory Commission. The change to the Title 18-C, section 5-204 permits the appointment of a guardian for a minor on an emergency basis for up to 90 days upon evidence that the appointment is needed to prevent substantial harm to the minor's physical health or safety.

4. It addresses an inconsistency and a potential constitutional infirmity in the minor guardianship termination provision in Title 18-C, section 5-210, subsection 7 identified by the Family Law Advisory Commission. Subsection 7 establishes the standards and burdens of proof applicable to a parent's petition to terminate a minor guardianship when the termination is opposed by the guardian. This bill provides that the guardian has the burden of proving by clear and convincing evidence that the parent seeking to terminate the guardianship is currently unfit to regain custody of the minor.

5. It requires the court, in determining whether to appoint a guardian or conservator, to find that any appropriate supportive services, technological assistance or supportive decision making provides adequate protection for the particular respondent. It adds that a less restrictive alternative to guardianship or conservatorship must provide adequate protection for the respondent. Chapter 417 amends the adult guardianship, conservatorship and other protective arrangements provisions to clarify that the court retains its discretion when determining whether guardianship, conservatorship, protective arrangements or other less restrictive alternatives, including supported decision making, are appropriate in each case before the court. The court may consider any proposed vetting of the

person or persons chosen to provide support in decision making; reports to the court by an interested party or parties regarding the effectiveness of an existing supported decision-making arrangement; or any other information the court determines necessary or appropriate to determine whether supportive services, technological assistance, supported decision making, protective arrangements or less restrictive arrangements will provide adequate protection for the respondent when a petition has been filed for guardianship, conservatorship or other protective arrangements.

6. It provides that if the respondent exercises the right to decline to participate in a professional evaluation or refuses to provide medical reports, the court may enter an order of guardianship or other protective arrangement if the court otherwise finds that there is a basis for the order.

7. It provides that a professional evaluation is not required before the appointment of an emergency guardian or emergency conservator if the court finds from affidavit or testimony that the basis for an emergency has been met and the petitioner has good cause for not submitting a professional evaluation before the emergency order.

8. Throughout Article 5, Parts 3, 4 and 5, it provides that participation in a hearing by telephone, rather than real-time audiovisual technology, is permitted only if real-time audiovisual technology is not available.

9. In the provisions governing confidentiality of records regarding adult guardianship, conservatorship and other protective arrangements, it establishes an effective date of January 1, 2021 to provide sufficient time for the Supreme Judicial Court to adopt rules governing the confidentiality of all court records.

10. It provides that the right to vote and the right marry are automatically preserved when a guardian is appointed, unless the court orders otherwise.

11. It provides that when the court has appointed a public guardian, no coguardian may be appointed, and no coconservator may be appointed when a public conservator has been appointed. It also cross-references the requirements that apply to private guardians and conservators to ensure that the same requirements apply to public guardians and conservators.

12. It creates an exception, for guardianships and conservatorships established prior to the July 1, 2019 effective date of Title 18-C, to the imposition of certain duties of notice and restrictions of powers until an express order of the court so directs the guardian.

13. It repeals Title 18-C, section 5-404, which was carried over from the former Title 18-A, section 5-404, and enacts Title 18-C, section 5-404-A. Section 5-404-A is derived from section 404 of the Uniform Guardianship, Conservatorship and Other Protective Arrangements Act and concerns an order to preserve property while a petition for appointment of a conservator is pending.

14. It provides that if the respondent exercises the right to decline to participate in a professional evaluation or refuses to provide medical reports, the court may enter an order of conservatorship or other protective arrangement if the court otherwise finds that there is a basis for the order.

15. It resolves an inconsistency in the adoptions laws concerning the effective date of a written consent to an adoption or a surrender and release of parental rights.

16. It directs the Family Law Advisory Commission to study and provide recommendations on the following matters related to the Maine Uniform Probate Code: petitions for termination of parental rights in the context of adoption; competing adoption petitions; and rights of contact between a minor and the former guardian when the guardianship is terminated. The Family Law Advisory Commission is required to submit a report, including specific recommendations for amendments to the Maine Uniform Probate Code and other family law statutes, to the Joint Standing Committee on Judiciary by December 1, 2019.

17. It enacts as new Article 10 the Maine Revised Uniform Fiduciary Access to Digital Assets Act, originally enacted by Public Law 2017, chapter 359, which was enacted as Article 10 of former Title 18-A.

Public Law 2019, chapter 417, was enacted as an emergency measure effective June 20, 2019.

LD 1544 **An Act To Enact the Maine Revised Unclaimed Property Act** **PUBLIC 498**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L	OTP-AM OTP-AM	S-351

This bill repeals Maine's Uniform Unclaimed Property Act and enacts the Maine Revised Unclaimed Property Act. The bill also corrects cross-references.

Committee Amendment "A" (S-351)

This amendment includes the definition of "game-related digital content" from the Revised Uniform Unclaimed Property Act, or Uniform Act, and, consistent with the Uniform Act, exempts it from the definition of property that is subject to the Maine Revised Unclaimed Property Act and excludes it from the definition of "stored-value obligation."

This amendment revises the definition of "owner" to include a creditor.

This amendment amends the provision governing the presumption of abandonment for a payroll card or demand, savings or time deposit to track the language of the Uniform Act to provide that the property is presumed abandoned three years after the maturity of the deposit, deleting the reference to the last indication of interest by the owner.

This amendment provides that the date on which the dormancy period begins to run is the date an insurance company has knowledge of the death of an insured, rather than the date of death as provided in the bill.

The bill provides that a stored-value card is presumed abandoned two years after key events have occurred; this amendment changes that time period to three years.

This amendment removes from the bill language providing that a security is presumed abandoned two years after the date of death of the owner.

This amendment revises the bill to provide that automatic withdrawals previously authorized and automatic reinvestments of dividends and interest are included as an indication of an apparent owner's interest in the property.

This amendment provides that interest on interest-bearing property that has been delivered to the administrator is not payable to the owner for any period before the effective date of the Maine Revised Unclaimed Property Act, unless the prior law authorized such payments. This provision is included in the Uniform Act.

This amendment provides that the administrator may not commence an action or proceeding to enforce the Maine Revised Unclaimed Property Act with respect to the reporting, payment or delivery of property more than five years after the holder filed a nonfraudulent report with the administrator. The parties may agree in a record to extend the limitation. In addition, the administrator may not commence an action, proceeding or examination with respect to a duty of a holder under the Maine Revised Unclaimed Property Act more than 10 years after the duty arose.

This amendment strikes out subchapter 13 in the bill and replaces it with the language of the current Maine Revised Statutes, Title 33, section 1976 with regard to agreements to locate property. This amendment provides that if a

person with a claim held by the administrator enters into an agreement with a professional investigator licensed in the State, when the administrator has determined that a payment or property should be delivered to the claimant, the administrator is required to deliver the payment or property directly to the professional investigator. When such an agreement is in effect, the administrator is required to provide the claimant or the professional investigator with notice about the approval or denial of a claim.

The bill includes transitional provisions from the Uniform Act that require that when an initial report is filed under the Maine Revised Unclaimed Property Act, it must include all property reportable under the Maine Revised Unclaimed Property Act for the prior 10 years. It also requires that a duty that arose under the existing law to report, pay or deliver property is not relieved by the enactment of the Maine Revised Unclaimed Property Act. This amendment strikes the transition provision from the bill relating to reportable property for the prior 10 years.

Committee Amendment "B" (S-352)

This amendment is the minority report of the committee. It differs from the majority report in two ways.

First, it provides that before the administrator requires a person who is required to file a report with the administrator to be subject to an examination of records by the administrator's contractor to determine compliance, the administrator is required to demand in a record that the person submit a report and deliver property that is previously unreported. The demand must be made at least 60 days before assigning the contractor to conduct the examination. This language is part of the Revised Uniform Unclaimed Property Act.

Second, this amendment prohibits the administrator or an employee of the administrator from being employed or compensated by any entity that is contracted to conduct examinations for two years after the latest participation in, recommendation of or approval of the award or conclusion of the contract. This language is part of the Revised Uniform Unclaimed Property Act.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 498, repeals Maine's Uniform Unclaimed Property Act and enacts the Maine Revised Unclaimed Property Act. The changes to current law include the following:

1. Defining "game-related digital content" and exempting it from the definition of property that is subject to the Maine Revised Unclaimed Property Act.

2. Amending the law to provide that the date on which the dormancy period begins to run is the date an insurance company has knowledge of the death of an insured;

3. Providing that a stored-value card is presumed abandoned three years after key events have occurred;

4. Including automatic withdrawals previously authorized and automatic reinvestments of dividends and interest as an indication of an apparent owner's interest in the property;

5. Providing that the administrator may not commence an action or proceeding to enforce the Maine Revised Unclaimed Property Act with respect to the reporting, payment or delivery of property more than five years after the holder filed a nonfraudulent report with the administrator. The parties may agree in a record to extend the limitation. In addition, the administrator may not commence an action, proceeding or examination with respect to a duty of a holder under the Maine Revised Unclaimed Property Act more than 10 years after the duty arose;

6. Retaining current law with regard to agreements to locate property, but providing that if a person with a claim for property held by the administrator enters into an agreement with a professional investigator licensed in the State, when the administrator has determined that a payment or property should be delivered to the claimant, the

administrator is required to deliver the payment or property directly to the professional investigator. When such an agreement is in effect, the administrator is required to provide the claimant or the professional investigator with notice about the approval or denial of a claim; and

7. Deleting the usual transition provisions that require that when an initial report is filed under the Maine Revised Unclaimed Property Act, it must include all property reportable under the Maine Revised Unclaimed Property Act for the prior 10 years. It still requires that a duty that arose under the existing law to report, pay or deliver property is not relieved by the enactment of the Maine Revised Unclaimed Property Act.

LD 1554 **Resolve, Establishing a Commission To Reform Child Protective Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B		

This resolve establishes the Commission To Reform Child Protective Services. The commission is required to submit a report, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1573 **An Act To Clarify Provisions of the Maine Juvenile Code Regarding Inspection, Disclosure and Dissemination of Juvenile Case Records and To Change Gender-specific Terms** **PUBLIC 525**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B	OTP-AM	H-651

This bill amends provisions in the Maine Juvenile Code, including:

1. Changing gender-specific terms to gender-neutral terms;

2. Creating definitions, including a definition for "juvenile case records" to include all information, records or documents that may be contained in the court records of a juvenile for an individual case; and

3. Requiring that juvenile case records be kept confidential and only disclosed, disseminated, inspected or obtained by certain parties or certain agencies or by court order.

Committee Amendment "A" (H-651)

The bill requires juvenile case records to be kept confidential and only disclosed, disseminated, inspected or obtained by certain parties or certain agencies or by court order. This amendment clarifies the disclosure, dissemination and inspection of juvenile case records.

The amendment provides that when juvenile case records are inspected by or disseminated to anyone other than parties to the juvenile's case or victims, the court may impose reasonable limitations to protect the identity and safety of third parties, including, but not limited to, victims and other accused or adjudicated juveniles, and the interests of justice.

The amendment provides that the dissemination of juvenile intelligence and investigative record information is

subject to limitations. It prohibits the further dissemination of juvenile intelligence and investigative record information unless such further dissemination is authorized.

The amendment prohibits a criminal justice agency from confirming the existence or nonexistence of juvenile intelligence and investigative record information that is confidential.

Enacted Law Summary

Public Law 2019, chapter 525 amends provisions in the Maine Juvenile Code. It changes gender-specific terms to gender-neutral terms. It creates definitions, including a definition for "juvenile case records" to include all information, records or documents that may be contained in the court records of a juvenile for an individual case. It provides that when juvenile case records are inspected by or disseminated to anyone other than parties to the juvenile's case or victims, the court may impose reasonable limitations to protect the identity and safety of third parties, including, but not limited to, victims and other accused or adjudicated juveniles, and the interests of justice. It also provides that the dissemination of juvenile intelligence and investigative record information is subject to limitations. It prohibits the further dissemination of juvenile intelligence and investigative record information unless such further dissemination is authorized. It also prohibits a criminal justice agency from confirming the existence or nonexistence of juvenile intelligence and investigative record information that is confidential.

LD 1575 **An Act To Improve the Freedom of Access Laws of Maine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HARNETT T		

The purpose of this bill is to enhance access to public records without imposing undue burdens on the efficient and effective functioning of government. This bill makes the following changes to the Freedom of Access Act.

1. Current law defines public records that are subject to the Freedom of Access Act as matter in the possession or custody of an agency or public official that has been received or prepared for use in connection with, or that contains information relating to, the transaction of public or governmental business. This bill defines "public or governmental business" as the administration of public policy and the exercise of governmental power through laws, rules, ordinances, regulations and the equivalent.

2. The bill requires that, when requesting to inspect or to receive a copy of a public record, a person must provide to the agency or official with custody of the record sufficient information to identify the record sought. Under the bill, a request for a public record must include, at a minimum, the specific subject matter contained in the record and the date or dates upon which the record was created or a range of dates within which the record may have been created.

3. Current law requires that, within "a reasonable time" of receiving a request for information, the agency or official must provide a good faith, nonbinding estimate of the time within which the agency or official will comply. This bill instead requires that the agency or official, within 30 days of receiving the request, provide to the requester an update on progress on the request and, within 30 days of providing the update, fulfill the request. If the agency or official is unable to fulfill the entirety of the request within the specified time period, the agency or official must provide to the requester an explanation of the reason or reasons it was unable to comply, fulfill those portions of the request that it can fulfill and provide a written estimate of the expected date of compliance with the remainder of the request.

4. The bill directs the Right To Know Advisory Committee to examine the specific challenges of ensuring public access to public records in the face of new and emerging technologies and to develop recommendations that are designed to preserve communications that can be accessed by the public. The Right To Know Advisory Committee

is directed to report its findings and recommendations to the Joint Standing Committee on Judiciary, which is authorized to report out a bill to the Second Regular Session of the 129th Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1580 **An Act To Protect Licensing Information of Medical Professionals** **PUBLIC 499**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M	OTP-AM ONTP	H-631

This bill allows applicants and licensees of the State Board of Nursing, the Board of Osteopathic Licensure and the Board of Licensure in Medicine to review their own redacted licensing files before the respective board makes the file available for inspection or copying after the licensing file has been requested.

The board must notify the applicant or licensee of the request to view the file at the same time the board acknowledges the request under the Freedom of Access Act. The board must use the most recent address on file for that applicant or licensee. If the applicant or licensee would like to review the redacted file before it is made publicly available, the applicant or licensee must notify the board within 10 business days. If requested by the applicant or licensee, the board must send a copy of the redacted file to the applicant or licensee, and the applicant or licensee has 10 business days from when the file is sent to stop the release of all or a part of the redacted licensing file by petitioning the board to withhold release of all or a part of the file because making all or part of the redacted file available to the public creates a potential risk to the personal safety of the applicant or licensee or any third party.

Committee Amendment "A" (H-631)

This amendment, which is the majority report, replaces the bill but retains the basic concept of protecting information in applicants' and licensees' records held by medical licensing boards when the records are requested to be inspected or copied.

This amendment revises terminology to refer to an applicant's or licensee's record rather than a licensing file as in the bill. It requires that the acknowledgement that the licensing board must send to a requester that a request for a record has been received include a description of the review process provided to the applicant or licensee, including the fact that all or part of the record may be withheld if the board finds that disclosure of all or part of the redacted record creates a risk to the applicant's or licensee's personal safety or the personal safety of any third party.

The amendment extends the time for the licensing board to review the applicant's or licensee's petition to withhold all or part of the record from 30 days in the bill to 60 days.

It allows an applicant or licensee who does not agree with the licensing board's decision to seek an injunction in Superior Court.

It clarifies that the restriction on releasing an applicant's or licensee's record does not apply to requests for records from other governmental licensing or disciplinary authorities or from any health care providers located within or outside this State that are concerned with granting, limiting or denying an applicant's or licensee's employment or privileges.

Enacted Law Summary

Public Law 2019, chapter 499, allows applicants and licensees of the State Board of Nursing, the Board of Osteopathic Licensure and the Board of Licensure in Medicine to review their own redacted records before the

respective board makes the file available for inspection or copying after the record has been requested.

The board must notify the applicant or licensee of the request to view the record at the same time the board acknowledges the request under the Freedom of Access Act. If the applicant or licensee would like to review the redacted record before it is made publicly available, the applicant or licensee must notify the board within 10 business days. If requested by the applicant or licensee, the board must send a copy of the redacted record to the applicant or licensee, and the applicant or licensee has 10 business days from when the record is sent to stop the release of all or a part of the redacted record by petitioning the board to withhold release of all or a part of the file because making all or part of the redacted record available to the public creates a potential risk to the personal safety of the applicant or licensee or any third party. The licensing board must review the applicant's or licensee's petition to withhold all or part of the record within 60 days. If the applicant or licensee who does not agree with the licensing board's decision, the applicant or licensee may seek an injunction in Superior Court.

The restriction on releasing an applicant's or licensee's record does not apply to requests for records from other governmental licensing or disciplinary authorities or from any health care providers located within or outside this State that are concerned with granting, limiting or denying an applicant's or licensee's employment or privileges.

LD 1589 **An Act To Protect the Liberty of Immigrants and Asylum Seekers in Maine** **Died On Adjournment**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN C BELLOWS S		

This bill establishes the Maine Liberty Act, which governs the relationship of state and local law enforcement agencies, including correctional facilities, with federal immigration authorities, including:

1. Prohibiting a law enforcement agency from stopping, investigating, interrogating, arresting or detaining a person solely for immigration enforcement purposes, including in response to a hold request, immigration detainer or administrative warrant issued by the United States Department of Homeland Security, or allowing the United States Department of Homeland Security access to inmates, inmate information or law enforcement agency facilities or providing law enforcement agency resources or personnel to assist immigration enforcement activities;

2. Clarifying that a law enforcement agency upon a request from the United States Department of Homeland Security may arrest and detain a person and perform other law enforcement duties due to suspected criminal activity or other reasons not solely based on the person's immigration status;

3. Establishing the permissible scope of collaboration of a law enforcement agency with a joint law enforcement task force and requiring reporting to the Attorney General on all arrests made by the task force, including all arrests made for immigration enforcement purposes;

4. Requiring a law enforcement agency to release as soon as possible and detain no longer than 48 hours a person determined to be held solely for immigration enforcement purposes;

5. Establishing duties and prohibitions for law enforcement agencies regarding immigration issues of inmates, including requiring the agency to inform an inmate of the inmate's rights prior to interview by an immigration authority and whether the agency intends to comply with a hold request and prohibiting an agency from restricting access to educational programming and good conduct credits or determining an inmate's custodial status based upon the inmate's immigration status;

6. Requiring the Attorney General to publish a model policy regarding limiting assistance to immigration

authorities in public facilities and publish guidance, audit criteria and training recommendations to ensure that a database operated by a state or local law enforcement agency limits the availability of database information to immigration authorities; and

7. Requiring a law enforcement agency to record certain information regarding hold requests and certain other information from immigration authorities received by the agency and to report quarterly to the Attorney General on this information.

LD 1596 **An Act To Enhance the Long-term Stability of Certain At-risk Youth** **PUBLIC 366**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM	H-544

This bill provides that the District Court has jurisdiction to consider petitions filed by at-risk noncitizens who are 18 years of age or older and under 21 years of age and the Probate Court has jurisdiction for at-risk noncitizens who are under 18 years of age. The courts are required to expeditiously issue findings of fact, rulings of law and dependency or custody determinations on these petitions.

Committee Amendment "A" (H-544)

This amendment removes the provision in the bill that an at-risk noncitizen child is not required to include as a respondent a parent with whom reunification may be a viable option in order to leave that determination to the discretion of the court in each case.

The amendment makes clear that courts have the authority to issue special orders for the protection, well-being, care and custody of at-risk noncitizen children for whom a remedy is not otherwise available or appropriate under the Maine Revised Statutes, Title 18-C, Title 19-A or Title 22.

The amendment clarifies that the new provisions do not preclude the at-risk noncitizen child from seeking other remedies that are available to protect the child from further abuse or other harm or that provide support.

This amendment removes the emergency preamble and emergency clause from the bill.

Enacted Law Summary

Public Law 2019, chapter 366, provides that the District Court has jurisdiction to consider petitions filed by at-risk noncitizens who are 18 years of age or older and under 21 years of age and the Probate Court has jurisdiction for at-risk noncitizens who are under 18 years of age. The courts are required to expeditiously issue findings of fact, rulings of law and dependency or custody determinations on these petitions. It makes clear that courts have the authority to issue special orders for the protection, well-being, care and custody of at-risk noncitizen children for whom a remedy is not otherwise available or appropriate under the Maine Revised Statutes, Title 18-C, Title 19-A or Title 22. The new provisions do not preclude the at-risk noncitizen child from seeking other remedies that are available to protect the child from further abuse or other harm or that provide support.

LD 1598 **An Act To Define the Responsibilities of Property Owners for the Maintenance and Repair of Private Roads** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A POULIOT M		

This bill establishes responsibility for the repair and maintenance of private roads and private ways that benefit residential properties. Unless there is an agreement, restriction, covenant or road association that specifies the cost to be paid by each owner of a benefited property, the cost is shared in proportion to the benefit received by each owner of benefited property. An owner who damages a private road or private way that benefits other residential properties is solely responsible for the cost of repairs to fix the damage. An owner who fails to comply may be forced to comply through an action brought by other owners on the private road or private way.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1609 **An Act To Set Off Court Fines, Surcharges and Assessments against Lottery Winnings** **PUBLIC 304**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP	

This bill requires the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to set off lottery winnings against monetary fines, surcharges and assessments imposed by a court of the State. The bill also establishes an order of priority the bureau must follow if there is more than one claim to the lottery winnings pursuant to state law or court order.

Enacted Law Summary

Public Law 2019, chapter 304, requires the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to set off lottery winnings against monetary fines, surcharges and assessments imposed by a court of the State. It establishes an order of priority the bureau must follow if there is more than one claim to the lottery winnings pursuant to state law or court order.

LD 1612 **An Act Regarding the Presumption of Abandonment of Gift Obligations** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
GIDEON S LIBBY N	OTP-AM	H-613 S-366 BREEN C

Under current law, a gift obligation card, which includes a gift certificate, gift card and online gift account, is considered abandoned two years after the expiration of the calendar year in which it was purchased or last used. This bill removes the presumption of abandonment for gift obligation cards.

Committee Amendment "A" (H-613)

This amendment provides that this legislation, which exempts gift obligation cards from the Uniform Unclaimed Property Act by establishing that a gift obligation card is never presumed abandoned, is effective January 1, 2021 and applies to gift obligation cards sold on or after January 1, 2021.

Senate Amendment "A" To Committee Amendment "A" (S-366)

This amendment provides that the amount of a gift obligation's face value that is unclaimed for purposes of the Uniform Unclaimed Property Act is 60% for gift obligations issued or whose most recent transaction, whichever is later, occurred during calendar year 2018 or earlier; 40% for gift obligations issued or whose most recent transaction, whichever is later, occurred during calendar year 2019; 20% for gift obligations issued or whose most

recent transaction, whichever is later, occurred during calendar year 2020; and 0% for gift obligations issued or whose most recent transaction, whichever is later, occurred during calendar year 2021 or thereafter.

LD 1653 **Resolve, Establishing the Conference To Address and Improve Relations between Maine Indian Tribes and the Legislature** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DILLINGHAM K JACKSON T		

This resolve establishes the Conference To Address and Improve Relations between Maine Indian Tribes and the Legislature to develop meaningful conversations among the members of the conference on communication and policy differences that led to the breakdown between the Legislature and the tribal representatives to the Legislature and how better to communicate and improve the relationship between the Legislature and Maine Indian Tribes. Ex officio members of the conference are the President of the Senate, the Speaker of the House, the Senate Minority Leader and the House Minority Leader, who are directed to invite as members of the conference the Chief of the Aroostook Band of Micmacs, the Chief of the Houlton Band of Maliseet Indians, the Chief of the Penobscot Indian Nation, the Chief of the Passamaquoddy Tribe at Indian Township and the Chief of the Passamaquoddy Tribe at Pleasant Point.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1670 **An Act To Limit the Dissemination of Juvenile Records** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R	OTP-AM ONTP	H-594

This bill provides for the sealing of juvenile records.

The bill changes the sealing process for juvenile records to provide that at the time a person who is adjudicated to have committed a juvenile crime is discharged from the disposition ordered for that juvenile crime, the court is required to automatically and immediately enter an order sealing from public inspection all records pertaining to the juvenile crime and its disposition.

Committee Amendment "A" (H-594)

The bill provides for the automatic sealing of all records of juvenile crimes once the juvenile is finally discharged from the disposition ordered for the crime.

This amendment restores the three-year waiting period after discharge and the petition process for sealing records of juvenile crimes and provides that the petition process applies to crimes that, if the juvenile were an adult, would constitute murder, aggravated attempted murder, attempted murder, Class A manslaughter other than the reckless or criminally negligent operation of a motor vehicle, elevated aggravated assault on a pregnant person, elevated aggravated assault, arson that recklessly endangers any person, causing a catastrophe, Class A robbery, any Class A or Class B sex crimes or operating under the influence.

This amendment clarifies that the court is required to seal the record for other juvenile crimes when it receives appropriate notice that the juvenile has been finally discharged from the disposition ordered. That notice must come

from the Department of Corrections, the district attorney or the juvenile or the juvenile's attorney. If the juvenile or the juvenile's attorney is providing the notice, the notice must first be served on the office of the district attorney who prosecuted the juvenile crime.

This amendment provides that the court must send the order sealing the record to the Department of Public Safety, Bureau of State Police, State Bureau of Identification, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources or the Department of the Secretary of State, Bureau of Motor Vehicles, as appropriate.

This amendment provides that if the juvenile crime for which the person was adjudicated disqualifies the person from possessing a firearm as provided in the Maine Revised Statutes, Title 15, section 393, the sealing of the record does not affect the prohibition on possession of a firearm by that person.

LD 1672 **An Act Regarding the Admissibility of Certain Health Care Records as Evidence** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D		

This bill makes changes to the law governing the admissibility of health care records as evidence in court. It specifies that records, including itemized bills, kept by health care practitioners, health care entities, health care providers, pharmacists and pharmacies may be admissible in court as evidence of: (1) the fair and reasonable charge for such services or the necessity of services or treatments; (2) the diagnosis provided by the medical entity; (3) the prognosis provided by the medical entity; (4) the opinion provided by the medical entity regarding the proximate cause of the condition diagnosed by the medical entity; and (5) the opinion provided by the medical entity regarding any disability or incapacity proximately resulting from the condition diagnosed by the medical entity.

LD 1684 **An Act To Clarify the Right to Counsel for Juveniles and Improve Due Process for Juveniles** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V MILLETT R		

Currently, Maine has no minimum age at which a child may be prosecuted for a crime. The purpose of this bill is to prevent children under 12 years of age from being prosecuted for crimes, to prevent children under 14 years of age from being incarcerated, to eliminate the current requirement that, if committed, a juvenile must be committed for at least a year and to prevent courts from imposing dispositions against juveniles that involve commitment without exhausting all other less restrictive alternatives. The bill also mandates regular opportunities for judicial review of a juvenile's commitment in addition to providing an appellate avenue for relief from unfavorable reviews.

The bill provides that if a court imposes a disposition that involves incarceration, the court must conduct a detailed analysis on the record explaining the rationale for the disposition. Such a disposition is authorized only if the court finds certain criteria by clear and convincing evidence. If the court commits a juvenile to a facility, the bill requires periodic judicial review of the incarceration to ensure that the rehabilitative purposes of incarceration are not being outweighed by the harm caused by incarceration.

The overarching goal of this bill is to ensure that fewer children are in the juvenile justice system and that, if and

when they do become involved in the system, there is a presumption against incarceration and a requirement for the regular review of any commitment imposed, in order to minimize the harm that incarceration can cause children.

This bill amends the statute governing a juvenile's right to counsel to specify that the right to counsel attaches at the juvenile's initial appearance and continues until the court no longer has jurisdiction over the juvenile, including all post-dispositional hearings and during the time of commitment. This bill also requires counsel appointed by the court to continue to represent the juvenile throughout all proceedings concerning the juvenile, unless relieved by the court.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1688 **An Act To Protect Original Birth Certificates** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DOW D HEPLER A	ONTP	

This bill repeals the law authorizing the creation of a new birth certificate for an adopted person and it removes the provision that requires the sealing of the original birth certificate. The bill allows a person born in this State to retain that person's original birth certificate, even if that person is adopted. This change does not affect a person born in a foreign country who is adopted in this State. A person adopted before October 1, 2019 will still need to follow the current statutory procedure to receive access to that person's original birth certificate upon attaining 18 years of age. This bill requires a certificate of birth for a child who is being adopted to be amended to include the adoptee's new name and the adoptive parent's name or parents' names and personal data.

LD 1695 **An Act Regarding the Law Governing the Disclosure of Vital Records** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	ONTP	

This bill makes the following changes to the laws governing vital records.

1. It provides that certificates and records of birth, marriage, intentions to marry, domestic partnerships and death, including fetal death, are open to the public without restriction. It allows any person to inspect and purchase noncertified copies of these vital records. Certified copies of these records may be purchased only by those persons specified in law.

2. It provides that inspection of certificates and records includes visual and physical access to the original certificate or record when no alternative method of inspection is available, subject to rules designed to protect the physical integrity and condition of the certificates and records.

3. It provides that indices to certificates and records of birth, marriage, intentions to marry, domestic partnerships and death, including fetal death, at the municipal and state levels are open to the public without restriction.

4. It directs the State Registrar of Vital Statistics to enter into a long-term nonexclusive contract with a private entity experienced in maintaining genealogical research databases to create, maintain and update at no direct cost to the State an online index to records of birth, marriage, intentions to marry, domestic partnerships and death, including fetal death, in exchange for allowing the private entity to also provide that index to its subscribers and

customers. The online index must include the names of persons appearing on the certificate or record, the municipality in which the certificate or record was recorded, the date of the event and the certificate number for the certificate or record number for the record.

LD 1701 An Act To Clarify Various Provisions of the Maine Human Rights Act PUBLIC 464

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP ONTP	H-652 BAILEY D

This bill makes changes to the Maine Human Rights Act in order to clarify its proper application and interpretation. In particular, the bill describes the behaviors that may constitute harassment in reference to unlawful discrimination; clarifies the Act's coverage of claims based on association and based on the perception that an individual belongs to a protected class; and provides a definition of "gender identity." The bill provides needed clarification related to several Maine Human Rights Act provisions highlighted by recent court decisions, including confirming that a leave of absence can be a reasonable accommodation for a disability in employment, and that individual employees may be liable for their discriminatory behavior in certain circumstances. The bill also makes grammatical changes and corrects cross-references.

House Amendment "A" (H-652)

This amendment make several changes to the bill, including removing the description of behaviors that might constitute harassment in reference to unlawful discrimination, removing the phrase "bona fide nonprofit" and removing language that would have held individual employees liable for their discriminatory behavior in certain circumstances.

Enacted Law Summary

Public Law 2019, chapter 464, makes changes to the Maine Human Rights Act in order to clarify its proper application and interpretation. In particular, chapter 464 clarifies the Act's coverage of claims based on association and based on the perception that an individual belongs to a protected class; and provides a definition of "gender identity." Chapter 464 provides needed clarification related to several Maine Human Rights Act provisions highlighted by recent court decisions, including confirming that a leave of absence can be a reasonable accommodation for a disability in employment. It also prohibits any public accommodation to designate a single-occupancy toilet facility as for use only by members of one sex. A single-occupancy toilet facility may be identified by a sign, as long as the sign does not indicate that the facility is for use by members of one specific sex.

LD 1702 An Act To Enhance the Administration of the Maine Human Rights Act PUBLIC 465

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM ONTP	H-642 H-653 BAILEY D

This bill amends the Maine Human Rights Act so as to make more efficient the processing and investigation of complaints. The bill:

1. Specifies that the Act must be construed to provide broad protection from discrimination; that it may not be construed to provide less coverage than the federal law; and that the interpretation of the Act by the Maine Human Rights Commission is entitled to deference by the court;

2. Authorizes the executive director of the commission to appoint or hire additional necessary personnel subject to

the Civil Service Law;

3. Replaces certain references to the enumerated potential bases for discrimination with references to "protected class characteristics, membership or status;"

4. Specifies that funds received by the commission for the purpose of implementing a third-party neutral mediation program are not subject to any statewide cost allocation plan;

5. Designates as confidential certain information that is collected during the investigation of a complaint under the Act and exempts such information from the definition of "public record" for purposes of the Freedom of Access Act;

6. Authorizes the executive director of the commission to administratively dismiss a complaint brought under the Act for specified reasons;

7. Provides that any post-finding conciliation agreement that includes the commission as a signatory is a public record;

8. Authorizes the executive director to issue a right-to-sue letter in any case in which the commission has not filed a civil action in the case or has not entered into a conciliation agreement in the case within 180 days of the complaint being filed, whether or not such a letter has been requested by the complainant; and

9. Prohibits the awarding of attorney's fees and costs to the commission and specifies that the commission is not liable to pay attorney's fees and costs of another party.

Committee Amendment "A" (H-642)

This amendment, which is the majority report, removes from the bill the proposed authority of director of the Maine Human Rights Commission to issue a right-to-sue letter without a request.

House Amendment "A" (H-653)

This amendment removes language regarding the construction of the Maine Human Rights Act and the interpretation of rules of the Maine Human Rights Commission, and removes authorization for the appointment or hiring of additional commission personnel.

Enacted Law Summary

Public Law 2019, chapter 465 amends the Maine Human Rights Act so as to make more efficient the processing and investigation of complaints. Chapter 465:

1. Replaces certain references to the enumerated potential bases for discrimination with references to "protected class characteristics, membership or status;"

2. Specifies that funds received by the commission for the purpose of implementing a third-party neutral mediation program are not subject to any statewide cost allocation plan;

3. Designates as confidential certain information that is collected during the investigation of a complaint under the Act and exempts such information from the definition of "public record" for purposes of the Freedom of Access Act;

4. Authorizes the executive director of the commission to administratively dismiss a complaint brought under the Act for specified reasons;

5. Provides that any post-finding conciliation agreement that includes the commission as a signatory is a public record; and

6. Prohibits the awarding of attorney's fees and costs to the commission and specifies that the commission is not liable to pay attorney's fees and costs of another party.

LD 1703 **An Act To Improve Consistency within the Maine Human Rights Act** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM ONTP	H-643 S-349 CARPENTER M H-654 BAILEY D

The purpose of this bill is to address inconsistencies in the protections provided in different areas of jurisdiction under the Maine Human Rights Act. The bill provides more inclusive protection by:

1. Including adult family members dependent for care in the definition of "familial status";

2. Including familial status as a protected class in employment;

3. Including age as a protected class in public accommodations;

4. Providing that public entities cannot discriminate on the basis of protected class; and

5. Clarifying the scope of the Maine Human Rights Act application in education.

The bill also clarifies the protections provided to pregnant persons in employment and that the sexual orientation provisions already in the Maine Human Rights Act extend to gender identity.

Committee Amendment "A" (H-643)

This amendment is the majority report of the committee. This amendment removes housing from the list in the policy section of activities for which it is illegal to discriminate on the basis of age. The bill clarifies the Maine Human Rights Act by adding "or gender identity" where the phrase "sexual orientation" currently is in place; the amendment does the same throughout the rest of the Maine Revised Statutes.

Senate Amendment "A" (S-349)

This amendment strikes from the bill the clarifications of protections provided to pregnant persons in employment because they are covered by LD 666.

House Amendment "A" (H-654)

This amendment removes references to bona fide nonprofits regarding religious entities.

LD 1709 **An Act To Amend the Act To Implement the Maine Indian Claims Settlement** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B JACKSON T		

Current law provides that federal laws adopted after October 10, 1980 for the benefit of Indians, Indian nations or tribes or bands of Indians that would affect or preempt the application of the laws of this State, including application

of the laws of the State to lands owned by or held in trust for Indians or Indian nations, tribes or bands of Indians do not apply within this State unless the subsequently enacted federal law is specifically made applicable within this State.

This bill directs the Governor or the Governor's designee to maintain active communications with all the members of the Maine congressional delegation about the introduction of any such legislation in the United States Senate or the United States House of Representatives. The Governor or the Governor's designee is required to submit a report within 10 days of the introduction of such legislation to the President of the Senate, the Speaker of the House of Representatives, the Attorney General and the Chair of the Maine Indian Tribal-State Commission. In addition, the Governor or the Governor's designee is required to submit an annual report about such legislation, including its status and disposition. The information in the reports will assist the President of the Senate, Speaker of the House, Attorney General and Maine Indian Tribal-State Commission in deciding how to work with the Maine congressional delegation to ensure the tribes in Maine are included in federal legislation when appropriate.

This bill amends the Act to Implement the Maine Indian Claims Settlement to specifically state that the Passamaquoddy Tribe and the Penobscot Nation have the same rights, privileges, powers and immunities as a sovereign and repeals the requirement that all Indians, Indian nations and tribes and bands of Indians and any lands or other resources owned or held for them are subject to the laws of Maine and to the jurisdiction of Maine courts. The bill provides the same level of immunity to the Passamaquoddy Tribe and the Penobscot Tribe and their officers and employees as is enjoyed by officers and employees of the State. Finally, the bill repeals the provision of the Implementing Act that subjects all Indians and Indian nations or tribe or band of Indians to taxes and fees.

The changes to the Implementing Act do not take effect unless approved by the Governor and Council of the Penobscot Nation and the Joint Tribal Council of the Passamaquoddy Tribe within 90 days after adjournment of the First Regular Session of the 129th Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1731 **An Act Regarding Representation of the Department of Marine Resources in Libel Proceedings** **PUBLIC 449**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	OTP-AM	H-633

This bill allows a person who is not an attorney to represent the Department of Marine Resources in libel proceedings before a District Court under the laws regarding the seizure and disposition of equipment and organisms.

Committee Amendment "A" (H-633)

This amendment clarifies that the person who is not an attorney but is representing the Department of Marine Resources in a libel proceeding in District Court must be a marine patrol officer.

Enacted Law Summary

Public Law 2019, chapter 449 allows a Marine Patrol Officer who is not an attorney to represent the Department of Marine Resources in libel proceedings before a District Court under the laws regarding the seizure and disposition of equipment and organisms.

LD 1759 **An Act Regarding the Electronic Data and Court Records Filed in the Electronic Case Management System of the Supreme Judicial Court** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M BAILEY D		

This bill requires the Supreme Judicial Court to develop and adopt rules regarding court records and documents retained by the courts in an electronic case management system. The rules must reflect the presumption that court records are open to the public except in certain circumstances when necessary to protect private, personal or confidential information, data and documents or when designated confidential by state or federal statute or by court rule or order. The presumption that court records are public does not preclude the imposition of reasonable fees for access to those records.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1771 **An Act To Amend the Law Governing Name Changes** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
RECKITT L		

This bill amends the law governing name changes to allow a probate judge to limit the notice requirement for anyone who shows by a preponderance of the evidence that the person seeking the name change is in reasonable fear of the person's safety, not just for domestic abuse victims.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1790 **An Act To Amend the Law To Protect the Confidentiality of State and Local Government Employees' Private Information** **PUBLIC 451**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J JACKSON T	OTP-AM	H-638

This bill amends the law governing the confidentiality of personal information of municipal employees to parallel the same protections provided for state employees and establishes as confidential any genetic information and information about the sexual orientation of employees contained in the records of the municipality. This bill also amends the state employee personnel records provisions to include confidentiality of genetic information and sexual orientation and amends the laws governing county and municipal employee personnel records to match.

Committee Amendment "A" (H-638)

The purpose of the bill is to provide consistency among state, county and municipal employees regarding the protection of private information.

The amendment replaces the paragraph amended in the bill on private information of state employees to adopt the same format as for the private information of county and municipal employees. It includes ethnicity in the private

information of state employees to provide consistency and includes gender identity in all three statutes governing private information.

The amendment adds language to each statute to ensure that aggregated private information about state, county and municipal employees is publicly accessible.

Enacted Law Summary

Public law 2019, chapter 451, amends the laws governing the confidentiality of personal information of public employees to provide parallel protections for private information of state, county and municipal employees. Chapter 451 includes protection of genetic information and information about the sexual orientation and gender identity of employees contained in the records of the governmental entity. Chapter 451 provides that aggregated private information about state, county and municipal employees is publicly accessible.

LD 1794 **An Act To Amend the Service Fee for Child Support Services** **PUBLIC 400**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK G	OTP-AM	S-291

This bill amends the service fee for child support services to $35 annually for those individuals receiving at least $550 in support collected for the federal fiscal year.

Committee Amendment "A" (S-291)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 400, amends the service fee for child support services to $35 annually for those individuals receiving at least $550 in support collected for the federal fiscal year.

LD 1811 **An Act To Enhance Personal and Public Safety by Requiring Evaluations of and Judicial Hearings for Persons in Protective Custody Regarding Risk of Harm and Restricting Access to Dangerous Weapons** **PUBLIC 411**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L	OTP-AM OTP-AM	S-357

Current law authorizes law enforcement to take a person into protective custody for evaluation by a medical practitioner as protection from imminent threats of substantial self-inflicted harm or substantial harm to others. Part A of this bill requires that a medical practitioner evaluate the history, recent actions and behaviors of a person taken into protective custody and determine whether there is a reasonable likelihood that the person's mental health will deteriorate; whether the person will in the foreseeable future pose a likelihood of serious harm; and whether any such likelihood of harm is exacerbated by the person's immediate access to a firearm or other dangerous weapon. A medical practitioner must certify this evaluation and, if the evaluation is certified in the affirmative, the person is required to surrender any dangerous weapons possessed or controlled by that person to a law enforcement officer pending a judicial review hearing to be held within 14 days. A court then determines whether to dissolve or continue those restrictions for one year. When the person is determined by a court to no longer present a substantial threat, the restrictions end and the weapons are returned. Part B of this bill requires that a court make similar determinations for a person enrolled in the progressive treatment program. When a person in that program is no longer determined by a court to present a substantial threat, the restrictions end and the weapons are returned. Part

C makes related changes to the laws governing the Extradition and Prosecution Expenses Account; possession of firearms by prohibited persons; law enforcement agency written policy requirements; and law enforcement agency training requirements.

Committee Amendment "A" (S-357)

This amendment, which is the majority report, replaces the bill but retains the purpose of providing an alternative to law enforcement to take into protective custody and have assessed a person who presents a likelihood of foreseeable harm to the person or to others.

"Likelihood of foreseeable harm" is defined as a substantial risk in the foreseeable future of serious physical harm to the person as manifested by recent behaviors or threats of, or attempts at, suicide or serious self-inflicted harm; or a substantial risk in the foreseeable future of serious physical harm to other persons as manifested by recent homicidal or violent behavior or by recent conduct or statements placing others in reasonable fear of serious physical harm.

The law enforcement officer is directed to have the person in protective custody assessed by a medical practitioner. If the assessment finds that the person presents a likelihood of foreseeable harm, the law enforcement officer must seek an endorsement from a judicial officer that the person presents a likelihood of foreseeable harm, which authorizes law enforcement to notify the person that the person is a restricted person and is prohibited from possessing, controlling, acquiring or attempting to possess, control or acquire a dangerous weapon pending the outcome of a judicial hearing. The restricted person must immediately and temporarily surrender any weapon possessed, controlled or acquired by the restricted person to a law enforcement officer.

A restricted person who makes all practical and immediate efforts to comply with a surrender notice is not subject to arrest or prosecution as a prohibited person under the Maine Revised Statutes, Title 15, section 393, subsection 1, paragraph E-1 or E-2. If a law enforcement agency has probable cause to believe the restricted person possesses or controls but has not surrendered a weapon, law enforcement may, prior to or as part of a judicial hearing, search for and seize such a weapon when authorized by a judicially issued warrant or other circumstances approved by law.

The district attorney is required to file a petition for judicial review of the initial restrictions by the District Court. Within 14 days of the notice of restricted status given to the restricted person, the court is required to hold a hearing to determine whether to dissolve or extend the initial restrictions. The restricted person has the right to be represented by counsel. The district attorney has the burden of proving by clear and convincing evidence that the restricted person presents a likelihood of foreseeable harm. The court may dissolve the initial restrictions or extend them for up to one year.

This amendment directs the executive branch to work with medical practitioners and law enforcement to develop and release, by January 1, 2020, a request for proposals for the development and acquisition of the technology necessary to enable assessments under Title 34-B, section 3862-A at locations other than health care facilities.

By February 1, 2020, the Department of Public Safety must develop a plan, including any cost estimates, to implement a database system to support this legislation.

The provisions for assessments for likelihood of foreseeable harm and restricted person status take effect July 1, 2020.

Committee Amendment "B" (S-358)

This amendment, which is the minority report, replaces the bill but retains the purpose of providing an alternative to law enforcement to take into protective custody and have assessed a person who presents a likelihood of foreseeable harm to the person or to others. It differs from the majority report in two ways.

First, it authorizes a law enforcement officer to take a person into protective custody on probable cause to believe

that the person presents a likelihood of foreseeable harm.

Second, it provides that the assessments qualify for the same payment of private or public insurance applicable to assessments under the Maine Revised Statutes, Title 34-B, section 3863.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 411 provides an alternative for law enforcement to take into protective custody and have assessed a person who presents a likelihood of foreseeable harm to the person or to others.

"Likelihood of foreseeable harm" is defined as a substantial risk in the foreseeable future of serious physical harm to the person as manifested by recent behaviors or threats of, or attempts at, suicide or serious self-inflicted harm; or a substantial risk in the foreseeable future of serious physical harm to other persons as manifested by recent homicidal or violent behavior or by recent conduct or statements placing others in reasonable fear of serious physical harm.

The law enforcement officer is directed to have the person in protective custody assessed by a medical practitioner. If the assessment finds that the person presents a likelihood of foreseeable harm, the law enforcement officer must seek an endorsement from a judicial officer that the person presents a likelihood of foreseeable harm, which authorizes law enforcement to notify the person that the person is a restricted person and is prohibited from possessing, controlling, acquiring or attempting to possess, control or acquire a dangerous weapon pending the outcome of a judicial hearing. The restricted person must immediately and temporarily surrender any weapon possessed, controlled or acquired by the restricted person to a law enforcement officer.

A restricted person who makes all practical and immediate efforts to comply with a surrender notice is not subject to arrest or prosecution as a prohibited person under the Maine Revised Statutes, Title 15, section 393, subsection 1, paragraph E-1 or E-2. If a law enforcement agency has probable cause to believe the restricted person possesses or controls but has not surrendered a weapon, law enforcement may, prior to or as part of a judicial hearing, search for and seize such a weapon when authorized by a judicially issued warrant or other circumstances approved by law.

The district attorney is required to file a petition for judicial review of the initial restrictions by the District Court. Within 14 days of the notice of restricted status given to the restricted person, the court is required to hold a hearing to determine whether to dissolve or extend the initial restrictions. The restricted person has the right to be represented by counsel. The district attorney has the burden of proving by clear and convincing evidence that the restricted person presents a likelihood of foreseeable harm. The court may dissolve the initial restrictions or extend them for up to one year.

Public Law 2019, chapter 411, directs the executive branch to work with medical practitioners and law enforcement to develop and release, by January 1, 2020, a request for proposals for the development and acquisition of the technology necessary to enable assessments under Title 34-B, section 3862-A at locations other than health care facilities.

By February 1, 2020, the Department of Public Safety must develop a plan, including any cost estimates, to implement a database system to support this legislation.

The provisions for assessments for likelihood of foreseeable harm and restricted person status take effect July 1, 2020.

LD 1831 **An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine** **PUBLIC 501 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-647

This bill makes techincal changes to the laws of Maine.

Committee Amendment "A" (H-647)

This amendment makes additional corrections to the Laws of Maine.

Enacted Law Summary

Public Law 2019, chapter 501, makes technical corrections to the Laws of Maine.

Public Law 2019, chapter 501, was enacted as an emergency measure effective June 28, 2019.

LD 1846 **An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees** **PUBLIC 502 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D		

This bill authorizes funding of the collective bargaining agreements reached by the Judicial Department and the four bargaining units representing Judicial Department employees.

This bill was not referred to committee.

Enacted Law Summary

Public Law 2019, chapter 502, authorizes funding of the collective bargaining agreements reached by the Judicial Department and the four bargaining units representing Judicial Department employees.

Public Law 2019, chapter 502 was enacted as an emergency measure effective June 28, 2019

Joint Standing Committee on Judiciary

SUBJECT INDEX

Attorney General and District Attorneys

Enacted

LD 540	**An Act Regarding Qualifications for District Attorneys**	**PUBLIC 85**
LD 1219	**An Act To Establish an Independent Panel To Review the Use of Deadly Force by Law Enforcement Officers**	**PUBLIC 435**

Not Enacted

LD 1388	**Resolve, Directing the Attorney General To Pursue the State's Claim That It Holds Title to Maine's Intertidal Lands**	**ONTP**

Business and Nonprofit Organizations

Enacted

LD 894	**An Act To Expressly Allow Nonprofit Corporations To Conduct Electronic Voting**	**PUBLIC 200**

Not Enacted

LD 60	**An Act To Require the Disclosure of the Names of Members of a Limited Liability Company**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1423	**An Act To Require Corporate Transparency When Taxpayer Funding Is Provided**	**ONTP**

Child Abuse and Child Protection

Not Enacted

LD 187	**An Act To Restore the Laws Governing the Reunification of Parents and Children**	**Died Between Houses**
LD 328	**An Act To Institute Safe Children Court Team Programs**	**ONTP**

LD 471	**An Act To Amend the Child and Family Services and Child Protection Act To Require the Department of Health and Human Services To Make Best Efforts To Prevent Removal of a Child from a Home**	**ONTP**
LD 787	**An Act To Support Victims of Child Sexual Abuse**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 916	**An Act To Improve the Child Protective Court System**	**ONTP**
LD 1554	**Resolve, Establishing a Commission To Reform Child Protective Services**	**CARRIED OVER**

Civil Actions

Enacted

LD 1100	**An Act To Clarify the Contents of the Complete Agency Record in the Appeal of an Agency's Failure or Refusal To Act**	**PUBLIC 111**
LD 1133	**An Act To Require That Hospital Liens Be Satisfied on a Just and Equitable Basis**	**PUBLIC 270**

Not Enacted

LD 194	**An Act To Allow the Reduction of a MaineCare Lien**	**CARRIED OVER**
LD 698	**An Act To Authorize Maine Courts To Award Attorney's Fees and Costs to Citizens Who Prevail in Civil Litigation against the Executive Branch**	**CARRIED OVER**
LD 1045	**An Act Regarding Bad Faith Assertions of Patent Infringement**	**ONTP**
LD 1233	**An Act Regarding Offers of Settlement**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1672	**An Act Regarding the Admissibility of Certain Health Care Records as Evidence**	**Leave to Withdraw Pursuant to Joint Rule 310**

Constitutional Issues

Enacted

LD 627	**An Act Regarding Portable Electronic Device Content, Location Information and Tracking Devices**	**PUBLIC 489**
LD 1475	**An Act To Eliminate Profiling in Maine**	**PUBLIC 410**

Not Enacted

LD 433	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Prohibit Discrimination Based on the Sex of an Individual**	**CARRIED OVER**
LD 1449	**An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities**	**Died on Adjournment**
LD 1589	**An Act To Protect the Liberty of Immigrants and Asylum Seekers in Maine**	**Died on Adjournment**

Courts and Court Procedure

Enacted

LD 1516	**An Act To Improve Efficiency in Communication in the Court System**	**PUBLIC 497**
LD 1609	**An Act To Set Off Court Fines, Surcharges and Assessments against Lottery Winnings**	**PUBLIC 304**
LD 1731	**An Act Regarding Representation of the Department of Marine Resources in Libel Proceedings**	**PUBLIC 449**
LD 1846	**An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees**	**PUBLIC 502 EMERGENCY**

Not Enacted

LD 208	**An Act Regarding Small Claims Court Jurisdiction**	**ONTP**
LD 357	**An Act Regarding Court Facilities in York County**	**Died Between Houses**
LD 536	**An Act To Direct the Judicial Branch To Establish a Veterans Treatment Court**	**ONTP**
LD 588	**An Act To Confer Maine Jurisdiction in Civil Suits Involving Certain Contracts**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 634	**An Act Regarding Implementation of Differentiated Case Management in the Judicial Branch**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 644	**An Act To Improve Safety at State Courthouses**	**ONTP**
LD 781	**An Act To Increase Judicial Compensation**	**ONTP**

LD 1073	**Resolve, To Implement an Intensive Drug Treatment Court Pilot Project in the Midcoast**	**CARRIED OVER**
LD 1380	**An Act To Transfer the Violations Bureau from the Courts to the Office of the Secretary of State**	**CARRIED OVER**
LD 1442	**An Act To Provide for Court-appointed Advocates for Justice in Animal Cruelty Cases**	**HELD BY GOVERNOR**

Courts, Jury Duty

Not Enacted

LD 9	**An Act To Increase Juror Compensation**	**ONTP**
LD 279	**An Act To Raise Juror Pay to $50 per Day**	**CARRIED OVER**

Criminal Law and Procedure

Enacted

LD 800	**An Act To Amend Mandatory Law Enforcement Agency Policies Regarding Recording Suspects To Include Cases of Murder and Class A, Class B and Class C Crimes**	**PUBLIC 466**

Not Enacted

LD 302	**An Act To Amend the Laws Governing Post-conviction Review in Order To Facilitate the Fair Hearing of All Evidence in Each Case Involving a Claim of Innocence**	**CARRIED OVER**
LD 801	**An Act Regarding Recording of Witness Interviews**	**Veto Sustained**
LD 1061	**An Act To Establish a Fund To Compensate Unjustly Incarcerated Persons**	**CARRIED OVER**

Criminal Records and Juvenile Records

Enacted

LD 764	**Resolve, To Create the Criminal Records Review Committee**	**RESOLVE 90 EMERGENCY**
LD 1573	**An Act To Clarify Provisions of the Maine Juvenile Code Regarding Inspection, Disclosure and Dissemination of Juvenile Case Records and To Change Gender-specific Terms**	**PUBLIC 525**

Not Enacted

LD 776	**An Act Regarding Post-judgment Motion by a Person Seeking To Satisfy the Prerequisites for Obtaining Special Restrictions on the Dissemination and Use of Criminal History Record Information for Certain Criminal Convictions**	**CARRIED OVER**
LD 846	**Resolve, To Provide for the Sealing of Records of Convictions for Marijuana-related Violations That Are No Longer Crimes**	**ONTP**
LD 991	**Resolve, To Expunge Criminal and Civil Records Related to Marijuana Activities Legalized by the Voters of Maine**	**ONTP**
LD 1113	**An Act To Change Procedures of the Governor's Board on Executive Clemency and To Seal Marijuana Convictions**	**ONTP**
LD 1381	**An Act To Create a Post-judgment Mechanism To Provide Relief to Victims of Sexual Exploitation and Sex Trafficking**	**ONTP**
LD 1670	**An Act To Limit the Dissemination of Juvenile Records**	

Family Law, General

Enacted

LD 479	**An Act Concerning Spousal Support**	**PUBLIC 275**
LD 831	**An Act Concerning Visitation Rights of Great-grandparents**	**PUBLIC 197**
LD 998	**Resolve, Requiring the Collection of Data on the Marriage of Minors**	**RESOLVE 46**
LD 1794	**An Act To Amend the Service Fee for Child Support Services**	**PUBLIC 400**

Not Enacted

LD 545	**An Act To Ban Child Marriage**	**HELD BY GOVERNOR**
LD 856	**An Act To Give Probate Judges Latitude in Permitting Visitation by Grandparents**	**ONTP**
LD 1291	**An Act To Update the Maine Parentage Act**	**CARRIED OVER**

Foreclosure

Enacted

LD 907	**An Act To Ensure That Defendants in Foreclosure Proceedings Receive Proper Notification**	**PUBLIC 361**
LD 1327	**An Act To Require Residential Mortgage Loan Servicers To Act in Good Faith in Dealings with Homeowners**	**PUBLIC 363**
LD 1405	**An Act To Amend the Laws Governing Foreclosure To Ensure Timely Completion**	**PUBLIC 408**

Not Enacted

LD 1175	**An Act To Ensure the Timely and Proper Completion of Residential Foreclosures**	**ONTP**
LD 1522	**An Act To Amend the Laws Regarding Orders of Abandonment for Residential Properties in Foreclosure**	**ONTP**

Freedom of Access/Confidentiality/Privacy

Enacted

LD 475	**An Act Concerning Caller Access to E-9-1-1 Call Recordings**	**PUBLIC 84**
LD 868	**An Act To Require That the Terms of a Settlement to Which a Governmental Entity is a Party Be Made Available to the Public**	**PUBLIC 215**
LD 1414	**An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Penalties for Violations of the Freedom of Access Act**	**PUBLIC 247**
LD 1416	**An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Freedom of Access Training for Public Officials**	**PUBLIC 300**
LD 1580	**An Act To Protect Licensing Information of Medical Professionals**	**PUBLIC 499**
LD 1790	**An Act To Amend the Law To Protect the Confidentiality of State and Local Government Employees' Private Information**	**PUBLIC 451**

Not Enacted

LD 409	**An Act To Allow Fair Access to Child Advocacy Center Records**	**ONTP**

LD 639	**An Act To Protect Student Privacy**	**CARRIED OVER**
LD 1183	**Resolve, To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation by Members of Public Bodies**	**ONTP**
LD 1301	**An Act Regarding the Confidentiality of Investigations by the Bureau of Forestry**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1511	**An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions**	**Died Between Houses**
LD 1575	**An Act To Improve the Freedom of Access Laws of Maine**	**CARRIED OVER**
LD 1688	**An Act To Protect Original Birth Certificates**	**ONTP**
LD 1695	**An Act Regarding the Law Governing the Disclosure of Vital Records**	**ONTP**
LD 1759	**An Act Regarding the Electronic Data and Court Records Filed in the Electronic Case Management System of the Supreme Judicial Court**	**CARRIED OVER**

Human Rights and Medical Rights

Enacted

LD 666	**An Act To Protect Pregnant Workers**	**PUBLIC 490**
LD 847	**An Act To Ensure Persons with Disabilities Have Access to Public Rest Rooms**	**PUBLIC 516**
LD 1701	**An Act To Clarify Various Provisions of the Maine Human Rights Act**	**PUBLIC 464**
LD 1702	**An Act To Enhance the Administration of the Maine Human Rights Act**	**PUBLIC 465**

Not Enacted

LD 542	**An Act To Allow a Person To Enter a Place of Public Accommodation Accompanied by a Medically Necessary Assistance Animal That Is a Dog**	**ONTP**
LD 759	**An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act**	**CARRIED OVER**
LD 1245	**An Act To Protect Victims of Domestic and Sexual Violence in Certain Provisions under the Maine Human Rights Act**	**ONTP**

LD 1294	**Resolve, Directing the Maine Human Rights Commission To Implement a Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues**	**HELD BY GOVERNOR**
LD 1703	**An Act To Improve Consistency within the Maine Human Rights Act**	**HELD BY GOVERNOR**

Landlord and Tenant Issues

Enacted

LD 1097	**An Act To Protect Tenants from Sexual Harassment**	**PUBLIC 351**

Not Enacted

LD 1057	**An Act To Streamline the Eviction Process**	**Died Between Houses**

Legal Services

Enacted

LD 214	**An Act To Increase Funding for Civil Legal Services**	**PUBLIC 509**
LD 574	**An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services**	**PUBLIC 427**

Not Enacted

LD 1021	**An Act To Require the Maine Commission on Indigent Legal Services To Pay Court-appointed Attorneys for Certain Probate Court Cases**	**CARRIED OVER**
LD 1067	**An Act To Promote Fairness and Efficiency in the Delivery of Indigent Legal Services**	**CARRIED OVER**

Medical Examiner

Enacted

LD 673	**An Act To Amend the Laws Governing the Circumstances of Death That Must Be Reported to the Office of Chief Medical Examiner**	**PUBLIC 87**

Minors and Juveniles

Enacted

LD 1304	**An Act To Ease Financial Burdens for Juveniles Involved in the Justice System**	**PUBLIC 474**

Not Enacted

LD 1684	**An Act To Clarify the Right to Counsel for Juveniles and Improve Due Process for Juveniles**	**CARRIED OVER**

Miscellaneous

Enacted

LD 417	**An Act To Allow an Attorney To Use a Photocopied Driver's License To Consummate a Financial Transaction**	**PUBLIC 183**
LD 1212	**An Act To Adopt the Uniform Interstate Depositions and Discovery Act**	**PUBLIC 109**
LD 1596	**An Act To Enhance the Long-term Stability of Certain At-risk Youth**	**PUBLIC 366**
LD 1811	**An Act To Enhance Personal and Public Safety by Requiring Evaluations of and Judicial Hearings for Persons in Protective Custody Regarding Risk of Harm and Restricting Access to Dangerous Weapons**	**PUBLIC 411**

Not Enacted

LD 793	**An Act To Improve Accountability of Opioid Manufacturers**	**HELD BY GOVERNOR**
LD 1053	**An Act To Reduce the Period of Enforcement for Judgments Based upon Consumer Obligations**	**CARRIED OVER**
LD 1312	**An Act Regarding Access to Firearms by Extremely Dangerous and Suicidal Individuals**	**Report B (ONTP)**
LD 1366	**An Act To Require Information Regarding Implied Warranties When Offering an Extended Warranty at the Point of Sale**	**ONTP**
LD 1503	**An Act To Establish the Maine False Claims Act**	**ONTP**

Name Changes

Enacted

LD 8	**An Act To Allow and Recognize a Legal Name Change upon Marriage**	**PUBLIC 82**

Not Enacted

LD 1771	**An Act To Amend the Law Governing Name Changes**	**CARRIED OVER**

Probate Code and Trust Code

Enacted

LD 1352	**An Act To Provide for Consistency Regarding Persons Authorized To Conduct Examinations for Involuntary Hospitalization and Guardianship**	**PUBLIC 276**
LD 1468	**An Act To Enact the Maine Uniform Directed Trust Act**	**PUBLIC 301**
LD 1535	**An Act To Correct Errors and Inconsistencies Related to the Maine Uniform Probate Code and To Make Other Substantive Changes**	**PUBLIC 417 EMERGENCY**

Not Enacted

LD 82	**An Act To Determine the Necessity for a Public Guardian or Conservator Bond**	**CARRIED OVER**
LD 531	**An Act To Provide Counsel for a Person Who Is the Subject of an Adult Guardianship, Conservatorship or Other Protective Arrangement Proceeding**	**CARRIED OVER**
LD 657	**An Act To Reorganize the Probate Courts**	**CARRIED OVER**
LD 690	**An Act To Amend the Maine Uniform Probate Code Regarding Claims for Personal Injury**	**ONTP**
LD 1229	**Resolve, To Establish the Committee To Study and Develop Recommendations To Address Guardianship Challenges That Delay Patient Discharges from Hospitals**	**CARRIED OVER**

Protection from Abuse and Protection from Harassment

Enacted

LD 496	**An Act To Extend the Availability of Protection from Abuse and Protection from Harassment Orders**	**PUBLIC 359**

LD 748	**An Act To Provide Relief to Survivors of Economic Abuse**	**PUBLIC 407**
LD 978	**An Act To Clarify Maine's Protection from Abuse Statutes**	**PUBLIC 176**

Real Property, Property Rights and Eminent Domain

Enacted

LD 96	**An Act To Require Disclosure at the Sale or Transfer whether Methamphetamine Is Present or Has Been Removed from Real Estate**	**PUBLIC 234**
LD 229	**An Act To Increase the Safety of Home Buyers Concerning Chimney Inspections**	**PUBLIC 37**
LD 251	**An Act To Amend the Maine Condominium Act by Extending the Lien Period for Nonpayment of Assessments**	**PUBLIC 3**

Not Enacted

LD 89	**An Act To Impose Requirements on the Rental of Residential Property That Has Been Used in the Manufacture of Methamphetamine**	**CARRIED OVER**
LD 1426	**An Act To Increase Protections for Land Installment Contracts**	**HELD BY GOVERNOR**
LD 1507	**An Act Relating to Amateur Radio Service**	**ONTP**
LD 1598	**An Act To Define the Responsibilities of Property Owners for the Maintenance and Repair of Private Roads**	**CARRIED OVER**

Statutes

Enacted

LD 384	**Resolve, Directing the Secretary of State To Review the Revised Uniform Law on Notarial Acts**	**RESOLVE 11**
LD 1457	**An Act To Make Certain References in the Maine Revised Statutes Gender-neutral**	**RESOLVE 475**
LD 1831	**An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine**	**PUBLIC 501 EMERGENCY**

Torts and Immunity

Enacted

LD 287	**An Act To Impose on Mental Health Professionals a Duty To Warn and Protect**	**PUBLIC 317**
LD 492	**An Act To Extend from 6 Months to One Year the Notice Period Required under the Maine Tort Claims Act**	**PUBLIC 214**
LD 506	**An Act To Provide Architects, Engineers and Certain Other Professionals Immunity from Civil Liability When Volunteering for Evaluating Damage from Disasters**	**PUBLIC 49**
LD 595	**An Act To Amend the Laws Governing the Unlawful Cutting of Trees**	**PUBLIC 195**
LD 841	**An Act To Amend the Laws Governing Damages Awarded for Wrongful Death**	**PUBLIC 198**

Not Enacted

LD 250	**An Act To Establish the Statute of Limitations in Product Liability Cases**	**ONTP**
LD 488	**An Act To Provide Campground Owners Immunity from Liability for the Inherent Risks of Camping**	**Report A (ONTP)**
LD 1091	**An Act Regarding the Personal Liability of Government Employees**	**ONTP**

Tribal-State Relations

Enacted

LD 870	**An Act To Change the Membership of the Maine Commission on Domestic and Sexual Abuse To Include More Tribal Members**	**PUBLIC 188**

Not Enacted

LD 573	**An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement**	**CARRIED OVER**
LD 680	**An Act To Clarify the Intent of the Federal Maine Indian Claims Settlement Act of 1980 To Ensure the Federal Principle of Inherent Tribal Sovereignty**	**CARRIED OVER**
LD 766	**An Act Regarding the Penobscot Nation's and Passamaquoddy Tribe's Authority To Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010 and the Federal Violence Against Women Reauthorization Act of 2013**	**HELD BY GOVERNOR**

LD 954	**An Act To Rescind An Act To Implement the Maine Indian Claims Settlement**	**CARRIED OVER**
LD 1392	**An Act To Establish a Formal Tribal Consultation Process with the State**	**CARRIED OVER**
LD 1490	**An Act To Enhance Tribal-State Collaboration in the Enforcement of Child Support**	**CARRIED OVER**
LD 1653	**Resolve, Establishing the Conference To Address and Improve Relations between Maine Indian Tribes and the Legislature**	**CARRIED OVER**
LD 1709	**An Act To Amend the Act To Implement the Maine Indian Claims Settlement**	**CARRIED OVER**

Unclaimed Property

Enacted

LD 1483	**An Act To Clarify the Disposition of Funds Presumed Abandoned in a Lawyer's Trust Account**	**PUBLIC 496**
LD 1544	**An Act To Enact the Maine Revised Unclaimed Property Act**	**PUBLIC 498**

Not Enacted

LD 1612	**An Act Regarding the Presumption of Abandonment of Gift Obligations**	**HELD BY GOVERNOR**

LBHS

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON LABOR AND HOUSING

August 2019

MEMBERS:

SEN. SHENNA BELLOWS, CHAIR
SEN. MARK W. LAWRENCE
SEN. STACEY K. GUERIN

REP. MICHAEL A. SYLVESTER, CHAIR
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REP. SUSAN M.W. AUSTIN
REP. LAWRENCE E. LOCKMAN
REP. JOSHUA MORRIS
REP. MICHELLE DUNPHY*

*Committee member for a portion of the session

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LD 69 **An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E DAUGHTRY M		

This bill creates a paid family medical leave program, patterned after the unpaid family medical leave program existing in current law but requiring a contribution from an eligible employee, or a self-employed person on a voluntary basis, of no more than 0.5% of the employee's or self-employed person's wages or earnings. The program requires employers to deduct the contributions from employee paychecks and requires the employers and self-employed persons to submit contributions to the Department of Labor, Bureau of Unemployment Compensation, which is charged with administering the program. The program pays benefits of up to 66% of an employee's wages or self-employed person's earnings, capped at the same maximum amount as unemployment benefits for leave taken by the employee or self-employed person for various family-related medical issues. The bill makes participation optional for employers that employ fewer than 15 employees. The bill also directs the Department of Labor to develop an implementation plan dealing with staffing, technology, start-up expenses, rulemaking and scheduling to begin the program on its effective date of October 1, 2020.

LD 75 **An Act To Protect Earned Pay** **PUBLIC 419**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E FECTEAU R	OTP-AM ONTP	S-11

Under current law, a person who receives or is scheduled to receive remuneration in the form of vacation pay in excess of four weeks' wages or holiday pay is disqualified from receiving unemployment benefits for the week that remuneration is due. This bill removes those disqualifications.

Committee Amendment "A" (S-11)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 419 removes holiday pay and vacation pay in excess of four weeks' wages from the types of remuneration that will offset unemployment benefits.

LD 81 **An Act To Clarify Maine Law Regarding the Tips of Service Employees** **PUBLIC 10**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R BELLOWS S	OTP	

This bill clarifies that an employer may take an employee's tips as part of a valid tip pooling arrangement if the arrangement is only among service employees. It specifies that such a tip pooling arrangement may not violate federal law rather than requiring that it be consistent with federal law. The intent of this bill is to clarify the distinction between Maine law and any change to, or judicial interpretation of, the federal Fair Labor Standards Act and associated regulations that would allow an employer to take a service employee's tips for any reason other than for a valid tip pooling arrangement that is only among service employees.

Enacted Law Summary

Public Law 2019, chapter 10 clarifies that an employer may take an employee's tips as part of a valid tip pooling arrangement if the arrangement is only among service employees. It specifies that such a tip pooling arrangement may not violate federal law rather than requiring that it be consistent with federal law. This law clarifies the distinction between Maine law and any change to, or judicial interpretation of, the federal Fair Labor Standards Act and associated regulations that would allow an employer to take a service employee's tips for any reason other than for a valid tip pooling arrangement that is only among service employees.

LD 122 **An Act To Prohibit an Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M DESCHAMBAULT S	ONTP	

This bill prohibits an employer from inquiring about a prospective employee's compensation history until after an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee. The bill also prohibits an employer from requiring that a prospective employee's compensation history meet certain criteria. An employer that violates this provision is subject to a fine of not less than $100 and not more than $500 per violation and is also subject to a civil action that may be brought by or on behalf of an affected prospective employee by the Department of Labor or the affected employee.

LD 123 **An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M DESCHAMBAULT S	ONTP	

This bill prohibits the State, as an employer, from inquiring about a prospective employee's compensation history until after an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee. The bill also prohibits the State from requiring that a prospective employee's compensation history meet certain criteria. A department, agency or entity of the State that violates this provision is subject to a fine of not less than $100 and not more than $500 per intentional violation.

LD 139 **An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers** **PUBLIC 66**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	OTP-AM	H-82

This bill makes a number of changes to the Competitive Skills Scholarship Program administered by the Department of Labor, including the following.

1. It requires that the Department of Labor's outreach efforts regarding the program be tailored to focus on unemployed and underemployed workers, veterans, immigrants, recipients of benefits under the statewide food supplement program, low-skilled manufacturing workers and students enrolled in postsecondary education.

2. It directs the Department of Labor to collaborate with other entities to improve program outreach to target demographics, including, at a minimum, collaboration with the Maine Community College System.

3. It makes changes to the criteria used to determine approved education and training under the program, including consideration of employer input, changing demographics and traditional industries in the State in which innovations and new technologies are creating a demand for skilled workers.

4. It requires that a program participant be given information about the allowable uses of a family development account under the Maine Revised Statutes, Title 10, chapter 110, subchapter 4-A.

5. It adds a requirement that a participant be offered comprehensive career planning services prior to the program's development of an individual career plan with the participant and permits the Department of Labor to partner with other entities to provide this service. It directs the department to include in this partnership, at a minimum, the Maine Community College System with respect to participants enrolled or seeking enrollment in a training or education course provided by the Maine Community College System. It also directs the Maine Community College System to assist the Department of Labor in program management and oversight for such participants.

6. It repeals the January 1, 2020, repeal provision on the eligibility for the program of a full-time student at a public secondary school enrolled in a career and technical education program at a career and technical education center or a career and technical education region.

This bill also amends the laws governing the employment of minors 16 and 17 years of age, providing that such a minor may be employed in an otherwise hazardous occupation for which the minor has been trained or certified from a vocational, career and technical or cooperative education program approved by the Department of Education only if the minor has graduated from the program and has graduated from high school.

Committee Amendment "A" (H-82)

This amendment strikes a number of sections of the bill affecting the Competitive Skills Scholarship Program and does the following.

1. It retains the changes in the bill that amend the laws governing the employment of minors 16 and 17 years of age in an otherwise hazardous occupation for which the minor has been trained or certified from a vocational, career and technical or cooperative education program approved by the Department of Education to require that the minor must have graduated from high school. The amendment provides that a high school equivalency diploma or its equivalent is sufficient to meet this requirement.

2. It retains the provision in the bill that repeals the January 1, 2020, repeal provision on the eligibility for the Competitive Skills Scholarship Program of a full-time student at a public secondary school enrolled in a career and technical education program at a career and technical education center or a career and technical education region.

3. It amends the eligibility criteria of the Competitive Skills Scholarship Program to modify the requirement that an individual be at least 18 years old by also including an individual who has graduated from high school.

Enacted Law Summary

Public Law 2019, chapter 66 amends the laws governing the employment of minors 16 and 17 years of age in an otherwise hazardous occupation for which the minor has been trained or certified from a vocational, career and technical or cooperative education program approved by the Department of Education to require that the minor must have graduated from high school. This law provides that a high school equivalency diploma or its equivalent is sufficient to meet this requirement.

This law repeals the January 1, 2020, repeal provision on the eligibility for the Competitive Skills Scholarship Program of a full-time student at a public secondary school enrolled in a career and technical education program at a career and technical education center or a career and technical education region.

LD 140 **An Act To Facilitate the Employment of Persons with Substance Use Disorder** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R SANBORN L	ONTP	

This bill directs the Department of Labor to establish a process to certify employers as having met the criteria established by the department for working with employees with substance use disorders. The bill also directs the department to create a publicly accessible database of certified employers.

LD 168 **Resolve, To Create a Universal Job Application System for Maine's Career Centers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B BELLOWS S	ONTP	

This resolve directs the Department of Labor to create a universal job application system for use in the State's career centers and make universal job applications available at each of the centers. It also requires the department to work with public and private employers in the creation and maintenance of the system.

LD 201 **An Act To Protect Jobs in the State by Strengthening the Advance Notice Requirement for the Relocation or Closure of a Large Business** **PUBLIC 118**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY M BELLOWS S	OTP-AM ONTP	H-149

This bill requires a person that operates a call center in the State to provide the Commissioner of Labor 120 days' notice before relocating the call center or a part of the call center. If the employer fails to notify the Commissioner of Labor of the relocation of the call center at least 120 days before the relocation, a daily fine of $10,000 may be assessed.

The bill requires the Commissioner of Labor to create a list of employers who have relocated a call center, or a facility or operating unit handling at least 30% of call volume within a call center, from the State to a foreign country. An employer appearing on the list is ineligible for a state grant, loan or tax benefit for 5 years and is required to pay back the unamortized value of a state grant, loan or tax benefit previously issued to the employer. The bill requires that call center work for executive branch agencies of the State be performed in the State.

Committee Amendment "A" (H-149)

This amendment, which is the majority report of the committee, strikes the bill and replaces it with changes to the law governing the notification requirements for an employer that proposes to close or relocate an industrial or commercial facility that employs 100 or more people. It changes the notification period from 60 days prior to the closure or relocation to 90 days prior, changes the civil penalty from a maximum $500 fine to a $500 per day fine and it applies this civil penalty to both failure to notify the Department of Labor and failure to notify the employees and the municipal officers of the municipality where the facility is located.

Enacted Law Summary

Public Law 2019, chapter 118 changes the law governing the notification requirements for an employer that proposes to close or relocate an industrial or commercial facility that employs 100 or more people. It changes the notification period from 60 days prior to the closure or relocation to 90 days prior, changes the civil penalty from a maximum $500 fine to a $500 per day fine and it applies this civil penalty to both failure to notify the Department of Labor and failure to notify the employees and the municipal officers of the municipality where the facility is located.

LD 219 **An Act To Improve Working Conditions for Maine's Veterans and Immigrants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M BELLOWS S	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to improve working conditions for Maine's veterans and immigrants.

LD 220 **An Act To Improve Pay for Certain Maine Workers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M BELLOWS S	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to improve compensation for certain workers in the State.

LD 240 **An Act To Allow Public Employers of Teachers to Negotiate Regarding Planning and Preparation Periods** **Veto Sustained**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M CHENETTE J	OTP-AM ONTP	H-518

This bill allows, but does not require, public employers of teachers to negotiate with respect to educational policies.

Committee Amendment "A" (H-518)

This amendment, which is the majority report of the committee, specifies that planning and preparation periods are

mandatory items of collective bargaining and may not be considered matters of educational policy exempted from mandatory collective bargaining.

LD 243 **An Act To Create an Hourly Rate Compensation System for Loggers and Truckers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MARTIN J	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create an hourly rate compensation system for loggers and truckers.

LD 278 **An Act Regarding Pay Equality** **PUBLIC 35**

Sponsor(s)	Committee Report	Amendments Adopted
BREEN C MOONEN M	OTP-AM ONTP	S-28

This bill amends the Maine Human Rights Act to provide that evidence of discrimination with respect to compensation includes an employer seeking information about a prospective employee's prior wage history before an offer of employment, including all compensation, to the prospective employee has been made. It provides that this discrimination is also evidenced by an employer requiring that a prospective employee's prior compensation history meet certain criteria. The bill broadens a provision in the current equal pay law to prohibit an employer from preventing employees from discussing or disclosing other employees' wages and makes the practice a violation of the Maine Human Rights Act as well.

Committee Amendment "A" (S-28)

This amendment, which is the majority report of the committee, strikes and replaces the bill. The amendment prohibits an employer from inquiring about a prospective employee's compensation history until after an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee. It creates an exception for compensation history sought pursuant to any federal or state law that specifically requires the disclosure or verification of compensation history for employment purposes, for example, when such information is related to economic development programs that specifically create employment opportunities for persons with low incomes. An employer that violates this provision is subject to a fine of not less than $100 and not more than $500 per violation and is also subject to a civil action that may be brought by or on behalf of an affected employee or applicant by the Department of Labor or the affected employee or applicant.

This amendment also amends the Maine Human Rights Act to provide that evidence of unlawful employment discrimination includes an employer seeking information about a prospective employee's compensation history before an offer of employment, including all terms of compensation, to the applicant has been made. It also creates an exception for compensation history sought pursuant to any federal or state law that specifically requires the disclosure or verification of compensation history for employment purposes.

Enacted Law Summary

Public Law 2019, chapter 35 prohibits an employer from inquiring about a prospective employee's compensation history until after an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee. It creates an exception for compensation history sought pursuant to any federal or state law that specifically requires the disclosure or verification of compensation history for employment purposes, for

example, when such information is related to economic development programs that specifically create employment opportunities for persons with low incomes. An employer that violates this provision is subject to a fine of not less than $100 and not more than $500 per violation and is also subject to a civil action that may be brought by or on behalf of an affected employee or applicant by the Department of Labor or the affected employee or applicant.

This law also amends the Maine Human Rights Act to provide that evidence of unlawful employment discrimination includes an employer seeking information about a prospective employee's compensation history before an offer of employment, including all terms of compensation, to the applicant has been made. It also creates an exception for compensation history sought pursuant to any federal or state law that specifically requires the disclosure or verification of compensation history for employment purposes.

LD 298 **An Act To Establish a Conditional Presumption of Compensability for Corrections Employees in Cases of Impairment from Hypertension or Heart Disease** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J	ONTP	

This bill amends the workers' compensation laws by adding a presumption that heart disease or hypertension suffered by a state or county corrections employee was caused in the course of that employment, as long as the employee had successfully passed a physical examination upon entry into or during the course of that employment that failed to reveal any evidence of that condition.

LD 300 **An Act To Provide School Personnel Paid Hourly a Wage Pay Option** **PUBLIC 193**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J	OTP-AM ONTP	H-220 S-131 BELLOWS S

This bill requires a school administrative unit to provide school personnel who are paid on an hourly basis with the option of receiving pay over a period of 12 months or shorter. The bill also provides that if a school day is cancelled or shortened due to circumstances beyond the control of school officials, a school administrative unit is required to pay school personnel who are paid on an hourly basis for the hours not worked because of the cancellation or shortened school day, up to 40 hours per school year.

Committee Amendment "A" (H-220)

This amendment, which is the majority report of the committee, strikes the portion of the bill that requires a school administrative unit to pay school personnel who are paid on an hourly basis for the hours not worked when a school day is canceled or shortened due to circumstances beyond the control of school officials. The amendment also adds a mandate preamble.

Senate Amendment "A" To Committee Amendment "A" (S-131)

This amendment removes the mandate preamble.

Enacted Law Summary

Public Law 2019, chapter 193 requires a school administrative unit to provide school personnel who are paid on an hourly basis with the option of receiving pay over a period of 12 months or shorter.

LD 305 **An Act To Protect Job Applicants from Identity Theft** **PUBLIC 47**

Sponsor(s)	Committee Report	Amendments Adopted
RILEY T	OTP-AM	H-47

This bill prohibits the request of a social security number from a prospective employee by an employer on an employment application or during the application process. Under this bill, an employer may still request a social security number from a prospective employee for purposes of a substance abuse test or preemployment background check, and an employer is not prohibited from asking for a social security number from an individual for any reason after the individual has been hired.

Committee Amendment "A" (H-47)

This amendment specifies that the prohibition specified in the bill begins January 1, 2020.

Enacted Law Summary

Public Law 2019, chapter 47, begininng January 1, 2020, prohibits the request of a social security number from a prospective employee by an employer on an employment application or during the application process. Under this law, an employer may still request a social security number from a prospective employee for purposes of a substance abuse test or preemployment background check, and an employer is not prohibited from asking for a social security number from an individual for any reason after the individual has been hired.

LD 308 **An Act To Authorize Municipalities To Increase Notification Time Periods for Rent Increases and Terminations of Tenancies at Will** **Veto Sustained**

Sponsor(s)	Committee Report	Amendments Adopted
KESSLER C	OTP-AM ONTP	H-357

This bill increases from 30 to 60 days the notice that a party must provide to terminate a tenancy at will. It also increases from 45 to 75 days the notice that a landlord must provide to increase the rent of a residential tenant.

Committee Amendment "A" (H-357)

This amendment, which is the majority report of the committee, replaces the title and the bill and authorizes a municipality to increase from 30 days up to 60 days the notice that a party must provide to terminate a tenancy at will. It also authorizes a municipality to increase from 45 days up to 75 days the notice that a landlord must provide to increase the rent of a residential tenant.

LD 312 **An Act To Reduce the Cost of Workers' Compensation Insurance for Small Employers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J CLAXTON N	ONTP	

This bill prohibits a workers' compensation insurer from charging a minimum premium in connection with its issuance of a workers' compensation policy.

LD 317 **An Act To Amend the Laws Governing Appointees to the Maine Labor Relations Board** **PUBLIC 184**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J	OTP-AM ONTP	H-219

This bill amends the qualifications for certain members and alternates appointed to the Maine Labor Relations Board by the Governor. It requires the member and alternates representing employees to not have worked in a management capacity or represented management interests in any proceedings at any time during the prior 10 years. It also requires the member and alternates representing the public to not have worked in a management capacity or represented management interests in any proceedings or have worked for a labor organization or served in a leadership role in a labor organization at any time during the prior 10 years. These new qualifications apply to new appointments or reappointments to the board.

Committee Amendment "A" (H-219)

This amendment, which is the majority report of the committee, replaces the term "management interests" with the term "employer interests" and changes the disqualification window from 10 years to six years.

Enacted Law Summary

Public Law 2019, chapter 184 amends the qualifications for certain members and alternates appointed to the Maine Labor Relations Board by the Governor. It requires the member and alternates representing employees to not have worked in a management capacity or represented employer interests in any proceedings at any time during the prior six years. It also requires the member and alternates representing the public to not have worked in a management capacity or represented employer interests in any proceedings or have worked for a labor organization or served in a leadership role in a labor organization at any time during the prior six years. These new qualifications apply to new appointments or reappointments to the board.

LD 369 **An Act Authorizing Earned Employee Leave** **PUBLIC 156**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT R	OTP-AM	S-79
FECTEAU R	OTP-AM	
	ONTP	

This bill creates a right to earned paid sick leave for employees who are employed by an employer that employs more than five employees. The bill also creates a right to earned unpaid sick leave for employees of an employer that employs five or fewer employees. This bill takes effect January 1, 2021.

Committee Amendment "A" (S-79)

This amendment, which is the majority report of the committee, replaces the title and the bill. This amendment does the following.

1. It requires an employer, except in a seasonal industry, that employs more than 10 employees for more than 120 days in any calendar year to permit each employee to earn paid leave based on the employee's base pay.

2. It specifies that an employee is entitled to earn one hour of paid leave from a single employer for every 40 hours

worked, up to 40 hours in one year of employment, with accrual of leave beginning at the start of employment.

3. It requires an employee to work for 120 days before an employer is required to permit use of accrued earned paid leave.

4. It requires an employer to pay an employee taking earned leave at least the same base rate of pay that employee received immediately prior to taking earned leave and provide the same benefits as those provided under established policies of the employer pertaining to other types of paid leave.

5. It requires an employee, absent an emergency, illness or other sudden necessity for taking earned leave, to give reasonable notice to the employee's supervisor of the employee's intent to use leave.

6. It specifies that an employee taking earned leave maintains any employee benefits accrued before the date on which the leave commenced and the leave may not affect the employee's right to health insurance benefits on the same terms and conditions as applicable to similarly situated employees.

7. It provides the Department of Labor, Bureau of Labor Standards the exclusive authority to enforce the law and requires the Department of Labor to adopt routine technical rules to implement and enforce the law.

8. It allows for the imposition of penalties currently established in the Maine Revised Statutes, Title 26, section 53.

9. It preempts the authority of a municipality or other political subdivision to enact any ordinance or other rule purporting to have the force of law under its home rule or other authority regulating earned paid leave.

10. It requires the Department of Labor to adopt routine technical rules to implement and enforce provisions regarding earned paid leave.

11. It specifies that earned paid leave does not apply to an employee covered by a collective bargaining agreement during the period between January 1, 2021 and the expiration of the collective bargaining agreement.

12. It requires the Department of Labor, beginning January 1, 2022 and annually thereafter, to report progress to the joint standing committee of the Legislature having jurisdiction over labor matters.

Committee Amendment "B" (S-80)

This amendment, which is one of two minority reports of the committee, replaces the title and the bill. This amendment does the following.

1. It requires an employer, except in a seasonal industry, that employs more than 10 employees for more than 120 days in any calendar year to permit each employee to earn paid leave based on the employee's base pay.

2. It specifies that an employee is entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment, with accrual of leave beginning at the start of employment.

3. It requires an employee to work for 120 days before an employer is required to permit use of accrued earned paid leave.

4. It requires an employer to pay an employee taking earned leave at least the same base rate of pay that employee received immediately prior to taking earned leave and provide the same benefits as those provided under established policies of the employer pertaining to other types of paid leave.

5. It requires an employee, absent an emergency, illness or other sudden necessity for taking earned leave, to give

reasonable notice to the employee's supervisor of the employee's intent to use leave.

6. It specifies that an employee taking earned leave maintains any employee benefits accrued before the date on which the leave commenced and the leave may not affect the employee's right to health insurance benefits on the same terms and conditions as applicable to similarly situated employees.

7. It provides the Department of Labor, Bureau of Labor Standards the exclusive authority to enforce the law and requires the Department of Labor to adopt routine technical rules to implement and enforce the law.

8. It allows for the imposition of penalties currently established in the Maine Revised Statutes, Title 26, section 53.

9. It requires the Department of Labor to adopt routine technical rules to implement and enforce provisions regarding earned paid leave.

10. It specifies that earned paid leave does not apply to an employee covered by a collective bargaining agreement during the period between January 1, 2021 and the expiration of the collective bargaining agreement.

11. It requires the Department of Labor, beginning January 1, 2022 and annually thereafter, to report progress to the joint standing committee of the Legislature having jurisdiction over labor matters.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 156 does the following.

1. It requires an employer, except in a seasonal industry, that employs more than 10 employees for more than 120 days in any calendar year to permit each employee to earn paid leave based on the employee's base pay.

2. It specifies that an employee is entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment, with accrual of leave beginning at the start of employment.

3. It requires an employee to work for 120 days before an employer is required to permit use of accrued earned paid leave.

4. It requires an employer to pay an employee taking earned leave at least the same base rate of pay that employee received immediately prior to taking earned leave and provide the same benefits as those provided under established policies of the employer pertaining to other types of paid leave.

5. It requires an employee, absent an emergency, illness or other sudden necessity for taking earned leave, to give reasonable notice to the employee's supervisor of the employee's intent to use leave.

6. It specifies that an employee taking earned leave maintains any employee benefits accrued before the date on which the leave commenced and the leave may not affect the employee's right to health insurance benefits on the same terms and conditions as applicable to similarly situated employees.

7. It provides the Department of Labor, Bureau of Labor Standards the exclusive authority to enforce the law and requires the Department of Labor to adopt routine technical rules to implement and enforce the law.

8. It allows for the imposition of penalties currently established in the Maine Revised Statutes, Title 26, section 53.

9. It preempts the authority of a municipality or other political subdivision to enact any ordinance or other rule

purporting to have the force of law under its home rule or other authority regulating earned paid leave.

10. It requires the Department of Labor to adopt routine technical rules to implement and enforce provisions regarding earned paid leave.

11. It specifies that earned paid leave does not apply to an employee covered by a collective bargaining agreement during the period between January 1, 2021 and the expiration of the collective bargaining agreement.

12. It requires the Department of Labor, beginning January 1, 2022 and annually thereafter, to report progress to the joint standing committee of the Legislature having jurisdiction over labor matters.

LD 402 **An Act To Restore Overtime Protections for Maine Workers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R BELLOWS S		

This bill annually raises the minimum salary that an employee who works in an executive, administrative or professional capacity must earn in order for that employee to be exempt from the laws governing the minimum wage and overtime pay until it is $55,224 on January 1, 2022. The bill provides for an annual adjustment, beginning January 1, 2023, based on the percentage annual increase in certain earnings as published by the United States Department of Labor, Bureau of Labor Statistics.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 410 **An Act To Eliminate the Subminimum Wage for Workers with Disabilities and Agricultural and Tipped Workers** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
BROOKS H		

This bill eliminates current exemptions from the minimum wage law that allow the payment of wages at less than the minimum wage rate to individuals employed in certain agricultural jobs, to individuals employed in service jobs in which tipping is customary and to certain individuals with disabilities, effective October 1, 2019. This bill was not referred to committee.

LD 415 **An Act To Enhance the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
VEROW A LIBBY N	ONTP	

This bill makes changes to the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program.

It makes enrollment in the program mandatory for a county or municipal law enforcement officer or municipal firefighter with a date of hire on or after January 1, 2020, and offers one-time open enrollment until July 1, 2020, to those officers and firefighters with a date of hire after November 1, 2006, who elected not to enroll.

It increases the employee contribution for participation in the program from 1.5 percent of gross wages to 2.5 percent and makes corresponding changes to the contribution requirements for retirees with less than five years of contributions upon retirement.

It allows a retiree to be eligible if the retiree is less than 50 years of age as long as the retiree has at least 25 years of service in a position as a county or municipal law enforcement officer or a municipal firefighter and has participated in the special consolidation retirement plan from the Maine Public Employees Retirement System.

It increases the state subsidy for the retiree's share of the costs of health insurance coverage from 45 percent to 100 percent.

It requires that all retirees be provided health insurance coverage through the group health plan provided to state employees beginning January 1, 2020.

While LD 415 was voted "Ought Not to Pass," a related bill included provisions making changes to the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program. See LD 1674, An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program, which was enacted as Public Law 2019, chapter 446.

LD 425 **An Act To Strengthen Small Businesses in Rural Maine by Changing the Minimum Wage** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
WHITE D	ONTP	
FARRIN B	OTP-AM	

This bill sets the minimum wage at $10 per hour and removes the provision that requires the minimum wage to be increased annually by the increase, if any, in the cost of living.

Committee Amendment "A" (H-85)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 462 **An Act To Provide Paid Family Leave to Public School Employees** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T		
MILLETT R		

This bill provides that a full-time employee of a school administrative unit is entitled to up to 12 weeks of paid family medical leave and may not be required to use sick or other kinds of leave for the birth of the employee's child or the employee's domestic partner's child or for the placement of a child 16 years of age or less with the employee or the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner. The bill also provides that the employer and employee may negotiate whether leave is taken intermittently or on a reduced leave schedule.

LD 467 **An Act To Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States under the State Retirement System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PEOPLES A SANBORN L	OTP-AM ONTP	H-550

This bill amends the state retirement system laws governing creditable service for service in the United States Armed Forces to provide credit for service during operations in Lebanon, August 21, 1982, to February 26, 1984; operations in Grenada, October 25, 1983, to December 15, 1983; and operations in Panama, December 21, 1989, to February 13, 1990.

Committee Amendment "A" (H-550)

This amendment is the majority report of the committee. It adds an appropriations and allocations section.

This bill was reported out of committee and then carried over on the Special Appropriations Table to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 473 **An Act To Allow Flexibility in Residential Rental Agreements** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
ARATA A	ONTP OTP-AM	

This bill repeals the limit on security deposits on residential rental units.

Committee Amendment "A" (H-150)

This amendment, which is the minority report of the committee, strikes the bill and replaces it with a provision specifying that the limit on security deposits on residential rental units does not apply to prepaid rent.

This amendment was not adopted.

LD 480 **An Act To Ensure Pay Transparency and To Reduce Gender and Racial Wage Inequities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D EVANGELOS J	ONTP	

This bill requires certain employers, including, but not limited to, state agencies, to annually submit wage data reports regarding employee gender, race and ethnicity to the Maine Human Rights Commission.

LD 507 **An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DOORE D DESCHAMBAULT S		

This bill amends the definition of "overcompensation" by an employer to include compensation in the form of paid leave. It changes the maximum amount an employer can withhold from an employee's pay to recover overcompensation from 10 percent to five percent. It prohibits an employer from recovering more than the amount of overcompensation paid to an employee in the three years preceding the discovery of the overcompensation. The bill also specifies that the section of law regarding overcompensation by employers that includes these provisions does not limit or affect an employee's general civil remedies against an employer.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 522 **An Act To Prohibit the Imposition by Municipalities of General Restrictions on Rents and Rental Properties** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
STROM S POULIOT M	ONTP OTP	

This bill prohibits towns, cities, plantations, village corporations and counties providing municipal services in the unorganized territory of their county from adopting ordinances regulating the rent that may be charged for a rental property, requiring registration of rental properties or imposing fees specific to rental properties.

LD 567 **An Act To Create a Universal Basic Income** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to establish a universal basic income for residents of the State.

LD 580 **An Act To Improve the Advocate Program Established by the Workers' Compensation Board** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to strengthen representation for injured workers and improve the advocate program established under the Maine Workers' Compensation Act of 1992.

While LD 580 was voted "Ought Not to Pass," a provision directing the Workers' Compensation Board to study issues related to the advocate program was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 584 **An Act To Convert Stipends to Base Pay for Child Protective Workers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE D BELLOWS S	ONTP	

This bill requires that the $5 per wage-hour stipends provided to child protective services employees in the Department of Health and Human Services, Office of Child and Family Services for the purpose of recruitment and retention of such employees and the $1 per wage-hour stipend paid to such child protective services employees who hold or obtain a relevant master's degree must be considered part of the base pay of employees who receive a stipend for purposes of calculating retirement benefits.

LD 591 **An Act To Create Flexibility in Affordable Housing Calculations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to allow exemptions in the calculation of the affordable housing cap for per unit expenditures.

LD 596 **An Act To Prevent the Closure of Maine Businesses** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T SYLVESTER M	ONTP	

This bill requires that a person proposing to permanently shut down an industrial or commercial facility make an offer of sale, at fair market value, of the facility and equipment to an interested employee organization or to a privately owned business entity, government-owned business entity or jointly owned business entity.

LD 600 **An Act To Achieve Mental Health Parity in Workers' Compensation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S SYLVESTER M	ONTP	

This bill changes the standard of proof required to demonstrate entitlement to compensation for a mental injury caused by stress so that it is the same standard as is required with respect to physical injuries. In addition, this bill specifies that a work-related injury that aggravates a preexisting mental condition may result in a compensable disability, just as aggravating a preexisting physical condition may.

LD 601 **An Act To Create Fairness by Reinstituting the Cost-of-living Adjustment for Workers' Compensation Benefits** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S SYLVESTER M	ONTP	

This bill establishes cost-of-living adjustments for workers' compensation benefits. Prior to the 1992 revision of the laws governing workers' compensation, benefits for total incapacity were adjusted annually based on the percentage increase or decrease in the state average weekly wage.

While LD 601 was voted "Ought Not to Pass," a similar provision to establish cost-of-living adjustments for certain injured workers was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 612 **An Act To Promote Youth Employment** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
BRADSTREET D GUERIN S	ONTP OTP-AM	

This bill establishes a minimum hourly wage for persons who are 16 or 17 years of age that is $1 per hour less than the regular minimum hourly wage, a minimum hourly wage for persons who are 15 years of age that is $2 per hour less than the regular minimum hourly wage and a minimum hourly wage for persons who are 14 years of age and under that is $3 per hour less than the regular minimum hourly wage.

Committee Amendment "A" (H-80)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

This amendment was not adopted.

LD 622 **An Act To Improve Public Sector Labor Relations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUCKER R	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to improve, encourage and support public sector collective bargaining and sound labor relations in the public sector by more clearly defining the rights and obligations of public employers and labor organizations that represent public employees under state public employment labor relations laws concerning information, representation, collective bargaining and other matters.

LD 670 **An Act To Increase the Minimum Wage for Large Employers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B CHENETTE J	ONTP	

This bill increases the minimum wage of the employees of employers employing 50 or more full-time employees to $13 on January 1, 2021, to $14 on January 1, 2022, and to $15 on January 1, 2023.

LD 733 **An Act To Promote Keeping Workers in Maine** **PUBLIC 513**

Sponsor(s)	Committee Report	Amendments Adopted
SCHNECK J BELLOWS S	OTP-AM ONTP	H-280 S-208 DIAMOND B S-330 BREEN C

This bill prohibits an employer from requiring or entering into a so-called noncompete agreement with an employee earning wages that are at or below 300 percent of the federal poverty level. A noncompete agreement is defined as a contract or contract provision that prohibits an employee or prospective employee from working in the same or a similar profession or in a specified geographic area for a certain period of time following termination of employment. If an employer requires a noncompete agreement for a position of employment, the employer must disclose that requirement in any advertisement for that position, and an employer must provide an employee or prospective employee with a copy of a noncompete agreement at least three business days before requiring that employee or prospective employee to sign the agreement. An employer that violates this law commits a civil violation for which a fine of not less than $5,000 may be adjudged. The Department of Labor is responsible for enforcement of the law. The terms of a noncompete agreement, except for a noncompete agreement with a physician, are not in effect until after an employee has been employed with the employer for at least one year or a period of 6 months from the date the agreement was signed, whichever is later.

The bill also prohibits a restrictive employment agreement between two or more employers that prohibits or restricts one employer from soliciting or hiring another employer's employees or former employees.

Committee Amendment "A" (H-280)

This amendment, which is the majority report of the committee, strikes and replaces the bill. It moves the language in the bill to another location in the Maine Revised Statutes, Title 26 and restricts the enforceability of noncompete

agreements to the extent that they are reasonable and are no broader than necessary to protect a legitimate business interest of the employer, such as trade secrets, confidential information or goodwill. It also adds a presumption that a noncompete agreement is necessary if the legitimate business interest cannot be adequately protected through an alternative restrictive covenant. As in the bill, it also provides for ongoing appropriations to provide for enforcement of the provisions.

Senate Amendment "A" To Committee Amendment "A" (S-208)

This amendment prohibits an employer from requiring or permitting an employee earning wages at or below 400 percent of the federal poverty level, instead of at or below 300 percent of the federal poverty level as in the committee amendment, to enter into a noncompete agreement with the employer.

Senate Amendment "B" To Committee Amendment "A" (S-330)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 513 restricts the enforceability of noncompete agreements to the extent that they are reasonable and are no broader than necessary to protect a legitimate business interest of the employer, such as trade secrets, confidential information or goodwill. It also adds a presumption that a noncompete agreement is necessary if the legitimate business interest cannot be adequately protected through an alternative restrictive covenant.

LD 734 **Resolve, To Expedite the Processing of Applications for Certification under the Federal Work Opportunity Tax Credit** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R	OTP-AM	H-51
LUCHINI L	ONTP	

This resolve directs the Department of Labor to establish a new permanent position in the Bureau of Employment Services to expedite the processing of employer applications for certification required for the federal work opportunity tax credit under Section 51 of the United States Internal Revenue Code of 1986. The resolve also requires the Department of Labor to submit a report to the Joint Standing Committee on Labor and Housing with the most recent information available concerning applications submitted by employers, including information on the extent of any backlog in application processing, by February 1, 2020.

Committee Amendment "A" (H-51)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 739 **An Act To Help Small Businesses by Establishing an Alternate Minimum Wage** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
RUDNICKI S	ONTP	
CYRWAY S	OTP-AM	

This bill creates an alternate minimum wage applicable to employees of a small employer, to the first 90 consecutive days of employment for employees who are under 20 years of age and to employees who are under 18 years of age. The wage is $9.75 starting January 1, 2020 and will be increased by any increase in the cost of living starting January 1, 2021, and every subsequent January 1st.

Committee Amendment "A" (H-81)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

This amendment was not adopted.

LD 756 **An Act To Improve the Maine Workers' Compensation Act of 1992** **PUBLIC 344**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	OTP-AM	H-603

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to improve the Maine Workers' Compensation Act of 1992.

Committee Amendment "A" (H-603)

This amendment replaces the bill, which is a concept draft. The amendment does the following.

It amends the definition of "average weekly wages, earnings or salary" to clarify that, for an injury occurring on or after January 1, 2020, any fringe or other benefit paid by the employer that does not continue during the disability must be included to the extent that the inclusion of the fringe or other benefit will not result in a weekly benefit amount that is greater than 2/3 of 125 percent of the state average weekly wage at the time of the injury.

It requires that the Workers' Compensation Board must vote with the support of five of the seven members of the board to contract for the services of or to employ administrative law judges beginning January 1, 2020, except for the reappointment of administrative law judges appointed prior to January 1, 2020.

It allows an exception to the requirement that the first payment must be made by an employer within 14 days after notice of the injury or death if the payment cannot be made due to a factual mistake, an act of God or unavoidable circumstances.

It increases the maximum benefit level to 125 percent of the state average weekly wage for an injury occurring on or after January 1, 2020.

It requires a cost-of-living adjustment to be applied in cases of total incapacity after 260 weeks of benefits.

It extends the cap of benefits for partial incapacity from 520 weeks to 624 weeks.

It eliminates the provision relating to the extension of benefits for partial incapacity if the whole person impairment resulting from the injury is in excess of 18 percent for an injury occurring after January 1, 2020.

It clarifies how payments for paid time off are coordinated with workers' compensation benefits.

It provides that, if a deceased employee has no dependents, the employer must pay benefits to the parents of the deceased employee for a period of 500 weeks.

It extends the notice of injury requirement from 30 days to 60 days.

It caps the maximum percentage of attorney's fees that may be awarded at 10% in a lump-sum settlement in cases in which the injury occurred on or after January 1, 2020.

It authorizes the Workers' Compensation Board to consider adopting a rule to establish time frames for the filing of any petition related to a controversy with the board if a full agreement is not reached by the parties after conclusion of any mediation pursuant to the Maine Revised Statutes, Title 39-A, section 313.

It requires the Workers' Compensation Board to study the advocate program established pursuant to the Maine Revised Statutes, Title 39-A, section 153-A, including the salary paid to advocates, and make recommendations for any changes to improve the advocate program and its representation of injured workers to the Joint Standing Committee on Labor and Housing no later than January 1, 2020.

It directs the Workers' Compensation Board to convene a working group of stakeholders to evaluate issues related to work search and vocational rehabilitation requirements for injured workers and protections for injured workers whose employers have wrongfully not secured workers' compensation payments. On behalf of the working group, the Workers' Compensation Board is required to report to the Joint Standing Committee on Labor and Housing by January 30, 2020, with recommendations and any draft implementing legislation to address these issues.

Enacted Law Summary

Public Law 2019, chapter 344 makes the following changes to the Maine Workers' Compensation Act of 1992.
It amends the definition of "average weekly wages, earnings or salary" to clarify that, for an injury occurring on or after January 1, 2020, any fringe or other benefit paid by the employer that does not continue during the disability must be included to the extent that the inclusion of the fringe or other benefit will not result in a weekly benefit amount that is greater than 2/3 of 125 percent of the state average weekly wage at the time of the injury.

It requires that the Workers' Compensation Board must vote with the support of five of the seven members of the board to contract for the services of or to employ administrative law judges beginning January 1, 2020, except for the reappointment of administrative law judges appointed prior to January 1, 2020.

It allows an exception to the requirement that the first payment must be made by an employer within 14 days after notice of the injury or death if the payment cannot be made due to a factual mistake, an act of God or unavoidable circumstances.

It increases the maximum benefit level to 125 percent of the state average weekly wage for an injury occurring on or after January 1, 2020.

It requires a cost-of-living adjustment to be applied in cases of total incapacity after 260 weeks of benefits.

It extends the cap of benefits for partial incapacity from 520 weeks to 624 weeks.

It eliminates the provision relating to the extension of benefits for partial incapacity if the whole person impairment resulting from the injury is in excess of 18 percent for an injury occurring after January 1, 2020.

It clarifies how payments for paid time off are coordinated with workers' compensation benefits.

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It extends the notice of injury requirement from 30 days to 60 days.

It caps the maximum percentage of attorney's fees that may be awarded at 10 percent in a lump-sum settlement in cases in which the injury occurred on or after January 1, 2020.

It authorizes the Workers' Compensation Board to consider adopting a rule to establish time frames for the filing of any petition related to a controversy with the board if a full agreement is not reached by the parties after conclusion of any mediation pursuant to the Maine Revised Statutes, Title 39-A, section 313.

It requires the Workers' Compensation Board to study the advocate program established pursuant to the Maine Revised Statutes, Title 39-A, section 153-A, including the salary paid to advocates, and make recommendations for any changes to improve the advocate program and its representation of injured workers to the Joint Standing Committee on Labor and Housing no later than January 1, 2020.

It directs the Workers' Compensation Board to convene a working group of stakeholders to evaluate issues related to work search and vocational rehabilitation requirements for injured workers and protections for injured workers whose employers have wrongfully not secured workers' compensation payments. On behalf of the working group, the Workers' Compensation Board is required to report to the Joint Standing Committee on Labor and Housing by January 30, 2020, with recommendations and any draft implementing legislation to address these issues.

LD 757 **An Act To Improve Labor Laws for Maine Workers** **PUBLIC 135**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	OTP-AM ONTP	H-151

This bill is a concept draft pursuant to Joint Rule 208. This bill would provide employees more rights under the labor laws.

Committee Amendment "A" (H-151)

This amendment, which is the majority report of the committee, strikes the bill, which is a concept draft, and replaces it with an amendment to the labor relations laws governing municipal public employees. When employees in a collective bargaining unit file a request with their public employer to be represented by a certain organization as their collective bargaining agent, current law allows the public employer to request an election from the Maine Labor Relations Board in order to determine whether the organization indeed represents a majority of the members in the collective bargaining unit. Instead, this amendment would require an election only in such cases if, after examining the demonstration of majority support, the Maine Labor Relations Board finds majority support for the organization to be in question.

Enacted Law Summary

Public Law 2019, chapter 135 amends the labor relations laws governing municipal public employees. When employees in a collective bargaining unit filed a request with their public employer to be represented by a certain organization as their collective bargaining agent, the law previously allowed the public employer to request an election from the Maine Labor Relations Board in order to determine whether the organization indeed represents a majority of the members in the collective bargaining unit. Instead, this law requires an election only in such cases if, after examining the demonstration of majority support, the Maine Labor Relations Board finds majority support for the organization to be in question

LD 758 **An Act To Clarify Work Search Requirements for Workers' Compensation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

Under current law, an injured worker who is only partially incapacitated by a workplace injury may be eligible for so-called 100 percent partial incapacity benefits if the worker is not working, as long as the worker can demonstrate that the lack of employment is due to the injury and that the worker has not been able to obtain employment, within the restrictions caused by the partial incapacity, despite an adequate work search. The Maine Supreme Judicial Court outlined the factors that must be considered when determining whether a work search by the injured worker is sufficient in the case Monaghan v. Jordan's Meats, 2007 ME 100, 928 A.2d 786.

This bill abrogates the current "work search rule" by placing the burden on the previous employer to demonstrate that there is suitable employment available to the injured worker in the worker's local community. If the previous employer has demonstrated suitable available employment, the injured worker may still be eligible for so-called 100% partial incapacity benefits if the worker can demonstrate continued unemployment despite reasonable efforts to secure the alternative employment identified by the previous employer.

While LD 758 was voted "Ought Not to Pass," a provision directing the Workers' Compensation Board to study issues related to work search and vocational rehabilitation requirements for injured workers was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 777 **An Act To Establish the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations** **PUBLIC 457**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R JACKSON T	OTP-AM ONTP	H-493

This bill creates the Permanent Commission on the Status of Racial and Ethnic Populations to promote, carry out and coordinate programs designed to improve opportunities for racial and ethnic populations.

Committee Amendment "A" (H-493)

This amendment, which is the majority report of the committee, replaces the bill. It changes the name of the Permanent Commission on the Status of Racial and Ethnic Populations to the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations and makes corresponding changes throughout the amendment to capture that change. It removes legislative members from the commission and makes additional changes to the public members of the commission. It further defines the duties and powers of the commission, including providing the commission with the authority to submit legislation at the start of each regular session. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 457 establishes the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations to promote, carry out and coordinate programs designed to improve opportunities for racial, infigenous and tribal populations.

LD 784 **An Act To Amend the Laws Governing Eligibility for Unemployment Benefits** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P STETKIS J	ONTP	

This bill disqualifies an individual from eligibility for unemployment benefits when the individual has refused to accept or attend a job interview for suitable work for which the individual is reasonably fitted.

LD 808 **An Act To Create a Youth Wage** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE J MORRIS J	ONTP OTP	

This bill establishes a minimum hourly wage for a person who is under 18 years of age and is enrolled as a student in a school. The wage is 75 percent of the regular minimum hourly wage.

LD 809 **An Act To Expand and Clarify the Disqualification from Workers' Compensation Benefits of an Employee Who Is Injured While Under the Influence of Drugs or Alcohol** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CYRWAY S NADEAU C	ONTP	

Under current law, workers' compensation benefits are not allowed for the injury or death of an employee when the injury or death was caused by the employee's intoxication. This bill eliminates that provision and instead disallows benefits for an employee who was intoxicated at the time of the injury or death. This bill also clarifies that intoxication includes intoxication from an illegal drug, marijuana or alcohol.

LD 819 **An Act To Enhance the Predetermination of Independent Contractors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill requires a worker who is requesting predetermination of independent contractor status from the Workers' Compensation Board to submit all of the miscellaneous income forms provided by the United States Department of the Treasury, Internal Revenue Service received by the worker for the previous calendar year or, if the worker did not receive a miscellaneous income form for the previous year, an explanation as to why the worker did not receive a form.

LD 830 **An Act To Balance Maine's Minimum Wage for Small and Large Employers** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
STETKIS J	ONTP OTP-AM	

This bill establishes a minimum hourly wage for small employers that is less than the minimum hourly wage for large employers. Beginning October 1, 2019, for an employer with fewer than 50 full-time employees in Maine, the minimum hourly wage is established at $10; the minimum hourly wage for an employer of at least 50 full-time employees in Maine remains at $11 until January 1, 2021, when it increases to $12. This bill also delays the indexing of the minimum hourly wage for cost-of-living adjustments by one year until 2022.

Committee Amendment "A" (H-79)

This committee amendment is the minority report. This amendment incorporates a fiscal note.

This amendment was not adopted.

LD 833 **An Act To Provide the Same Retirement Benefits for State Employees Working as Emergency Communications Specialists as Are Provided to Law Enforcement Officers** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
DOORE D CARPENTER M	OTP-AM ONTP	H-496

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing the Maine Public Employees Retirement System to provide the same retirement benefits as are provided to law enforcement officers to state employees working in law enforcement, including these job classifications:

1. Emergency dispatchers;

2. Staff in the Maine State Police computer crimes unit;

3. Staff in the Maine State Police Crime Laboratory;

4. Law enforcement staff at the Attorney General's office; and

5. Forest rangers.

Committee Amendment "A" (H-496)

This amendment is the majority report of the committee and replaces the bill, which is a concept draft. The amendment allows emergency communications specialists in the employment of the Department of Public Safety to elect to participate in the 1998 Special Plan of the Maine Public Employees Retirement System. Under that plan, a person may retire at 55 years of age with 10 years of creditable service or may retire before 55 years of age with 25 years of creditable service. The amendment also adds an appropriations and allocations section.

LD 857 **An Act To Increase Accountability for Wage Violations** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B BELLOWS S	OTP-AM ONTP	H-78

This bill amends the law regarding employment practices by increasing the fine for a violation of certain state wage and benefits laws to $500 for the first violation and $2,500 for each subsequent violation and by providing a private right of action for a person aggrieved of such a violation. It amends the law regarding employees' remedies to provide that in a judgment for an employee an additional amount of three times the unpaid wages must be awarded the employee. It also provides ongoing funds for 10 labor and safety inspector positions within the Department of Labor, Bureau of Labor Standards, wage and hour division beginning October 1, 2019.

Committee Amendment "A" (H-78)

This amendment, which is the majority report of the committee, changes the fine structure proposed in the bill from a $2,500 fine for each subsequent violation of the various wage and hour laws to a fine of at least $500 but not more than $2,500 for each subsequent violation. It also strikes new language added by the bill regarding a civil action remedy for violations of various wage and hour laws. It reduces the liquidated damages available in a civil action to collect unpaid minimum wages from three times the amount of unpaid wages, as proposed by the bill, to twice the amount of unpaid wages, and it reduces the Labor and Safety Inspector positions added to the bill from 10 to four.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 883 **An Act To Establish the Opt-in Maine Paid Family Leave Insurance Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M HERBIG E	ONTP	

This bill creates the Maine Paid Family Leave Insurance Program to provide wage-replacement benefits to persons who qualify for family medical leave. The program is funded by employee contributions and provides 2/3 of a person's average weekly wage or 100 percent of the state average weekly wage, whichever is lower, for up to six weeks in any 12-month period. Employee contributions are collected on a sliding scale based on wages.

While LD 883 was voted "Ought Not to Pass," a similar bill, LD 1410, An Act to Create Paid Family and Medical Leave Benefits, was carried over to the next regular or special session of the 129th Legislature.

LD 886 **An Act To Protect Search and Rescue Volunteers Certified by the Maine Association for Search and Rescue from Adverse Employment Actions** **PUBLIC 329**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D BELLOWS S	OTP-AM ONTP	H-447

This bill provides the same protections to volunteer search and rescuers for absences from work in responding to search and rescue operations requested by a law enforcement agency as volunteer firefighters receive for absences from work in responding to emergencies. Under this bill, a volunteer search and rescuer is a person who has been certified in search and rescue practices and procedures by a nonprofit search and rescue training organization recognized by the Department of Inland Fisheries and Wildlife, Bureau of Warden Service.

Committee Amendment "A" (H-447)

This amendment makes the bill consistent with the Maine Revised Statutes, Title 26, section 809, concerning absence for emergency response. It adds a definition for "recognized organization" and changes terminology from "volunteer search and rescue" to "search and rescue volunteer."

Enacted Law Summary

Public Law 2019, chapter 329 provides the same protections to search and rescue volunteers for absences from work in responding to search and rescue operations requested by a law enforcement agency as found in Maine Revised Statutes, Title 26, section 809, for emergency response.

LD 888 **An Act To Provide Workplace Support to Individuals with Hearing Loss** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to add hearing loss to the list of qualifying conditions for which the Department of Labor's vocational rehabilitation program provides services.

LD 900 **An Act To Expand the Rights of Public Employees under the Maine Labor Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M MIRAMANT D		

This bill allows public employees, including municipal and county employees, state and legislative employees, university, academy and community college employees and judicial employees, but not including employees whose duties include protecting public safety, to strike pursuant to the official procedures of the employees' employee organization or under a process in which an affirmative vote to strike is held. The bill requires that notice be given to the public employer stating the dates upon which the strike will begin and end. The bill also provides that the employee organization or public employer may call for emergency bargaining within 3 days prior to the intended start of the strike.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 901 **An Act To Clarify the Statute of Limitations under the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill removes changes that were made by Public Law 2011, chapter 647 to the law governing the statute of limitations for workers' compensation claims and restores the law to the language that was held by the Law Court in Wilson v. Bath Iron Works, 942 A.2d 1237 (Me. 2008) to mean that, for purposes of filing a petition under the workers' compensation laws, the statute of limitations expires 2 years after the date of injury or two years after the date the employer files the first report of injury, whichever is later.

LD 919 **An Act To Establish a Minimum Mileage Reimbursement Rate for Traveling Sales Representatives** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
DILL J	ONTP	
STANLEY S	OTP	

This bill requires an employer to provide mileage reimbursement for an employee who travels as a sales representative who is required to use the employee's private automobile to perform the employee's duties. This reimbursement is included as wages for purposes of the laws requiring timely and full payment of wages and for wages due at cessation of employment.

LD 947 **An Act To Extend the Notice of Injury Period in the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S	ONTP	
SYLVESTER M		

Under current law governing workers' compensation, an employee must provide notice of injury to an employer within 30 days after the date of injury. This bill provides that, for claims for which the date of injury is on or after January 1, 2020, an employee must provide to the employer notice of the injury within 180 days after the date of injury.

While LD 947 was voted "Ought Not to Pass," a provision extending the notice period from 30 days to 60 days after the date of injury for claims for which the date of injury is on or after January 1, 2020 was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1008 **An Act To Include State Employee Stipends as Earnable Compensation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE D BELLOWS S	ONTP	

This bill requires that stipends paid to a member of the Maine Public Employees Retirement System be counted as earnable compensation for purposes of calculating retirement benefits.

LD 1013 **An Act To Clarify the Disqualification from Unemployment Benefits of a Person Who Is Terminated from Employment for Being Under the Influence of Marijuana** **PUBLIC 125**

Sponsor(s)	Committee Report	Amendments Adopted
CYRWAY S BRADSTREET D	OTP-AM	S-39 S-71 BELLOWS S

This bill clarifies that an individual whose employment is terminated because of the individual's being under the influence of marijuana while on duty or when reporting to work is disqualified from unemployment benefits, as is currently the case for alcohol and illegal drugs.

Committee Amendment "A" (S-39)

This amendment removes the provision of the bill that includes being under the influence of marijuana while on duty or when reporting to work, which is the same provision as using illegal drugs, and instead includes marijuana in the current disqualification from unemployment benefits for an individual whose employment is terminated because of intoxication while on duty or when reporting to work or engaging in unauthorized use of alcohol while on duty.

Senate Amendment "B" To Committee Amendment "A" (S-71)

This amendment excepts from the disqualification from unemployment benefits for marijuana use the use of marijuana permitted under the laws governing the medical use of marijuana.

Enacted Law Summary

Public Law 2019, chapter 125 includes marijuana in the current disqualification from unemployment benefits for an individual whose employment is terminated because of intoxication while on duty or when reporting to work or engaging in unauthorized use of alcohol while on duty. It excepts from the disqualification from unemployment benefits for marijuana use the use of marijuana permitted under the laws governing the medical use of marijuana.

LD 1017 **Resolve, To Direct the Department of Labor To Develop a Framework for Encouraging Employers To Identify Safer Alternatives to Hazardous Chemicals** **RESOLVE 47**

Sponsor(s)	Committee Report	Amendments Adopted
CARSON B	OTP-AM ONTP	S-114

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create statutory and regulatory requirements that are designed to prevent harm to employees by substituting for or eliminating highly toxic and hazardous chemicals in the workplace. The bill would:

1. Apply to industries, including, but not limited to, manufacturing, retail and service; automotive; auto body repair; shipbuilding; paper manufacturing; manufacturing of apparel or apparel components; medical equipment; construction; personal care product or feminine product manufacturing; coatings; textiles; lumber; plastics; technology services; and cleaning and janitorial services. The bill would not apply to agricultural employers in the State;

2. Define "highly toxic and hazardous chemical" as a chemical that, based on credible scientific evidence, has a significant potential for harm to human health;

3. Define "priority highly toxic and hazardous chemical" to include a chemical for which there is credible scientific evidence that the chemical is a carcinogen, a mutagen, a reproductive toxin, a developmental toxin, an endocrine disruptor or a neurotoxin;

4. Define "safer alternative" as an alternative that, when compared to a highly toxic and hazardous chemical that it could replace, would reduce the potential for harm to human health or that has not been shown to pose the same or greater potential harm to human health as the highly toxic and hazardous chemical;

5. Require employers in the State to identify and evaluate highly toxic and hazardous chemicals and, if feasible, eliminate those highly toxic and hazardous chemicals or substitute safer alternatives. Specifically, it would require employers to:

A. Identify and evaluate highly toxic and hazardous chemicals and eliminate the highly toxic and hazardous chemicals or substitute safer alternatives if feasible;

B. Implement a plan for the elimination and substitution of highly toxic and hazardous chemicals in the workplace;

C. Consult publicly accessible website lists and online databases that identify highly toxic and hazardous chemicals;

D. Consult safety data sheets required by the federal Department of Labor, Occupational Safety and Health Administration to identify highly toxic and hazardous chemicals;

E. Consult chemical suppliers and manufacturers to identify highly toxic and hazardous chemicals;

F. Consult publicly accessible websites and databases that identify safer alternatives that may be substituted for highly toxic and hazardous chemicals;

G. Contact chemical suppliers and manufacturers for possible safer alternatives;

H. Identify steps necessary to be followed for the elimination or substitution of a highly toxic and hazardous chemical;

I. Decide, with justification, whether substituting a highly toxic and hazardous chemical is feasible for business operations;

J. In transitioning from a highly toxic and hazardous chemical to a safer alternative, use a transition team

composed of employees and management;

K. Together with the transition team, develop a priority ranking for all highly toxic and hazardous chemicals identified for transition to safer alternatives; and

L. Conduct an alternatives analysis of the anticipated difficulty of transitioning to a safer alternative and a financial analysis of costs;

6. Require the Commissioner of the Department of Labor to adopt rules and provide guidelines to assist employers in how to identify and evaluate highly toxic and hazardous chemicals and how to determine if safer alternatives exist. Specifically, it would require the commissioner to adopt rules:

A. To define terms, including "affected employee," "alternative chemical," "alternative chemical work plan" and "chemical";

B. To develop procedures to assist employers in implementing a program for the substitution of highly toxic and hazardous chemicals in the workplace; and

C. Governing the implementation of safer alternatives; discontinuation of safer alternatives, justification and reporting; self-audits by employers; reporting requirements; records retention requirements; access to information, including employee access and access by the State; and provision of annual employee training and informational materials; and

7. Require the Commissioner of the Department of Labor to:

A. Identify publicly accessible website lists of online databases that identify highly toxic and hazardous chemicals;

B. Make employers aware that safety data sheets required by the federal Department of Labor, Occupational Safety and Health Administration are a source for identifying highly toxic and hazardous chemicals;

C. Identify publicly accessible websites that identify safer alternatives that may be substituted for highly toxic and hazardous chemicals currently employed in industry and business operations;

D. Identify steps required for the elimination or substitution of a highly toxic and hazardous chemical, including the criteria for justification of whether eliminating or substituting for a highly toxic and hazardous chemical is feasible for employers' business operations; and

E. Enforce the provisions of the law.

Committee Amendment "A" (S-114)

This amendment replaces the bill with a resolve and replaces the title. It requires the Department of Labor to develop a framework for identifying hazardous chemicals used in the workplace and identifying safer alternatives to those chemicals in collaboration with interested parties and employers and employees in industries that are likely to utilize hazardous chemicals. The amendment requires the department to submit a report to the Joint Standing Committee on Labor and Housing by December 20, 2019, that includes a proposed framework, summarizes the process used to develop the framework and includes a list of the participants who participated in the process. It authorizes the committee to report out a bill based on the report.

Enacted Law Summary

Resolve 2019, chapter 47 requires the Department of Labor to develop a framework for identifying hazardous chemicals used in the workplace and identifying safer alternatives to those chemicals in collaboration with interested parties and employers and employees in industries that are likely to utilize hazardous chemicals. This law requires the department to submit a report to the Joint Standing Committee on Labor and Housing by December 20, 2019, that includes a proposed framework, summarizes the process used to develop the framework and includes a list of the participants who participated in the process. It authorizes the committee to report out a bill based on the report.

LD 1041 **An Act Regarding Collective Bargaining for Public Employees under the Municipal Public Employees Labor Relations Laws** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B BELLOWS S	ONTP	

This bill amends provisions relating to collective bargaining by public employees covered by municipal public employees labor relations laws, including:

1. Repealing the provision that prohibits public employees from stopping or slowing work, striking or blacklisting public employers to prevent the employers from filling vacancies; and

2. Requiring both parties to collective bargaining to have an individual present who is authorized to reach a tentative agreement.

LD 1058 **An Act Concerning Liability for Direct Reimbursement of Unemployment Benefits** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
BRADSTREET D GUERIN S	ONTP OTP-AM	

This bill specifies that a governmental entity that elects to make payments in lieu of contributions into the unemployment compensation fund is not liable to make payments with respect to an individual who voluntarily separates from employment.

Committee Amendment "A" (H-217)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1077 **An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents by Requiring the Use of the Federal Immigration Verification System** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
DEVEAU J CYRWAY S	ONTP OTP	

This bill requires an employer to register with and use the federal immigration verification system, currently known as the E-Verify program, to determine the work eligibility status of new employees physically performing services within the State.

LD 1095 An Act Regarding Workers' Compensation Liens **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S SYLVESTER M	ONTP	

When a worker suffers an injury or death that is eligible for workers' compensation benefits under the Maine Workers' Compensation Act of 1992 and that is sustained under circumstances that create legal liability for a third person, the injured employee may either claim workers' compensation benefits or seek damages in a civil suit against that third person to recover damages. Under current law, if the injured employee chooses to claim workers' compensation benefits from the employer, the employer has a lien on any damages subsequently recovered against that third person in the civil action for the value of workers' compensation benefits paid.

This bill limits the amount of the lien of the employer of the injured or deceased employee to only the value of damages received by or on behalf of the injured or deceased employee that are attributable to compensation for past or future medical treatment and loss of income or earning capacity.

LD 1098 An Act To Help Small Employers by Making the Minimum Wage Increase More Gradual in Nonurban Areas **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L STEWART T	ONTP OTP-AM	

This bill creates an alternative minimum hourly wage that applies to certain designated nonurban areas starting on January 1, 2020. Under this bill the minimum hourly wage rate for those areas is $11 per hour and increases by 50¢ each January 1st until it reaches $12 per hour on January 1, 2022. The minimum hourly wage stays the same as in current law for Cumberland County, except for the towns of Baldwin, Bridgton, Harrison and Naples.

The bill also freezes any scheduled increase in the current minimum wage or the new alternative minimum wage if there is in effect an extended benefit period for unemployment compensation benefits, as determined by the Commissioner of Labor. The scheduled increase or increases will resume once there is no longer an extended benefit period in effect as of January 1st of a given year. It also delays the cost-of-living adjustment for the current minimum wage to January 1, 2024, changes the calculation to be the average cost-of-living increase over the prior 3 years and changes the timing of the cost-of-living adjustment to be every 3 years instead of every year.

It also requires the Department of Labor to submit an annual report analyzing job creation and job loss trends in urban and nonurban areas since the initiation of minimum wage increases established by Initiated Bill 2015, chapter 2, section 1.

Committee Amendment "A" (S-40)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

This amendment was not adopted.

LD 1104 **An Act To Clarify the State's Commitments Concerning Certain Public Service Retirement Benefits** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY M BELLOWS S	OTP-AM	H-205

This bill changes the contractual commitment to maintain state-protected benefits regarding cost-of-living adjustments for retired state employees and teachers by specifying that it constitutes a solemn contractual commitment of the State that is protected under the Constitution of Maine and the United States Constitution.

Committee Amendment "A" (H-205)

This amendment incorporates a fiscal note.

LD 1107 **An Act To Promote Workforce Development and Community Integration** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BRENNAN M SANBORN H	ONTP	

This bill directs the Department of Labor to establish an immigrant workforce development council and, after consultation with the council, to distribute funds through a competitive process to entities that promote integration of immigrants into the workforce and community. The bill also provides funds to support integration of immigrants into the workforce and community.

LD 1112 **An Act To Provide Employee Vaccination Compensation** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J		

This bill establishes the right of an employee to refuse any vaccine required or recommended by the employer without coercion, consequence or retaliation by the employer and the employee's right to receive the vaccination at the employee's workplace and at the expense of the employer. It also requires the employer to compensate the employee for any medical expenses incurred by the employee due to an injury or adverse reaction to a vaccine and to provide any necessary paid time off to the employee, in addition to any sick time, vacation time or other benefit offered by the employer. Compensation for the employee's injury or adverse reaction to a vaccine is provided in addition to any remedy available under the workers' compensation laws.

LD 1177 **An Act To Improve Public Sector Labor Relations** **Veto Sustained**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM	S-308
MCCREA D	ONTP	

This bill:

1. Amends the labor relations laws governing municipal public employees and University of Maine System employees to provide that determinations by arbitrators with respect to controversies over all subjects, including salaries, pensions and insurance, are final and binding on the parties;

2. Amends the labor relations laws governing state employees to provide that, with respect to controversies over salaries, an arbitrator's determinations are final and binding on the parties; and

3. Amends the labor relations laws governing judicial employees to provide that an arbitrator's determinations with respect to controversies over all subjects, including salaries, pensions and insurance, are final and binding on the parties and that, with respect to controversies over salaries, determinations by mediator-arbitrators are final and binding on the parties.

Committee Amendment "A" (S-308)

This amendment, which is the majority report of the committee, adds specific factors an arbitrator must consider when a controversy is not resolved between a public employer and bargaining agent under the municipal public employees labor relations law. This amendment delays the effective date of the changes made in the bill until July 1, 2020.

LD 1184 **An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DOORE D	ONTP	H-244
BELLOWS S	OTP-AM	

Under changes made to the Maine Public Employees Retirement System in 1993, employees who were members of the Maine Public Employees Retirement System as of July 1, 1993 but did not have 10 years of creditable service as of July 1, 1993, are required to have 25 years of creditable service and attain 62 years of age in order to avoid incurring a penalty of six percent of earned benefits for each year the person retires before attaining 62 years of age. Prior to that change, the penalty was 2.25 percent for each year below 60 years of age the person retired.

This bill changes the rate of the penalty for those state employees who retired between July 1, 2011 and January 1, 2012, and for teachers who retired between July 1, 2011, and July 1, 2012, who had at least 25 years of service on July 1, 2011, but had not attained 62 years of age to 2.25 percent for each year the person was below 62 years of age upon retirement from service.

Committee Amendment "A" (H-244)

This amendment is the minority report of the committee. It makes clear that the change in the rate of the early retirement penalty for qualified members applies prospectively beginning October 1, 2019. The amendment also adds an appropriations and allocations section to fund the one-time cost of the unfunded actuarial liability created as

a result of the change in the rate of penalty for qualified members.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1203 **An Act To Clarify the Retirement Presumption under the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

Once an individual receiving workers' compensation benefits retires and is receiving retirement benefits, there is a presumption that the individual is no longer eligible for workers' compensation benefits related to loss of earnings or earning capacity. Under current law, this presumption may be rebutted by evidence that the individual is unable to perform suitable work because of the work-related disability.

This bill lowers the evidentiary burden on the retired individual collecting workers' compensation benefits by providing that evidence that the individual's retirement was due at least in part to a work-related disability is sufficient to continue eligibility for workers' compensation benefits related to loss of earnings or earning capacity.

LD 1204 **An Act To Eliminate the Cap on Weekly Benefits in Workers' Compensation Cases** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

Current law caps the weekly benefit payable under the laws governing workers' compensation to a maximum amount set in statute or a percentage of the state average weekly wage, whichever is higher. This bill eliminates the cap on the weekly benefits.

While LD 1204 was voted "Ought Not to Pass," a provision increasing the cap for weekly benefits to a maximum of 125 percent of the state average weekly wage for an injury occurring on or after January 1, 2020, was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1205 **An Act To Allow Full Retirement Benefits under the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill strikes the provisions of law that require an employer to offset an individual's workers' compensation benefits based on retirement or pension benefits being received by that individual. It also clarifies the law to avoid the interpretation of the Maine Supreme Court in Urrutia v. Interstate Brands International, 2018 ME 24, 179 A.3d 312, which allowed an employer to take a credit for past overpayments, due to the employer's failure to take an allowable offset of benefits, by reducing the employer's ongoing payments of workers' compensation benefits.

LD 1207 **An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C	OTP-AM	H-497
CYRWAY S	ONTP	

This bill allows detectives in the employment of the office of investigations within the Department of the Secretary of State, Bureau of Motor Vehicles to elect to participate in the 1998 Special Plan of the Maine Public Employees Retirement System. Under that plan, a person may retire at 55 years of age with 10 years of creditable service or may retire before 55 years of age with 25 years of creditable service and at a reduced benefit.

Committee Amendment "A" (H-497)

This amendment is the majority report of the committee. The amendment changes the deadline for the one-time election for detectives in the Department of the Secretary of State, Bureau of Motor Vehicles to participate in the 1998 Special Plan and establishes the effective date of their participation. This amendment also adds an appropriations and allocations section.

LD 1208 **An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C	OTP-AM	H-498
CYRWAY S	ONTP	

This bill allows detectives in the Office of the Attorney General to elect to participate in the 1998 Special Plan of the Maine Public Employees Retirement System. Under that plan, a person may retire at 55 years of age with 10 years of creditable service or may retire before 55 years of age with 25 years of creditable service and at a reduced benefit.

Committee Amendment "A" (H-498)

This amendment is the majority report of the committee. The amendment changes the deadline for the one-time election for detectives in the Office of the Attorney General to participate in the 1998 Special Plan and establishes the effective date of their participation. The amendment also adds an appropriations and allocations section.

LD 1211 **An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HARNETT T	ONTP	
JACKSON T		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to allow persons working in agriculture to organize for the purposes of collectively bargaining for wages, hours, other working conditions and benefits, without fear of reprisal. The bill would exempt farms under a certain size and with a limited number of employees.

LD 1214 **Resolve, To Conduct a Comprehensive Study of the Compensation System for State Employees** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MARTIN D	OTP-AM ONTP	S-146

This resolve directs the Commissioner of Administrative and Financial Services to commission a comprehensive study of the wages and compensation system for employees of the executive branch of State Government. The resolve directs the commissioner to involve the certified bargaining agents for the employees covered by collective bargaining units and report the findings and any recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than July 1, 2020, and authorizes the joint standing committee to submit a bill relating to the subject matter of the report to the First Regular Session of the 130th Legislature.

Committee Amendment "A" (S-146)

This amendment, which is the majority report of the committee, changes the committee to which the report is submitted in the bill to the Joint Standing Committee on Labor and Housing and authorizes that committee to report out a bill. This amendment adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1220 **An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work** **PUBLIC 436**

Sponsor(s)	Committee Report	Amendments Adopted
STEARNS P	OTP-AM OTP-AM	H-566

This bill amends the provisions of the Maine Public Employees Retirement System regarding compensation and service retirement benefits for retired state employees and retired teachers who return to service as classroom-based employees or school administrators in the following ways.

1. It allows a retired state employee or retired teacher to be restored to service as a classroom-based employee or school administrator beyond the current five-year limit.

2. It removes the cap of 75 percent of compensation established for the position that the retired state employee or retired teacher is filling.

3. It allows a retired state employee or retired teacher who returns to service as a classroom-based employee or school administrator to receive full retirement, health, dental and life insurance benefits as offered for the position to be filled and suspends the provisions of retiree health, dental and life insurance benefits for retired state employees or retired teachers during the period of reemployment.

4. It retains the current provisions that a retired state employee or retired teacher who returns to service is not a member and therefore may not accrue additional creditable service or change the retired state employee's or retired teacher's earnable compensation for benefit calculation purposes.

5. It requires full employee and employer contributions to the retirement system for the unfunded liability and the state group health plan for retiree health care based upon the retired state employee's or retired teacher's compensation.

Committee Amendment "A" (H-566)

This amendment is the majority report of the committee and replaces the bill. It amends the provisions of the Maine Public Employees Retirement System regarding compensation and service retirement benefits for retired state employees, retired teachers and retired school administrators who return to service as classroom-based employees or school administrators in the following ways.

1. It removes the five-year limit on a retired state employee or retired teacher to be restored to service.

2. It removes the cap of 75 percent of compensation established for the position that the retired state employee or retired teacher is filling.

3. It allows a retired state employee, retired teacher or retired school administrator who returns to service to receive retirement, health, dental and life insurance benefits as negotiated by the retired state employee, retired teacher or retired school administrator or as required under collective bargaining agreements.

4. It requires that the portions of the employer and employee contributions that go to pay the retirement system for the unfunded liability and the state group health plan for health care must be continued at the same contribution rate of the employer and employee as is required for the position as if the position were filled by an employee who is not a retired state employee, retired teacher or retired school administrator. A retired state employee, retired teacher or retired school administrator who returns to service is not a member and therefore may not accrue additional creditable service during the reemployment period or change the retired state employee's, retired teacher's or retired school administrator's earnable compensation for benefit calculation purposes.

Committee Amendment "B" (H-567)

This amendment is the minority report of the committee and replaces the bill. It amends the provisions of the Maine Public Employees Retirement System regarding compensation and service retirement benefits for retired state employees and retired teachers who return to service to remove the five-year limit on a retired state employee or retired teacher to be restored to service.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 436 amends the provisions of the Maine Public Employees Retirement System regarding compensation and service retirement benefits for retired state employees, retired teachers and retired school administrators who return to service as state employees, classroom-based employees or school administrators in the following ways.

1. It removes the five-year limit on a retired state employee or retired teacher to be restored to service.

2. It removes the cap of 75 percent of compensation established for the position that the retired state employee or retired teacher is filling.

3. It allows a retired state employee, retired teacher or retired school administrator who returns to service to receive retirement, health, dental and life insurance benefits as negotiated by the retired state employee, retired teacher or retired school administrator or as required under collective bargaining agreements.

4. It requires that the portions of the employer and employee contributions that go to pay the retirement system for

the unfunded liability and the state group health plan for health care must be continued at the same contribution rate of the employer and employee as is required for the position as if the position were filled by an employee who is not a retired state employee, retired teacher or retired school administrator. A retired state employee, retired teacher or retired school administrator who returns to service is not a member and therefore may not accrue additional creditable service during the reemployment period or change the retired state employee's, retired teacher's or retired school administrator's earnable compensation for benefit calculation purposes.

LD 1232 **An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
LOCKMAN L DAVIS P	ONTP OTP-AM	

This bill prohibits a person, either in the public or private sector, from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

Committee Amendment "A" (H-281)

This amendment, which is the minority report of the committee, provides funding to the Office of the Attorney General to investigate and prosecute violations arising from the right to refrain from joining a union or paying union dues.

This amendment was not adopted.

LD 1237 **An Act To Simplify Municipal Collective Bargaining by Removing the 120-Day Notice Required Prior to Certain Negotiations** **PUBLIC 240**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J	OTP ONTP	

This bill repeals the requirement that a bargaining agent for municipal public employees submit a written request for collective bargaining to the public employer of those municipal public employees at least 120 days before the conclusion of the current fiscal operating budget.

Enacted Law Summary

Public Law 2019, chapter 240 repeals the requirement that a bargaining agent for municipal public employees submit a written request for collective bargaining to the public employer of those municipal public employees at least 120 days before the conclusion of the current fiscal operating budget.

LD 1239 **An Act To Mandate Paid Maternity and Parental Leave** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B SANBORN H	ONTP	

This bill requires employers with one to 49 employees to provide two weeks of paid maternity leave, including existing benefits, to an employee who gives birth and one week of paid parental leave to an employee whose spouse or domestic partner gives birth. Employers with more than 49 employees are required to provide four weeks of paid maternity leave, including existing benefits, to an employee who gives birth and two weeks of paid parental leave to an employee whose spouse or domestic partner gives birth. The bill also includes provisions regarding the protection of existing benefits, position restoration, denial of rights and judicial enforcement similar to the provisions of the family medical leave laws.

While LD 1239 was voted "Ought Not to Pass," a related bill, LD 1410, An Act to Create Paid Family and Medical Leave Benefits, was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1250 **An Act To Prohibit Sexual Harassment as a Subject Matter of Mandatory Arbitration in Employment Contracts** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R LAWRENCE M		

This bill prohibits an employment contract entered into after the effective date of this legislation from including a clause that requires arbitration of a sexual harassment allegation or claim and makes any such clause void. The bill does not affect the ability of an employer to include any other arbitration clause in a contract or to enforce the provisions of a contract other than the prohibited clause.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1251 **An Act To Make Agricultural Workers and Other Workers Employees under the Wage and Hour Laws** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HARNETT T JACKSON T	ONTP	

This bill provides that agricultural employees and seasonal employees are subject to the laws that place limits on mandatory overtime. It also provides that agricultural employees are subject to the laws that set a minimum wage and overtime rate. It provides that the laws that set an overtime rate apply to certain activities related to agricultural produce, meat and fish products and perishable foods.

LD 1253 **An Act To Fairly Compensate for Fatal Accidents under the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

Current law limits to 500 weeks the duration of death benefits under the laws governing workers' compensation. This bill removes the 500-week cap.

While LD 1253 was voted "Ought Not to Pass," a provision requiring death benefits be paid to parents of a deceased worker with no dependents was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1319 **An Act To Prohibit Employer Disciplinary Action against Firefighters and Emergency Medical Services Persons Responding to an Emergency** **PUBLIC 218**

Sponsor(s)	Committee Report	Amendments Adopted
GROHOSKI N LUCHINI L	OTP-AM	H-282

Current law protects a firefighter from disciplinary action by an employer when the firefighter is absent from work at the beginning of the work day because the firefighter is responding to an emergency. This bill extends the protection to a firefighter who leaves work during regular working hours to respond to an emergency and provides the same protections to an emergency medical services person. The bill revises provisions regarding employer notification regarding absences and employee status as a firefighter or emergency medical services person and removes an employer's ability to designate an employee as essential.

Committee Amendment "A" (H-282)

This amendment restores the ability of an employer to designate an employee as essential, as removed by the bill, but requires the disruption to the business by the employee's absence to be significant and requires the designation to be in writing and signed by both the employee and employer.

Enacted Law Summary

Public Law 2019, chapter 218 further protects a firefighter from disciplinary action by an employer when the firefighter is absent from work because the firefighter is responding to an emergency by extending the protection under current law to a firefighter who leaves work during regular working hours to respond to an emergency and provides the same protections to an emergency medical services person. The bill also revises provisions regarding employer notification regarding absences and employee status as a firefighter or emergency medical services person. It continues to allow an an employer to designate an employee as essential, but requires the disruption to the business by the employee's absence to be significant to be desginated as essential and requires the designation to be in writing and signed by both the employee and employer.

LD 1324 **Resolve, To Establish the Committee To Study the Feasibility of Creating Basic Income Security** **RESOLVE 82**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E MCCREIGHT J	OTP-AM ONTP	S-157

This resolve establishes the Committee To Study the Feasibility of Creating Basic Income Security to examine options to better provide basic economic security to Maine people, including through the development of a direct cash payment system.

Committee Amendment "A" (S-157)

This amendment, which is the majority report of the committee, amends the resolve, which establishes the Committee To Study the Feasibility of Creating Basic Income Security, as follows.

1. It changes the membership of the committee.

2. It requires that the committee in fulfilling its duties invite input as necessary from the Department of Administrative and Financial Services, Bureau of Revenue Services and from the Governor's Office of Policy and Management.

3. It changes the date of the committee's report to the Legislature.

Enacted Law Summary

Resolve 2019, chapter 82 establishes the Committee To Study the Feasibility of Creating Basic Income Security to examine options to better provide basic economic security to Maine people, including through the development of a direct cash payment system.

LD 1325 **An Act To Allow Workplace Substance Use Testing for Fentanyl, Hydromorphone, Hydrocodone, Oxycodone and Oxymorphone Use at the Employer's Discretion** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L	ONTP	

This bill allows an employer to test an employee or an applicant for employment for fentanyl, hydromorphone, hydrocodone, oxycodone and oxymorphone use during any substance use test administered by the employer.

LD 1339 **An Act To Recalculate Retirement Benefits for Certain State Employees Adversely Affected by Merit Pay Freezes** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PICKETT R BREEN C	ONTP	

The law governing the calculation of retirement benefits for members of the Maine Public Employees Retirement System was amended by Public Law 2015, chapter 267, Part CCCC, section 1 and Public Law 2015, chapter 385 to

allow members who retired on or after June 30, 2015, to pay the necessary member contributions to include in their retirement benefit calculations wages lost due to merit pay freezes and longevity pay freezes.

This bill authorizes a member of the Maine Public Employees Retirement System who retired on or after March 1, 2014, and prior to June 30, 2015, to include in the member's retirement benefit calculations wages lost due to merit pay freezes, retroactive to the date of the member's retirement. This provision does not include lost wages due to longevity pay freezes.

LD 1345 **An Act To Ensure a Fair Workweek** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MELARAGNO G JACKSON T	ONTP	

This bill requires employers who employ five or more employees in the State to provide hourly employees at least two weeks' prior notice of the employees' work schedules, with compensation owed for schedule changes under certain circumstances. The bill also requires these employers to keep certain business records for at least three years.

The bill provides that the Department of Labor, Bureau of Labor Standards may investigate possible violations and receive complaints of possible violations from the public. A fine of $50 per day is due for any noncompliance. The Attorney General may also file a civil action seeking additional remedies. The department may adopt rules regarding compliance with and enforcement of these provisions, and the bureau is required to report to the Legislature periodically on violations of the law and the bureau's efforts.

LD 1354 **An Act To Eliminate the Penalties for State and Teacher Retirees Who Return to Employment** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DESCHAMBAULT S WARREN C	ONTP	

This bill eliminates the provisions in law that limit employment of a retired state employee or teacher to five years and 75 percent of the compensation established for the position.

While LD 1354 was voted "Ought Not to Pass," the substantive provision of the bill was included in LD 1220, An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work, which was enacted as Public Law 2019, chapter 436.

LD 1355 **An Act To Expand the 1998 Special Retirement Plan To Include Civilian Employees Who Work for the Department of Public Safety Crime Lab and Computer Crimes Unit** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B	OTP-AM	S-201

This bill allows civilian employees in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit to elect to participate in the 1998 Special Plan of the Maine Public

Employees Retirement System. Under that plan, a person may retire at 55 years of age with 10 years of creditable service or may retire before 55 years of age with 25 years of creditable service and at a reduced benefit.

Committee Amendment "A" (S-201)

This amendment clarifies the type of civilian employees in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit that can elect to participate in the 1998 Special Plan of the Maine Public Employees Retirement System. It also clarifies the date by which an employee must elect to participate in the 1998 Special Plan and specifies when that employee's participation in the 1998 Special Plan becomes effective. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any regular or special session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1359 **An Act Regarding Local Workforce Development Boards** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	OTP-AM ONTP	H-218

This bill provides for each local workforce development board in the State to receive an annual appropriation equal to $25 multiplied by the number of unemployed persons in the local workforce development board's service area for the prior calendar year divided by 12 and requires that on or before September 1st of each even-numbered year, the Commissioner of Labor is required to prepare and submit the annual appropriation requirement for each year of the ensuing biennium to the State Budget Officer to be included in the Governor's biennial budget proposal.

This bill includes General Fund appropriations totaling $465,252 in fiscal year 2019-20 and $465,252 in fiscal year 2020-21 to provide funding for the local workforce development boards for the 2020-2021 biennium.

Committee Amendment "A" (H-218)

This amendmentwhich is the majority report of the committee, incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1385 **An Act To Amend the Laws Governing Corrections Officers Who Suffer Certain Injuries, Impairments or Medical Conditions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DESCHAMBAULT S PICKETT R	ONTP	

This bill makes the following changes to the laws governing corrections officers.

1. It provides a supplemental benefit paid to a corrections officer who is injured by the acts of a patient or prisoner of the jail, prison or state correctional facility where the corrections officer works if the injury qualifies the corrections officer for workers' compensation benefits.

2. It amends the workers' compensation laws by including a rebuttable presumption that a condition of impairment

of health caused by an infectious disease resulting in total or partial disability or death of a corrections officer is presumed to have been suffered in the line of duty, unless it is shown otherwise.

3. It amends the workers' compensation laws by including a rebuttable presumption that heart disease or hypertension suffered by a corrections officer was caused in the course of employment as a corrections officer, like the provisions of current law that establish a rebuttable presumption that cancer contracted by a firefighter was caused by exposure to carcinogens in the course of the firefighter's firefighting duties.

LD 1386 **An Act Regarding the Determination of the Prevailing Wage Rate for Public Works Projects** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN L COLLINGS B	OTP-AM ONTP	S-204 S-342 BREEN C

This bill directs the Department of Labor, Bureau of Labor Standards, when determining prevailing hourly wages and benefits, to collect one set of data through conducting a survey of wages and benefits and a second set of data through certified payroll submissions on state construction projects during two weeks in July of each year and to use the higher wage and benefit information of the two data sets to determine the prevailing hourly wage and benefit rate. This bill also increases from $50 to $250 the penalty for failing to provide requested information to the bureau.

Committee Amendment "A" (S-204)

Like the bill, this amendment requires two data sets to be reported to the Department of Labor, Bureau of Labor Standards in order to determine the hourly prevailing wage and benefits rate paid in the construction industry but clarifies that the second set of data, the certified payroll submissions on state construction of public works, is to come from reporting by state agencies that contract for the construction of public works. It also requires that all data must be submitted to the bureau by the second week in October. It increases the penalties the director may assess against any person who fails to provide the information from $250 for all offenses, as in the bill, to $250 for the first offense, $500 for a second offense and $1,000 for any subsequent offense. Lastly, it adds an appropriations and allocations section to fund a position in the department necessary for the administration of requirements of the bill, as amended.

Senate Amendment "A" To Committee Amendment "A" (S-342)

This amendment eliminates the General Fund appropriations for one-half of the cost of one Statistician II position within the Department of Labor, Bureau of Labor Standards and instead provides Other Special Revenue Funds allocations for the full cost of the position.

LD 1395 **An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System** **PUBLIC 364**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M BELLOWS S	OTP-AM	H-551

This bill adds dispatchers to the categories of participating local district employees for which a special retirement plan is available. Participating local districts that elect to cover their dispatchers by a more favorable special plan are responsible for the payment of any increased employer costs associated with such an election. Depending upon the plan that is elected, dispatchers may also pay an increased member contribution rate for participation in the more

favorable special plan.

Committee Amendment "A" (H-551)

This amendment clarifies that a dispatcher may not be added to a special retirement plan by a participating local district that does not have a specific age requirement unless the dispatcher has completed at least 25 years of creditable service.

Enacted Law Summary

Public Law 2019, chapter 364 adds dispatchers to the categories of participating local district employees for which a special retirement plan is available. Participating local districts that elect to cover their dispatchers by a more favorable special plan are responsible for the payment of any increased employer costs associated with such an election. Depending upon the plan that is elected, dispatchers may also pay an increased member contribution rate for participation in the more favorable special plan. The law also clarifies that a dispatcher may not be added to a special retirement plan by a participating local district that does not have a specific age requirement unless the dispatcher has completed at least 25 years of creditable service.

LD 1400 **An Act To Improve Recruitment and Retention in State Law Enforcement by Offering Retirement Service Credit** **PUBLIC 459**

Sponsor(s)	Committee Report	Amendments Adopted
HARRINGTON M	OTP-AM	H-495

This bill allows a member of the State Employee and Teacher Retirement Program or the Participating Local District Retirement Program to purchase up to four years of service credit for time served as a full-time law enforcement officer prior to membership.

It also allows a member of either program who served as a full-time active duty member of the United States Armed Forces during the Cold War, measured from January 1, 1947, to December 27, 1991, before becoming a member and who separated from the armed forces under conditions other than dishonorable to purchase service credit. This service credit is capped at four years for members of the State Employee and Teacher Retirement Program and five years for members of the Participating Local District Retirement Program.

Committee Amendment "A" (H-495)

This amendment replaces the bill. It allows a member of the State Employee and Teacher Retirement Program or the Participating Local District Retirement Program to purchase up to four years of service credit for time served as a full-time law enforcement officer prior to membership at full actuarial cost if the member has at least 15 years of creditable service at the time of retirement. The amendment also requires that the member certify that the service credit to be purchased has not and will not be used to obtain other retirement benefits. The amendment also clarifies that the purchase of service credit for time served as a full-time law enforcement officer may be applied to the requirement for creditable service of 25 years under the 1998 Special Plan.

Enacted Law Summary

Public Law 2019, chapter 459 allows a member of the State Employee and Teacher Retirement Program or the Participating Local District Retirement Program to purchase up to four years of service credit for time served as a full-time law enforcement officer prior to membership at full actuarial cost if the member has at least 15 years of creditable service at the time of retirement. The law requires that the member certify that the service credit to be purchased has not and will not be used to obtain other retirement benefits. The law also clarifies that the purchase of service credit for time served as a full-time law enforcement officer may be applied to the requirement for creditable service of 25 years under the 1998 Special Plan.

LD 1410 **An Act To Create Paid Family and Medical Leave Benefits** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GIDEON S SANBORN H		

This bill establishes a paid family and medical leave benefits program administered by the Department of Labor. The program provides up to 12 weeks of family leave and up to 20 weeks of medical leave to eligible covered individuals. No more than 20 weeks of family leave and medical leave in the aggregate may be taken in a 12-month period. An individual is eligible for leave under the program after working 26 weeks or more for any employer in the 12 months prior to submitting an application or if the individual is self-employed and has elected to be part of the program.

The maximum weekly benefit amount is capped at 100 percent of the state average weekly wage. The weekly benefit amount is 90 percent of the portion of the covered individual's average weekly wage that is equal to or less than 50 percent of the state average weekly wage and 67 percent of the portion of the covered individual's average weekly wage that is more than 50 percent of the state average weekly wage. Covered individuals are required to file claims for benefits in accordance with rules adopted by the department and to provide certification that they qualify for family leave or medical leave.

This bill establishes the Family and Medical Leave Insurance Fund to support the program. The funds for administrative costs and payment of benefits will come from payroll contributions by employees. It also requires payroll contributions to begin January 1, 2021, and benefits will be paid out beginning January 1, 2022.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1411 **An Act Regarding the Federal Workforce Innovation and Opportunity Act** **PUBLIC 246**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	OTP-AM ONTP	H-358

This bill amends provisions related to the federal Workforce Innovation and Opportunity Act. It makes appointment of members to the State Workforce Board subject to confirmation by the Legislature. It requires the State Workforce Board to submit the state workforce development plan to the joint standing committee of the Legislature having jurisdiction over labor matters prior to the plan being submitted to the Federal Government. It directs the Treasurer of State to disburse federal funds received pursuant to the federal Workforce Innovation and Opportunity Act and state funds made available to be used to implement that Act if the Governor does not authorize disbursement of the funds within 30 days after the funds are received or made available.

Committee Amendment "A" (H-358)

This amendment, which is the majority report of the committee, requires the state workforce development plan to be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at the same time the plan is posted for public comment pursuant to the federal Workforce Innovation and Opportunity Act. It requires that the appointments of certain members of the State Workforce Board are subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and to confirmation by the Legislature,

but clarifies that members such as the Governor or commissioners of state agencies and county commissioners are not required to be confirmed by the Legislature. It specifies that when the term of a member expires, that member remains on the board until replaced. Lastly, it requires the Governor to make federal funds available to the local workforce boards to be used to implement the Workforce Innovation and Opportunity Act within 30 days after the date funds are made available to the Governor and in accordance with state procurement rules and the federal Cash Management Improvement Act of 1990.

Enacted Law Summary

Public Law 2019, chapter 246 amends provisions related to the federal Workforce Innovation and Opportunity Act. This law requires the state workforce development plan to be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at the same time the plan is posted for public comment pursuant to the federal Workforce Innovation and Opportunity Act. It requires that the appointments of certain members of the State Workforce Board are subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and to confirmation by the Legislature, but clarifies that members such as the Governor or commissioners of state agencies and county commissioners are not required to be confirmed by the Legislature. It specifies that when the term of a member expires, that member remains on the board until replaced. Lastly, it requires the Governor to make federal funds available to the local workforce boards to be used to implement the Workforce Innovation and Opportunity Act within 30 days after the date funds are made available to the Governor and in accordance with state procurement rules and the federal Cash Management Improvement Act of 1990.

LD 1412 **An Act To Amend the Laws Governing the Collective Bargaining Rights of Employees of School Management and Leadership Centers** **PUBLIC 460**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J	OTP-AM	H-494
LAWRENCE M	ONTP	

This bill provides that employees of school management and leadership centers established under the Maine Revised Statutes, Title 20-A, chapter 123 are eligible to participate in the Maine Public Employees Retirement System. It also establishes collective bargaining obligations, duties, liabilities and rights for a school management and leadership center pursuant to the laws governing municipal public employers and includes provisions for the merging of bargaining units of employees of a school administrative unit that also are employed by a school management and leadership center.

Committee Amendment "A" (H-494)

This amendment, which is the majority report of the committee, specifies that the retirement costs and administrative operating expenses related to the retirement programs for teachers employed by a school management and leadership center are to be paid by that school management and leadership center.

Enacted Law Summary

Public Law 2019, chapter 460 provides that employees of school management and leadership centers established under the Maine Revised Statutes, Title 20-A, chapter 123 are eligible to participate in the Maine Public Employees Retirement System. It also establishes collective bargaining obligations, duties, liabilities and rights for a school management and leadership center pursuant to the laws governing municipal public employers and includes provisions for the merging of bargaining units of employees of a school administrative unit that also are employed by a school management and leadership center.

This law also specifies that the retirement costs and administrative operating expenses related to the retirement programs for teachers employed by a school management and leadership center are to be paid by that school management and leadership center.

LD 1413 **An Act To Reduce Administrative Burdens of Forest Products Harvesters** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
ARATA A	ONTP OTP	

This bill provides that, when the Workers' Compensation Board issues a certificate of independent status certifying that a contractor that harvests forest products does so in a manner that would not make the contractor an employee of a landowner, that certificate of independent status remains valid unless the manner in which the contractor harvests changes.

LD 1451 **An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers** **PUBLIC 389**

Sponsor(s)	Committee Report	Amendments Adopted
PLUECKER B JACKSON T	OTP-AM ONTP	H-602

This bill makes changes to the laws governing collective bargaining for municipal employees, state employees, judicial employees and employees of the University of Maine System, the Maine Maritime Academy and the Maine Community College System to provide a collective bargaining agent with greater access to employees and employee information for those employees represented by that collective bargaining agent. It also provides a collective bargaining agent with the right to use any government building or facility to conduct meetings with its members, as long as that use does not interfere with governmental operations. The government entity may charge the collective bargaining agent for any additional costs that use may incur.

Committee Amendment "A" (H-602)

This amendment, which is the majority report of the committee, does the following.

1. It changes the minimum amount of time an employer must allow for a newly hired employee to meet with a bargaining agent from 30 minutes to either 30 minutes or an amount of time agreed upon by all parties.

2. It changes from 10 days to 30 days the amount of time an employer has to provide a bargaining agent with information regarding newly hired employees.

3. It allows an employee to opt out after initial communications with a bargaining agent from any further contact or sharing of that employee's information with a bargaining agent, except for instances when that employee is being provided direct representation by the bargaining agent.

4. It prohibits a bargaining agent from selling or sharing a nonmember's information except for the purposes of that bargaining agent fulfilling its collective bargaining obligations.

Enacted Law Summary

Public Law 2019, chapter 389 changes the laws governing collective bargaining for municipal employees, state employees, judicial employees and employees of the University of Maine System, the Maine Maritime Academy and the Maine Community College System to provide a collective bargaining agent with greater access to employees and employee information for those employees represented by that collective bargaining agent. This law

provides a collective bargaining agent with the right to use any government building or facility to conduct meetings with its members, as long as that use does not interfere with governmental operations. The government entity may charge the collective bargaining agent for any additional costs that use may incur. This law allows an employee to opt out after initial communications with a bargaining agent from any further contact or sharing of that employee's information with a bargaining agent, except for instances when that employee is being provided direct representation by the bargaining agent. Lastly, this law prohibits a bargaining agent from selling or sharing a nonmember's information except for the purposes of that bargaining agent fulfilling its collective bargaining obligations.

LD 1459 **An Act To Expand Application of the Maine Agricultural Marketing and Bargaining Act of 1973 to Harvesters and Haulers of Forest Products** **PUBLIC 248**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP	
MARTIN J	ONTP	

Current law authorizes the membership of farmers in cooperative organizations and requires handlers of agricultural products to bargain in good faith with such organizations because agricultural products are produced by numerous individual farmers and the marketing and bargaining position of individual farmers will be adversely affected unless they are able to join together. This bill recognizes that market forces that affect the marketing and bargaining position of individual farmers similarly affect the marketing and bargaining position of individual harvesters and haulers of forest products, and it expands application of the Maine Agricultural Marketing and Bargaining Act of 1973 to include harvesters and haulers of forest products. Specifically, this bill amends the laws governing agricultural marketing and bargaining to:

1. Expand the definition of "independent agricultural contractor" to include a person who harvests or hauls forest products under contract;

2. Expand the legislative findings provision to include findings concerning independent agricultural contractors, which include harvesters and haulers of forest products; and

3. Include in the definition of "producer" a person engaged in the production of forest products.

In addition, the bill sets forth the Legislature's finding that, with respect to loggers and forest products haulers, the inequity of power in determining compensation and the lack of opportunity to join together in bargaining over compensation can result in unfair contract rates for their services and that it is in the public interest to expand application of the Maine Agricultural Marketing and Bargaining Act of 1973 to include harvesters and haulers of forest products.

Enacted Law Summary

Public Law 2019, chapter 248 amends the laws governing agricultural marketing and bargaining to:

1. Expand the definition of "independent agricultural contractor" to include a person who harvests or hauls forest products under contract.

2. Expand the legislative findings provision to include findings concerning independent agricultural contractors, which include harvesters and haulers of forest products.

3. Include in the definition of "producer" a person engaged in the production of forest products.

In addition, the law sets forth the Legislature's finding that, with respect to loggers and forest products haulers, the

inequity of power in determining compensation and the lack of opportunity to join together in bargaining over compensation can result in unfair contract rates for their services and that it is in the public interest to expand application of the Maine Agricultural Marketing and Bargaining Act of 1973 to include harvesters and haulers of forest products.

LD 1480 **An Act To Modify Retirement Plans for Fire Investigators and Sergeants** **PUBLIC 482**

Sponsor(s)	Committee Report	Amendments Adopted
HARRINGTON M BELLOWS S	OTP-AM ONTP	H-568

This bill changes the eligibility requirements for the retirement of a state fire marshal investigator, state fire marshal senior investigator and state fire marshal sergeant under the Maine Public Employees Retirement System from 55 years of age and 25 years of creditable service to just 20 years of creditable service.

Committee Amendment "A" (H-568)

This amendment is the majority report of the committee and replaces the bill. The amendment changes the eligibility requirements for the retirement of a state fire marshal investigator, state fire marshal senior investigator and state fire marshal sergeant under the Maine Public Employees Retirement System from 55 years of age and 25 years of creditable service to 20 years of creditable service. The amendment establishes a special retirement plan for a state fire marshal investigator, state fire marshal senior investigator and state fire marshal sergeant based on 20 years of creditable service. The amendment also adds an appropriations and allocations section to provide the funding.

Enacted Law Summary

Public Law 2019, chapter 482 changes the eligibility requirements for the retirement of a state fire marshal investigator, state fire marshal senior investigator and state fire marshal sergeant under the Maine Public Employees Retirement System from 55 years of age and 25 years of creditable service to 20 years of creditable service. The law establishes a special retirement plan for a state fire marshal investigator, state fire marshal senior investigator and state fire marshal sergeant based on 20 years of creditable service.

LD 1500 **An Act To Improve Workers' Compensation Protection for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T CUDDY S	ONTP	

This bill amends the Maine Workers' Compensation Act of 1992 to create protections for injured workers whose employers have not secured workers' compensation insurance in accordance with current law. The bill creates liability for situations when an employee is injured while working for an uninsured subcontractor. In such situations, the prime contractor will be responsible for payment of workers' compensation benefits as if it were the direct employer of the injured employee, unless there is an intermediate subcontractor with workers' compensation insurance coverage, in which case, the intermediate subcontractor is responsible for payment of all benefits due under the Act. These provisions take effect January 1, 2020, and are repealed July 1, 2022.

The bill also amends the laws governing the Employment Rehabilitation Fund. Until July 1, 2022, the fund will be used to pay workers' compensation benefits to injured employees working for illegally uninsured employers when

there is no other prime contractor or subcontractor liable for payment of benefits. Until July 1, 2022, the fund will not transfer a portion of its funds to the General Fund and penalties recovered for violations of the Maine Workers' Compensation Act of 1992 will be directed to this fund exclusively, instead of being shared with the Workers' Compensation Board Administrative Fund or the General Fund.

While LD 1500 was voted "Ought Not to Pass," a provision directing the Workers' Compensation Board to study issues related to employers who have wrongfully not secured workers' compensation insurance for injured workers was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1501 **An Act To Change the Law Governing Occupational Disease Claims under the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T CUDDY S	ONTP	

This bill amends the law governing occupational disease claims under the Maine Workers' Compensation Act of 1992. The bill repeals the chapter in the laws governing workers' compensation entitled "Occupational Disease Law" and:

1. Defines "personal injury" under the laws governing workers' compensation to include any condition or disease contributed to by an employee's occupational cumulative trauma or exposure that arises out of and in the course of employment;

2. Specifies that the employer in whose employment the employee was last injuriously exposed to the occupational trauma or exposure is fully liable for all incapacity resulting from the occupational trauma or exposure, and the date of injury for an occupational cumulative trauma or exposure injury is the date that the employee becomes incapacitated from the occupational cumulative trauma or exposure;

3. Provides a method for calculating the amount of the employee's compensation if, on the date of incapacity resulting from occupational cumulative trauma or exposure, the injured employee no longer works in the same occupation in which the employee worked when the employee incurred the last injurious occupational cumulative trauma or exposure;

4. Specifies that, with respect to a personal injury that involves a condition or disease contributed to by the employee's occupational cumulative trauma or exposure that arises out of and in the course of employment, the employer in whose employment the employee was last injuriously exposed to the occupational trauma or exposure is fully liable for all incapacity resulting from the occupational trauma or exposure; and

5. Establishes that the date of injury for an occupational cumulative trauma or exposure injury is the date that the employee becomes incapacitated from the occupational cumulative trauma or exposure.

LD 1524 **An Act To Prevent Wage Theft and Promote Employer Accountability** **PUBLIC 461**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM ONTP	S-203

This bill addresses wage theft by an employer by creating additional remedies, including injunctive relief, treble damages to be paid to affected employees and a stop-work order against an employer who is engaging in wage theft. These remedies are in addition to any existing penalties, and the actions may be combined.

"Wage theft" is defined as a violation of specific statutes that include the requirements of timely and full payment of wages, payment of wages upon cessation of employment, payments defined as "unfair agreements" and fringe benefits.

Committee Amendment "A" (S-203)

This amendment is the majority report of the committee and replaces the bill. Like the bill, it creates additional remedies for wage theft, including injunctive relief and cease operations orders. These remedies are in addition to any existing penalties. Like the bill, it defines wage theft as a violation of specific statutes that include the requirements of timely and full payment of wages, payment of wages upon cessation of employment, payments defined as "unfair agreements" and fringe benefits, but adds violation of statutes related to minimum wage requirements to the definition.

It changes the terminology in the bill from "stop-work order" to "cease operations order" and provides more details on the process and requirements related to cease operations orders including thresholds for the issuance of a cease operations order, timing to be afforded to an employer being issued a cease operations order and requirements for the Commissioner of Labor or the commissioner's designee to stay a cease operations order. It also requires the commissioner to adopt routine technical rules.

Enacted Law Summary

Public Law 2019, chapter 461 creates additional remedies for wage theft, including injunctive relief and cease operations orders. These remedies are in addition to any existing penalties. It defines wage theft as a violation of specific statutes that include the requirements of timely and full payment of wages, payment of wages upon cessation of employment, payments defined as "unfair agreements," fringe benefits, and minimum wage requirements. This law requires the Commissioner of Labor to adopt routine technical rules.

LD 1529 An Act Concerning Nondisclosure Agreements in Employment — CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
HARNETT T BELLOWS S	OTP-AM ONTP	H-448

This bill prohibits employers from requiring agreements that prevent an employee or prospective employee from disclosing or discussing discrimination, including harassment, occurring between employees or between an employer and an employee.

The bill prohibits settlement agreements, unless requested by the employee, prospective employee or former employee, from including a provision that prevents the disclosure of factual information relating to a claim of discrimination, including harassment. Agreements may not explicitly or implicitly limit an individual's ability to provide testimony or evidence, file claims or make reports to any federal or state agency that enforces employment or discrimination laws, including, but not limited to, the Maine Human Rights Commission and the Department of Labor.

Under this bill, an employee, prospective employee or former employee is not liable for damages for breaching a prohibited nondisclosure agreement or a settlement agreement.

Committee Amendment "A" (H-448)

This amendment is the majority report of the committee and replaces the bill. It prohibits an employer from requiring an employee, intern, applicant for employment or applicant for internship to enter into a contract with the employer that contains a nondisclosure agreement, nondisparagement agreement, waiver or other provision that prevents the employee, intern or applicant from disclosing or discussing discrimination, including harassment, occurring in the workplace or at work-related events coordinated by or through the employer.

It also prevents an employer from requiring an employee, intern, applicant for employment or applicant for internship to enter into a settlement, separation or severance agreement that includes a provision that prevents the disclosure of factual information relating to a claim of discrimination, including harassment, unless the employee, intern or applicant requests such a provision. Agreements may not explicitly or implicitly limit an individual's ability to provide testimony or evidence or make reports to any federal or state agency that enforces employment or discrimination laws, including, but not limited to, the Maine Human Rights Commission and the Department of Labor, and any agreement must make it clear that an individual retains the right to provide testimony or evidence or make reports to any federal or state agency that enforces employment or discrimination laws, including, but not limited to, the Maine Human Rights Commission and the Department of Labor.

It specifies that an individual must be given 21 days to consider any agreement containing nondisclosure provisions and be provided at least seven days following the execution of the agreement to revoke the agreement. The bill states that an agreement is not effective or enforceable until the revocation period has expired.

It requires that an employer retain a copy of any settlement, separation or severance agreement that prevents the disclosure of factual information relating to a claim of discrimination, including harassment, in the individual's personnel file for six years.

It prohibits an employer from retaliating against an individual who opposes any act or practice that is unlawful under these provisions or interfering with an individual in the exercise or enjoyment of the rights granted or protected by these provisions. It provides the Department of Labor with the duty to enforce these provisions.

This bill was reported out of committee and then recommitted to the committee; it was then carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1537 **An Act To Increase the Portion of Retirement Benefits to Which the Cost-of-living Adjustment Applies** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN J JACKSON T	OTP-AM ONTP	H-446

This bill increases the portion of retirement benefits of retired state employees, teachers and beneficiaries of either to which the cost-of-living adjustment applies from $20,000 to $30,000 effective July 1, 2020.

Committee Amendment "A" (H-446)

This amendment is the majority report of the committee and adds an appropriations and allocations section to the bill.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1546 **An Act To Protect State Employees When Their Contracts Have Expired** **PUBLIC 393**

Sponsor(s)	Committee Report	Amendments Adopted
LAWRENCE M	OTP-AM ONTP	S-202

This bill provides that, during an interim between the expiration of a state employee collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, state employees covered by the expired collective bargaining agreement remain eligible for and must receive merit increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement and the public employer is required to pay any increase in employee health insurance premiums occurring during the interim.

Committee Amendment "A" (S-202)

This amendment removes the requirement that a public employer is required to pay any increase in employee health insurance premiums occurring during the interim between the expiration of a state employee collective bargaining agreement and before the effective date of any subsequent bargaining agreement.

Enacted Law Summary

Public Law 2019, chapter 393 provides that, during an interim between the expiration of a state employee collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, state employees covered by the expired collective bargaining agreement remain eligible for and must receive merit increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement.

LD 1564 **An Act To Authorize Project Labor Agreements for Public Works Projects** **PUBLIC 278**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM ONTP	S-158

This bill allows a public authority to require a project labor agreement for a public works project when that public authority determines that it is in the public's interest to require such an agreement.

Committee Amendment "A" (S-158)

This amendment, which is the majority report of the committee, repeals the Maine Revised Statutes, Title 26, section 1316 as that section was effective only from October 1, 2011 to October 1, 2015.

Enacted Law Summary

Public Law 2019, chapter 278 allows a public authority to require a project labor agreement for any public works project when that public authority determines on a project-by-project basis and acting within its discretion, that it is in the public interest to require such an agreement. This law specifies that when making this determination that the public authority shall consider the effect the agreement may have on:

1. The efficiency, cost and direct and indirect economic benefits to the public authority;

2. The availability of a skilled workforce to complete the public works project;

3. The prevention of construction delays;

4. The safety and quality of the public works project;

5. The advancement of minority-owned businesses and women-owned businesses; and

6. Employment opportunities for the community.

This law also requires that a project labor agreement required by a public authority:

1. Set forth mutually binding procedures for resolving disputes that can be implemented without delay;

2. Include guarantees against a strike, lockout or other concerted action aimed at slowing or stopping the progress of the public works project;

3. Ensure a reliable source of skilled and experienced labor;

4. Include goals for the number of apprentices and for a percentage of work to be performed by minorities, women and veterans;

5. Provide for the invitation of all contractors to bid on the public works project without regard to whether the employees of any such contractor are members of a labor organization;

6. Permit the selection of the lowest responsible qualified bidder without regard to labor organization affiliation; and

7. Bind all contractors and subcontractors to the terms of the agreement.

This law specifies that a project labor agreement required by a public authority may not require compulsory labor organization membership of employees working on the public works project.

Lastly, this law specifies that a bidder for a public works project that does not agree to abide by the conditions of a project labor agreement or refuses to negotiate a project labor agreement may not be regarded as a responsible qualified bidder for the project.

LD 1572 **An Act To Enact the Maine Fair Chance Housing Act** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R BELLOWS S		

This bill establishes the Maine Fair Chance Housing Act, the purpose of which is to ensure that a person is not denied housing based solely on the existence of a history of criminal convictions. This bill prohibits a housing provider from considering an applicant's criminal history until after the housing provider determines that the applicant meets all other qualifications for tenancy.

Under this bill, a person who is aggrieved by a violation of the Maine Fair Chance Housing Act by a housing provider may file a grievance with the Maine Human Rights Commission and, if it is a violation by a private housing provider, may bring a civil action in court.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1588 **An Act To Create a Registration Process and Permits for Vacation Rentals** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ZEIGLER S	ONTP	

Current law exempts private homes, when not more than 5 rooms are let in that home, and cottages and rooms, when not more than three rooms or cottages are let, from licensing as a lodging place. This bill retains that exemption from licensing for such places, but considers them vacation rentals and requires the owner of a vacation rental to register the vacation rental with the Department of Health and Human Services and obtain a permit. The permit is issued on an annual basis for a fee of no more than $50. The department is required to establish and maintain a vacation rental registry. A vacation rental is defined in current law as a residential property that is rented for vacation, leisure or recreation purposes for a day, a week or a month, and typically under 30 days but not for more than an entire summer or winter season, to a person who has a place of permanent residence to which the person intends to return.

This bill also makes nonsubstantive grammatical changes to reflect current drafting standards.

LD 1600 **An Act To Support E-9-1-1 Dispatchers and Corrections Officers Diagnosed with Post-traumatic Stress Disorder** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DILLINGHAM K HAMPER J	ONTP	

This bill adds corrections officers and E-9-1-1 dispatchers to the list of employees for whom there is a rebuttable presumption under the laws governing workers' compensation that when the employee is diagnosed by a licensed psychiatrist or psychologist as having post-traumatic stress disorder resulting from work stress that was extraordinary and unusual, the post-traumatic stress disorder is presumed to have arisen out of and in the course of the worker's employment.

LD 1605 **An Act To Provide Fair Contracts in the Logging Industry** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to ensure fairness in wood harvesting contracts.

LD 1620 **An Act To Exclude Collectively Bargained Salary and Job Promotion Increases from the Earnable Compensation Limitation for Retirement Purposes** **PUBLIC 395**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM ONTP	S-199

This bill restores two exclusions from the calculation of salary or wage increases for the purpose of determining average final compensation under the Maine Public Employees Retirement System that were in statute before significant changes were made in 1993.

Committee Amendment "A" (S-199)

This amendment is the majority report of the committee and incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 395 provides that salary or wage increases due to collective bargaining or job promotion are excluded from the calculation of salary or wage increases for the purpose of determining average final compensation under the Maine Public Employees Retirement System. These exclusions were in statute before significant changes were made in 1993.

LD 1623 **An Act To Improve Employee Representation under the Maine Workers' Compensation Act of 1992 by Amending the Laws Governing Attorney's Fees** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

This bill amends the law governing attorney's fees under the Maine Workers' Compensation Act of 1992. The bill requires employers to pay reasonable costs and attorney's fees if the employee prevails on a disputed petition for payment of medical and related expenses or if the employee prevails in an appeal that is decided by the Appellate Division or by the Law Court and removes language governing the specific computation of attorney's fees for lump-sum settlements.

While LD 1623 was voted "Ought Not to Pass," a provision related to the specific computation of attorney's fees for lump-sum settlements for an injury occurring on or after January 1, 2020 was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1624 **An Act To Prevent Discrimination under the Maine Workers' Compensation Act of 1992** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

Current law provides that an employer may not discriminate against an employee for asserting a workers' compensation claim. In Maietta v. Town of Scarborough, 2004 ME 97, 854 A.2d 223, the Law Court interpreted this provision as prohibiting discrimination against an employee only if the assertion of the workers' compensation claim was the primary basis or cause for the employer's adverse action against the employee. This bill amends the law to specify that if an employee's assertion of a workers' compensation claim or right constitutes any part of the basis upon which an employer decides to discipline or terminate an employee, it is a violation of the prohibition.

LD 1625 **An Act To Eliminate the Durational Cap on Partial Benefits under the Workers' Compensation Laws** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

Current law limits to 520 weeks the duration of workers' compensation benefits for partial incapacity due to injuries occurring on or after January 1, 2013. This bill removes that durational cap.

While LD 1625 was voted "Ought Not to Pass," a provision extending the cap from 520 weeks to 624 weeks for an injury occurring on or after January 1, 2020, was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1639 **An Act To Require Comprehensive Responsible Contracting Practices for Public Construction Projects** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T GIDEON S		

Part A of this bill, for the purpose of ensuring that the work on public construction contracts is performed by responsible, qualified contractors that maintain the capacity, expertise, personnel and other qualifications and resources necessary to successfully perform public contracts in a timely, reliable and cost-effective manner, establishes responsible contractor requirements for publicly funded construction projects that receive state funds. The Part outlines a responsible contractor certification process to be administered by the Department of Administrative and Financial Services, Bureau of General Services.

Part A also clarifies that, for the purpose of the law requiring fair minimum rate of wages and benefits on public works contracts, "public works" includes any construction projects funded all or in part with state funds. Part A also amends the method of determining the prevailing wage and benefits rate paid in the construction industry to require the Department of Labor, Bureau of Labor Standards to ascertain the applicable wage and benefits rates established in collective bargaining agreements in private construction and includes in benefits wages paid to apprentices in apprenticeship programs registered with the department.

Part B of this bill requires the Executive Director of the Workers' Compensation Board or the executive director's designee to immediately issue a stop-work order to an employer who fails to procure workers' compensation insurance coverage. It requires the executive director or the executive director's designee to issue a stop-work order to an employer if the executive director or the executive director's designee finds after a hearing that the employer knowingly misrepresented employees as independent contractors or provided false, incomplete or misleading information to an insurance company on the numbers of employees the employer has for the purpose of paying a lower payment.

Part C of the bill encourages the State to use project labor agreements for large-scale state-funded construction projects of $10,000,000 or more. A project labor agreement is a prehire collective bargaining agreement with one or more labor unions that establishes the terms and conditions of employment for a specific construction project.

Part D of the bill requires an employer with a public works contract with the State of $50,000 or more to provide to all employees who will be on the construction work site a safety training program that uses a curriculum approved by the United States Department of Labor, Occupational Safety and Health Administration and that is at least 10 hours in duration. Flaggers, security workers and certain other employees not considered to be on the work site are exempt from this requirement. A contractor that violates this safety training program requirement may be assessed a fine of up to $2,500 and an additional fine of $100 per employee for each day of noncompliance.

Part E of the bill provides that for public works construction contracts that involve funding from the Federal Government the prevailing wage requirements in state law apply unless the prevailing wage requirements that would otherwise apply under the federal Davis-Bacon Act would result in higher total wages under the contract. An exception is provided for funds received under the United States Housing Act of 1937 if the application of a state prevailing wage is expressly preempted by federal law.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1654 **An Act To Create Veteran-friendly Workplaces** **PUBLIC 350**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B	OTP-AM	H-445

This bill requires an employer who provides paid leave and has 10 or more employees to allow a veteran to take paid leave to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs. An employer who does not provide paid leave and has 10 or more employees must grant unpaid leave to a veteran to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs.

An employer who provides paid leave and has fewer than 10 employees must allow a veteran to take paid leave to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs when the veteran provides the employer at least two weeks' notice of such an appointment unless the United States Department of Veterans Affairs provides the veteran less than two weeks' notice of an appointment, in which case the veteran shall provide the employer notice of the appointment as soon as reasonably possible. An employer who does not provide paid leave and has fewer than 10 employees must grant unpaid leave to a veteran to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs when the veteran provides the employer at least two weeks' notice of such an appointment unless the United States Department of Veterans Affairs provides the veteran less than two weeks' notice of an appointment, in which case the veteran shall provide the employer notice of the appointment as soon as reasonably possible.

Committee Amendment "A" (H-445)

This amendment requires an employer to allow a veteran to take paid leave or unpaid leave, depending on whether or not the employer offers paid leave, to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs, as long as the veteran gives the employer notice of the appointment as soon as reasonably possible.

Enacted Law Summary

Public Law 2019, chapter 350 requires an employer to allow a veteran to take paid leave or unpaid leave, depending on whether or not the employer offers paid leave, to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs, as long as the veteran gives the employer notice of the appointment as soon as reasonably possible.

LD 1658 **An Act To Clarify the Definition of "Public Works"** **PUBLIC 473**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM ONTP	S-200

This bill provides that for public works construction contracts that involve funding from the Federal Government the prevailing wage requirements in state law apply unless the prevailing wage requirements that would otherwise apply under the federal Davis-Bacon Act would result in higher total wages under the contract. An exception is provided in this bill for funds received under the United States Housing Act of 1937 if the application of a state prevailing wage is expressly preempted by federal law.

Committee Amendment "A" (S-200)

The amendment, which is the majority report of the committee, replaces the bill and clarifies that "public works" includes any construction projects funded in whole or in part by state funds.

Enacted Law Summary

Public Law 2019, chapter 473 clarifies that "public works" includes any construction projects funded in whole or in part by state funds.

LD 1659 **An Act To Include Additional Corrections Officers and Mental Health Workers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T		

This bill adds employees of the office of aging and disability services and mental health workers who work with wards of the State or in mental health institutions within the Department of Health and Human Services and employees of the Maine Correctional Center, Long Creek Youth Development Center, Downeast Correctional Facility, former Mountain View Youth Development Center, former Charleston Correctional Facility and Mountain View Correctional Facility to the 1998 Special Plan for certain Maine Public Employees Retirement System members and requires that service retirement benefits for corrections and mental health workers and Capitol Police officers in the employment of the Department of Public Safety included in the 1998 Special Plan be computed on the same basis as benefits for other members under the plan are computed; creditable service is included regardless of when that service was earned.

The substantive provisions of the bill related to the computation of creditable service for certain corrections officers were incorporated into a committee bill, LD 1842, An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan, which was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1664 **An Act To Place Funds for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program into a Trust** **PUBLIC 280**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N BRYANT M	OTP-AM	S-188

This bill provides that funds held in connection with the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program are held in a trust fund. It renames the Firefighters and Law Enforcement Officers Health Insurance Program Fund the Firefighters and Law Enforcement Officers Health Insurance Program Trust Fund. It directs the Treasurer of State to invest the funds in the Firefighters and Law Enforcement Officers Health Insurance Program Trust Fund in accordance with the state-held trust investment policy of the Treasurer of State.

Committee Amendment "A" (S-188)

This amendment replaces the bill. The amendment provides that funds held in connection with the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program that are not necessary to support the normal costs and administrative costs of the program are held in a trust fund. It directs the Treasurer of State to invest the funds in the trust fund in accordance with the state-held trust investment policy of the Treasurer of State.

Enacted Law Summary

Public Law 2019, chapter 280 provides that funds held in connection with the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program that are not necessary to support the normal costs and administrative costs of the program are held in a trust fund. It directs the Treasurer of State to invest the funds in the trust fund in accordance with the state-held trust investment policy of the Treasurer of State.

LD 1674 **An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program** **PUBLIC 446**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N	OTP-AM ONTP	S-290

This bill makes the following changes to the laws governing the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program.

1. It requires a county or municipality that employs a county or municipal law enforcement officer or municipal firefighter to notify such an employee of the program in writing no later than 60 days following the effective date of hire of that employee. Such an employee must choose in writing whether to enroll in the program. A copy of the form on which an employee chooses to enroll in the program or to not enroll in the program must be retained by the county or municipality.

2. It provides that, when the effective date of hire of the eligible person is on or after October 1, 2019, the eligible person must enroll in the program no later than five years following the effective date of hire.

3. It increases the amount of the premium subsidy from 45 percent to 55 percent.

4. It provides that enrollees retiring from counties or municipalities that do not participate in the majority multiple-employer welfare arrangement and do not provide health insurance coverage for retirees may enroll in the group health plan available to state employees.

5. It provides that an enrollee may participate in the group health insurance plan in which the enrollee's spouse participates if that plan is offered in this State or in another group health insurance plan that is offered in this State.

6. It provides that an enrollee who is not receiving wages from a county or municipal employer on account of an absence from work due to an injury compensable under the Maine Workers' Compensation Act of 1992, a disability for which the enrollee is receiving a disability retirement benefit from the Maine Public Employees Retirement System or a leave of absence must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund for the period of time of the absence from work based on the enrollee's gross wages immediately before the absence from work in order for the enrollee to be eligible for coverage under the program.

7. It provides that an enrollee who retires and is subsequently hired as a county or municipal law enforcement officer or municipal firefighter must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund while employed as a county or municipal law enforcement officer or municipal firefighter in order for the enrollee to be eligible for coverage under the program.

8. It provides that an enrollee who is not receiving wages from a county or municipal employer because the enrollee is a member of the United States Armed Forces or state military forces on active duty and deployed is not required to contribute to the fund while deployed.

9. It removes provisions governing persons who retire without making 60 months of contributions to the fund but who meet other eligibility criteria.

10. It establishes the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program Advisory Committee to review proposed rules for the program.

11. It provides a period of open enrollment in the program beginning October 1, 2019, and ending December 31, 2021.

Committee Amendment "A" (S-290)

This amendment is the majority report of the committee. The amendment delays until July 1, 2021, the provision to increase the state share of the premium subsidy for enrollees in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program from 45 percent to 55 percent.

Enacted Law Summary

Public Law 2019, chapter 446 makes the following changes to the laws governing the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program.

1. It requires a county or municipality that employs a county or municipal law enforcement officer or municipal firefighter to notify such an employee of the program in writing no later than 60 days following the effective date of hire of that employee. Such an employee must choose in writing whether to enroll in the program. A copy of the form on which an employee chooses to enroll in the program or to not enroll in the program must be retained by the county or municipality.

2. It provides that, when the effective date of hire of the eligible person is on or after October 1, 2019, the eligible person must enroll in the program no later than five years following the effective date of hire.

3. It increases the amount of the premium subsidy for enrollees in the program from 45 percent to 55 percent beginning July 1, 2021.

4. It provides that enrollees retiring from counties or municipalities that do not participate in the majority multiple-employer welfare arrangement and do not provide health insurance coverage for retirees may enroll in the group health plan available to state employees.

5. It provides that an enrollee may participate in the group health insurance plan in which the enrollee's spouse participates if that plan is offered in this State or in another group health insurance plan that is offered in this State.

6. It provides that an enrollee who is not receiving wages from a county or municipal employer on account of an absence from work due to an injury compensable under the Maine Workers' Compensation Act of 1992, a disability for which the enrollee is receiving a disability retirement benefit from the Maine Public Employees Retirement System or a leave of absence must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund for the period of time of the absence from work based on the enrollee's gross wages immediately before the absence from work in order for the enrollee to be eligible for coverage under the program.

7. It provides that an enrollee who retires and is subsequently hired as a county or municipal law enforcement officer or municipal firefighter must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund while employed as a county or municipal law enforcement officer or municipal firefighter in order for the enrollee to be eligible for coverage under the program.

8. It provides that an enrollee who is not receiving wages from a county or municipal employer because the enrollee is a member of the United States Armed Forces or state military forces on active duty and deployed is not required to contribute to the fund while deployed.

9. It removes provisions governing persons who retire without making 60 months of contributions to the fund but who meet other eligibility criteria.

10. It establishes the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program Advisory Committee to review proposed rules for the program.

11. It provides a period of open enrollment in the program beginning October 1, 2019, and ending December 31, 2021.

LD 1693 **An Act To Enhance Enforcement of Employment Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T		

This bill authorizes private persons, acting in the public interest, to enforce the laws governing employment practices and prohibiting unfair discrimination in the workplace. Under this bill:

1. Private persons or whistleblowers, acting as relators, may bring public enforcement actions of employment laws on behalf of the State;

2. Civic organizations may assist aggrieved persons in reporting violations of employment laws; and

3. Persons who are injured by violations of employment laws are protected from retaliation.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1736 **An Act To Compensate Corrections and Mental Health Workers for Injuries and Illness Suffered While Working** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

Under current law, compensation for incapacity to work is not payable for the first seven days of incapacity, except that firefighters receive compensation from the date of incapacity. This bill provides that, when incapacity results in the course of employment from an assault by a person under the employee's care or from an infectious disease transmitted to the employee by a person under the employee's care, compensation is payable from the date of incapacity for corrections officers, employees of state mental health institutes and employees of the Department of Health and Human Services who provide direct care to individuals through mental health and behavioral health services or developmental disability services.

LD 1828 **An Act To Amend the Laws Governing Overtime** **PUBLIC 387 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S	OTP-AM	S-292

Current law specifically exempts certain employees from the laws requiring the payment of overtime. This bill adds to the list of exempted employees those state employees in the executive branch and the judicial branch engaged in fire protection activities and in law enforcement activities and conforms state law to the federal Fair Labor Standards Act.

Committee Amendment "A" (S-292)

This amendment clarifies the bill regarding the exemption from certain state overtime pay requirements of executive branch and judicial branch employees engaged in fire protection activities and law enforcement activities by specifying that those employees are not entitled to overtime for working more than 40 hours in any one week only if those employees are eligible to have overtime pay calculated and paid in accordance with the standards set forth under the specified federal law. It also provides that parties are not prohibited from negotiating an agreement that provides for the payment of overtime pay that exceeds federal law.

Enacted Law Summary

Public Law 2019, chapter 387 adds to the list of exempted employees from state overtime pay requirements those state employees in the executive branch and the judicial branch engaged in fire protection activities and in law enforcement activities. It specifies that those employees are not entitled to overtime for working more than 40 hours in any one week only if those employees are eligible to have overtime pay calculated and paid in accordance with the standards set forth under federal law. It also provides that parties are not prohibited from negotiating an agreement that provides for the payment of overtime pay that exceeds federal law.

Public Law 2019, chapter 387 was enacted as an emegency measure effective June 19, 2019.

LD 1842 **An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This bill is being reported out by the committee pursuant to Joint Order 2019, S.P. 584, was not referred back to committee and is the majority report of the committee. The bill requires that service retirement benefits for employees of the Department of Corrections included in the 1998 Special Plan as of the effective date of the bill who receive a direct care stipend pursuant to a collective bargaining agreement and who were employed prior to January 1, 2000, be computed on the same basis as benefits for other members under the plan are computed; creditable service is included regardless of when that service was earned. The bill includes an appropriations and allocations section to provide funding.

This bill was carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1845 **An Act To Fund Collective Bargaining Agreements with Executive Branch Employees** **PUBLIC 505 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE D		

This bill implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association and Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

The bill specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

The bill also specifies the costs from the General Fund and Highway Fund to fund the overtime payment settlements and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

The bill provides for the adjustment of certain salary schedules in fiscal year 2019-20 and in fiscal year 2020-21 consistent with ratified contracts. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

This bill was not referred to committee.

Enacted Law Summary

Public Law 2019, chapter 505 implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association and Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

This law specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary. This law also specifies the costs from the General Fund and Highway Fund to fund the overtime payment settlements and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

This law provides for the adjustment of certain salary schedules in fiscal year 2019-20 and in fiscal year 2020-21 consistent with ratified contracts. This law provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

Public Law 2019, chapter 505 was enacted as an emergency measure effective June 28, 2019.

Joint Standing Committee on Labor and Housing

SUBJECT INDEX

Collective Bargaining

Enacted

LD 1237	**An Act To Simplify Municipal Collective Bargaining by Removing the 120-Day Notice Required Prior to Certain Negotiations**	**PUBLIC 240**
LD 1412	**An Act To Amend the Laws Governing the Collective Bargaining Rights of Employees of School Management and Leadership Centers**	**PUBLIC 460**
LD 1451	**An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers**	**PUBLIC 389**
LD 1459	**An Act To Expand Application of the Maine Agricultural Marketing and Bargaining Act of 1973 to Harvesters and Haulers of Forest Products**	**PUBLIC 248**
LD 1546	**An Act To Protect State Employees When Their Contracts Have Expired**	**PUBLIC 393**
LD 1845	**An Act To Fund Collective Bargaining Agreements with Executive Branch Employees**	**PUBLIC 505 EMERGENCY**

Not Enacted

LD 240	**An Act To Allow Public Employers of Teachers to Negotiate Regarding Planning and Preparation Periods**	**Veto Sustained**
LD 1041	**An Act Regarding Collective Bargaining for Public Employees under the Municipal Public Employees Labor Relations Laws**	**ONTP**
LD 1211	**An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining**	**ONTP**

Department of Labor

Enacted

LD 139	**An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers**	**PUBLIC 66**
LD 201	**An Act To Protect Jobs in the State by Strengthening the Advance Notice Requirement for the Relocation or Closure of a Large Business**	**PUBLIC 118**

Not Enacted

LD 140	**An Act To Facilitate the Employment of Persons with Substance Use Disorder**	**ONTP**
LD 168	**Resolve, To Create a Universal Job Application System for Maine's Career Centers**	**ONTP**
LD 734	**Resolve, To Expedite the Processing of Applications for Certification under the Federal Work Opportunity Tac Credit**	**CARRIED OVER**
LD 888	**An Act To Provide Workplace Support to Individuals with Hearing Loss**	**ONTP**

Employee Benefits

Enacted

LD 75	**An Act To Protect Earned Pay**	**PUBLIC 419**
LD 369	**An Act Authorizing Earned Employee Leave**	**PUBLIC 156**
LD 1654	**An Act To Create Veteran-friendly Workplaces**	**PUBLIC 350**
LD 1664	**An Act To Place Funds for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program into a Trust**	**PUBLIC 280**
LD 1674	**An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program**	**PUBLIC 446**

Not Enacted

LD 69	**An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 415	**An Act To Enhance the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program**	**ONTP**
LD 462	**An Act To Provide Paid Family Leave to Public School Employees**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 883	**An Act To Establish the Opt-in Maine Paid Family Leave Insurance Program**	**ONTP**

LD 1214	**Resolve, To Conduct a Comprehensive Study of the Compensation System for State Employees**	**CARRIED OVER**
LD 1239	**An Act To Mandate Paid Maternity and Parental Leave**	**ONTP**
LD 1410	**An Act To Create Paid Family and Medical Leave Benefits**	**CARRIED OVER**

Employee Compensation

Enacted

LD 81	**An Act To Clarify Maine Law Regarding the Tips of Service Employees**	**PUBLIC 10**
LD 278	**An Act Regarding Pay Equality**	**PUBLIC 35**
LD 300	**An Act To Provide School Personnel Paid Hourly a Wage Pay Option**	**PUBLIC 193**
LD 1524	**An Act To Prevent Wage Theft and Promote Employer Accountability**	**PUBLIC 461**
LD 1828	**An Act To Amend the Laws Governing Overtime**	**PUBLIC 387 EMERGENCY**

Not Enacted

LD 220	**An Act To Improve Pay for Certain Maine Workers**	**ONTP**
LD 243	**An Act To Create an Hourly Rate Compensation System for Loggers and Truckers**	**ONTP**
LD 402	**An Act To Restore Overtime Protection for Maine Workers**	**CARRIED OVER**
LD 480	**An Act To Ensure Pay Transparency and To Reduce Gender and Racial Wage Inequities**	**ONTP**
LD 507	**An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee**	**CARRIED OVER**
LD 584	**An Act To Convert Stipends to Base Pay for Child Protective Workers**	**ONTP**
LD 919	**An Act To Establish a Minimum Mileage Reimbursement Rate for Traveling Sales Representatives**	**Majority (ONTP) Report**

LD 1251	**An Act To Make Agricultural Workers and Other Workers Employees under the Wage and Hour Laws**	**ONTP**

Employment Contracts/Agreements

Enacted

LD 733	**An Act To Promote Keeping Workers in Maine**	**PUBLIC 513**

Not Enacted

LD 1250	**An Act To Prohibit Sexual Harassment as a Subject Matter of Mandatory Arbitration in Employment Contracts**	**CARRIED OVER**
LD 1529	**An Act Concerning Nondisclosure Agreements in Employment**	**CARRIED OVER**

Employment Practices

Enacted

LD 305	**An Act To Protect Job Applicants from Identity Theft**	**PUBLIC 47**

Not Enacted

LD 122	**An Act To Prohibit an Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made**	**ONTP**
LD 123	**An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made**	**ONTP**
LD 857	**An Act To Increase Accountability for Wage Violations**	**CARRIED OVER**
LD 1077	**An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents by Requiring the Use of the Federal Immigration Verification System**	**Majority (ONTP) Report**
LD 1112	**An Act To Provide Employee Vaccination Compensation**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1325	**An Act To Allow Workplace Substance Use Testing for Fentanyl, Hydromorphone, Hydrocodone, Oxycodone and Oxymorphone Use at the Employer's Discretion**	**ONTP**
LD 1345	**An Act To Ensure a Fair Workweek**	**ONTP**

LD 1605	**An Act To Provide Fair Contracts in the Logging Industry**	**ONTP**

Housing

Not Enacted

LD 591	**An Act To Create Flexibility in Affordable Housing Calculations**	**ONTP**
LD 1572	**An Act To Enact the Maine Fair Chance Housing Act**	**CARRIED OVER**
LD 1588	**An Act To Create a Registration Process and Permits for Vacation Rentals**	**ONTP**

Labor Relations

Enacted

LD 317	**An Act To Amend the Laws Governing Appointees to the Maine Labor Relations Board**	**PUBLIC 184**
LD 757	**An Act To Improve Labor Laws for Maine Workers**	**PUBLIC 135**
LD 886	**An Act To Protect Search and Rescue Volunteers Certified by the Maine Association for Search and Rescue from Adverse Employment Actions**	**PUBLIC 329**
LD 1319	**An Act To Prohibit Employer Disciplinary Action against Firefighters and Emergency Medical Services Persons Responding to an Emergency**	**PUBLIC 218**

Not Enacted

LD 622	**An Act To Improve Public Sector Labor Relations**	**ONTP**
LD 900	**An Act To Expand the Rights of Public Employees under the Maine Labor Laws**	**CARRIED OVER**
LD 1177	**An Act To Improve Public Sector Labor Relations**	**Veto Sustained**

Labor Unions

Not Enacted

LD 1232	**An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment**	**Majority (ONTP) Report**

Landlord/Tenant

Not Enacted

LD 308	**An Act To Authorize Municipalities To Increase Notification Time Periods for Rent Increases and Terminations of Tenancies at Will**	**Veto Sustained**
LD 473	**An Act To Allow Flexibility in Residential Rental Agreements**	**Majority (ONTP) Report**
LD 522	**An Act To Prohibit the Imposition by Municipalities of General Restrictions on Rents and Rental Properties**	**Majority (ONTP) Report**

Minimum Wage

Not Enacted

LD 410	**An Act To Eliminate the Subminimum Wage for Workers with Disabilities and Agricultural and Tipped Workers**	**INDEF PP**
LD 425	**An Act To Strengthen Small Businesses in Rural Maine by Changing the Minimum Wage**	**Majority (ONTP) Report**
LD 612	**An Act To Promote Youth Employment**	**Majority (ONTP) Report**
LD 670	**An Act To Increase the Minimum Wage for Large Employers**	**ONTP**
LD 739	**An Act To Help Small Businesses by Establishing an Alternate Minimum Wage**	**Majority (ONTP) Report**
LD 808	**An Act To Create a Youth Wage**	**Majority (ONTP) Report**
LD 830	**An Act To Balance Maine's Minimum Wage for Small and Large Employers**	**Majority (ONTP) Report**
LD 1098	**An Act To Help Small Employers by Making the Minimum Wage Increase More Gradual in Nonurban Areas**	**Majority (ONTP) Report**

Miscellaneous

Enacted

LD 777	**An Act To Establish the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations**	**PUBLIC 457**
LD 1324	**Resolve, To Establish the Committee To Study the Feasibility of Creating Basic Income Security**	**RESOLVE 82**

Not Enacted

LD 567	**An Act To Create a Universal Basic Income**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 596	**An Act To Prevent the Closure of Maine Businesses**	**ONTP**
LD 1639	**An Act To Require Comprehensive Responsible Contracting Practices for Public Construction Projects**	**CARRIED OVER**
LD 1693	**An Act To Enhance Enforcement of Employment Laws**	**CARRIED OVER**

Occupational Safety

Enacted

LD 1017	**Resolve, To Direct the Department of Labor To Develop a Framework for Encouraging Employers To Identify Safer Alternatives to Hazardous Chemicals**	**RESOLVE 47**

Prevailing Wage and Benefits

Not Enacted

LD 1386	**An Act Regarding the Determination of the Prevailing Wage Rate for Public Works Projects**	**HELD BY GOVERNOR**

Public Works Projects

Enacted

LD 1564	**An Act To Authorize Project Labor Agreements for Public Work Projects**	**PUBLIC 278**
LD 1658	**An Act To Clarify the Definition of "Public Works"**	**PUBLIC 473**

State Retirement System

Enacted

LD 1220	**An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work**	**PUBLIC 436**
LD 1395	**An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System**	**PUBLIC 364**

LD 1400	**An Act To Improve Recruitment and Retention in State Law Enforcement by Offering Retirement Service Credit**	**PUBLIC 459**
LD 1480	**An Act To Modify Retirement Plans for Fire Investigators and Sergeants**	**PUBLIC 482**
LD 1620	**An Act To Exclude Collectively Bargained Salary and Job Promotion Increases from the Earnable Compensation Limitation for Retirement Purposes**	**PUBLIC 395**

<u>Not Enacted</u>

LD 467	**An Act To Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States under the State Retirement System**	**CARRIED OVER**
LD 833	**An Act To Provide the Same Retirement Benefits for State Employees Working as Emergency Communications Specialists as Are Provided to Law Enforcement Officers**	**HELD BY GOVERNOR**
LD 1008	**An Act To Include State Employee Stipends as Earnable Compensation**	**ONTP**
LD 1104	**An Act To Clarify the State's Commitments Concerning Certain Public Service Retirement Benefits**	**HELD BY GOVERNOR**
LD 1184	**An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System**	**CARRIED OVER**
LD 1207	**An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles**	**HELD BY GOVERNOR**
LD 1208	**An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General**	**HELD BY GOVERNOR**
LD 1339	**An Act To Recalculate Retirement Benefits for Certain State Employees Adversely Affected by Merit Pay Freezes**	**ONTP**
LD 1354	**An Act To Eliminate the Penalties for State and Teacher Retirees Who Return to Employment**	**ONTP**
LD 1355	**An Act To Expand the 1998 Special Retirement Plan To Include Civilian Employees Who Work for the Department of Public Safety Crime Lab and Computer Crimes Unit**	**ONTP**
LD 1537	**An Act To Increase the Portion of Retirement Benefits to Which the Cost-of-living Adjustment Applies**	**CARRIED OVER**
LD 1659	**An Act To Include Additional Corrections Officers and Mental Health Workers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers**	**CARRIED OVER**

LD 1842	**An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan**	**CARRIED OVER**

Unemployment Compensation

Not Enacted

LD 1013	**An Act To Clarify the Disqualification from Unemployment Benefits of a Person Who Is Terminated from Employment for Being Under the Influence of Marijuana**	**PUBLIC 125**

Not Enacted

LD 784	**An Act To Amend the Laws Governing Eligibility for Unemployment Benefits**	**ONTP**
LD 1058	**An Act Concerning Liability for Direct Reimbursement of Unemployment Benefits**	**Majority (ONTP) Report**

Workers' Compensation

Enacted

LD 756	**An Act To Improve the Maine Workers' Compensation Act of 1992**	**PUBLIC 344**

MAR

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON MARINE RESOURCES

August 2019

MEMBERS:
SEN. DAVID R. MIRAMANT, CHAIR
SEN. ELOISE A. VITELLI
SEN. DANA L. DOW

REP. JOYCE "JAY" MCCREIGHT, CHAIR
REP. MICHAEL G. DEVIN*
REP. ROBERT W. ALLEY, SR.
REP. LYDIA C. BLUME
REP. ALLISON HEPLER
REP. GENEVIEVE MCDONALD
REP. BILLY BOB FAULKINGHAM
REP. WILLIAM R.TUELL
REP. SHERMAN H. HUTCHINS
REP. KATHY IRENE JAVNER
REP. PINNY BEEBE-CENTER*

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Joint Standing Committee on Marine Resources

LD 4 **An Act To Encourage Applied Shellfish Research** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ALLEY R	ONTP	

This bill amends the law governing municipal shellfish conservation programs. It provides that a municipal shellfish conservation ordinance may allow a research entity to conduct applied research in conjunction with staff from the Department of Marine Resources or an approved professional entity to support a municipal shellfish conservation program. It also requires a municipality to require a research entity conducting approved research projects in the intertidal zone to issue an annual report on research findings to the Commissioner of Marine Resources by January 1st.

LD 28 **An Act Regarding Access to Lobster Licenses** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J MIRAMANT D		

This bill directs the Commissioner of Marine Resources to authorize new zone entrants for a limited-entry lobster zone who have been on a waiting list for 10 or more years and have met certain eligibility requirements. A person authorized as a new zone entrant under this bill must adhere to specific trap tag limits.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 174 **An Act To Promote Youth Participation in the Maine Lobster Fishery** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCDONALD G MIRAMANT D	ONTP	

This bill allows an unlicensed person 12 years of age or younger to assist a Class I, II or III lobster and crab fishing license holder with licensed activities.

LD 290 **An Act To Prohibit Motor Vehicle Use in the Intertidal Zone** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ZEIGLER S HERBIG E	ONTP	

This bill prohibits a person from operating a motor vehicle in the intertidal zone except to launch or retrieve a watercraft, to engage in an activity that requires the use of a motor vehicle and for which any necessary state or local permits have been obtained or if the vehicle is an authorized emergency vehicle. It specifies that a person who violates the prohibition on the operation of a motor vehicle in the intertidal zone commits a civil violation, except that a person who is adjudicated as having committed three or more civil violations for operating a motor vehicle in

the intertidal zone within the previous five year period commits a Class E crime.

LD 314 **An Act To Simplify Apprenticeship Requirements for Student and Apprentice Lobster and Crab Fishing License Holders** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B DOW D	ONTP OTP-AM	

This bill requires the Commissioner of Marine Resources to allow a person with an apprentice lobster and crab fishing license or a student lobster and crab fishing license to demonstrate apprentice program completion through verified landings of at least 4,000 pounds of lobster over a period of not less than two years.

Committee Amendment "A" (H-14)

This amendment is the minority report of the committee. This amendment removes the requirement that the Commissioner of Marine Resources allow a person with an apprentice lobster and crab fishing license to demonstrate apprentice program completion through lobster landings. It clarifies that the allowance for a student lobster and crab fishing license holder applies only to a license holder who is less than 18 years of age and that landings must be confirmable, dealer-reported landings. Lastly, it specifies that 4,000 pounds of lobster must be caught over the course of 100 days at sea to be completed over two separate seasons, and not over two years, as in the bill.

This amendment was not adopted.

LD 340 **An Act To Clarify the Temporary Medical Allowance Relating to Lobster and Crab Fishing Licenses** **PUBLIC 68**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J MOORE M	OTP-AM	H-70

This bill creates a temporary terminal condition medical allowance that allows an individual to fish under the authority of the license of a Class I, Class II or Class III lobster and crab fishing license holder when the individual is the child, spouse or domestic partner of the license holder and has completed the lobster apprentice program and the license holder has been diagnosed with a terminal condition and harvested a minimum of 1,000 pounds of lobsters within one year prior to the request for the temporary terminal condition medical allowance. The bill allows the license holder to continue to fish pursuant to the license despite having been issued an allowance but permits only one person, the license holder or the designated individual, to fish under the license at any one time. The temporary terminal condition medical allowance may not exceed one year in duration and may be renewed at the discretion of the Commissioner of Marine Resources.

Committee Amendment "A" (H-70)

This amendment replaces the bill and changes the title. It clarifies that a lobster and crab fishing license holder who has a substantial illness or medical condition and has been granted a temporary medical allowance may continue to fish under the license as long as the license holder does not fish concurrently with the individual authorized to fish under the authority of that license holder through the temporary medical allowance. It adds domestic partners to the list of individuals authorized to fish under this provision. It also clarifies that the license holder is liable for the activities of the individual fishing under the temporary medical allowance whether or not the license holder is present on the vessel.

Enacted Law Summary

Public Law 2019, chapter 68 clarifies that a lobster and crab fishing license holder who has a substantial illness or medical condition and has been granted a temporary medical allowance may continue to fish under the license as long as the license holder does not fish concurrently with the individual authorized to fish under the authority of that license holder through the temporary medical allowance. It adds domestic partners to the list of individuals authorized to fish under this provision. It also clarifies that the license holder is liable for the activities of the individual fishing under the temporary medical allowance whether or not the license holder is present on the vessel.

LD 618 **Resolve, To Temporarily Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy** **RESOLVE 23 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W MOORE M	OTP-AM ONTP	H-115

This bill allows a person who holds a lobster and crab fishing license to raise and haul lobster traps during any time of day between Labor Day and Memorial Day in an area in the Bay of Fundy encompassing approximately 210 square miles around Machias Seal Island, as long as that person is authorized to fish in that area.

Committee Amendment "A" (H-115)

This amendment is the majority report of the committee. This amendment replaces the bill with a resolve. It requires the Commissioner of Marine Resources to allow a person who holds a lobster and crab fishing license to raise and haul lobster traps during any time of the day from September 1, 2019 through October 31, 2019, in an area in the Bay of Fundy referred to as the "gray zone" that encompasses approximately 210 square miles around Machias Seal Island where there are overlapping claims of sovereignty by the United States and Canada, if that person is authorized to fish in that area. It also directs the commissioner to define this area in rule to ensure the boundaries of this area are clearly delineated. Lastly, it requires that the commissioner submit a report to the Joint Standing Committee on Marine Resources by February 1, 2020, and gives the committee the authority to report out a bill based on the report.

Enacted Law Summary

Resolve 2019, chapter 23 requires the Commissioner of Marine Resources to allow a person who holds a lobster and crab fishing license to raise and haul lobster traps during any time of the day from September 1, 2019, through October 31, 2019, in an area in the Bay of Fundy referred to as the "gray zone" that encompasses approximately 210 square miles around Machias Seal Island where there are overlapping claims of sovereignty by the United States and Canada, if that person is authorized to fish in that area. It also directs the commissioner to define this area in rule to ensure the boundaries of this area are clearly delineated. Lastly, it requires that the commissioner submit a report to the Joint Standing Committee on Marine Resources by February 1, 2020, and gives the committee the authority to report out a bill based on the report.

Resolve 2019, chapter 23 was finally passed as an emergency measure effective May 8, 2019.

LD 629 **An Act To Ensure a Seat on the Shellfish Advisory Council Is Held by a Person with a Background and Credentials in a Field of Marine Science** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J DOW D	ONTP	

This bill directs the Commissioner of Marine Resources to ensure that a seat on the Shellfish Advisory Council is held by a member who has a demonstrated knowledge of a marine science and, at minimum, a bachelor's degree in a field of marine science.

LD 675 **An Act To Provide Equity in the Lobster Promotion License Surcharge** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B	ONTP	

This bill amends the provisions regarding surcharges on lobster and crab fishing licenses that fund the Lobster Promotion Fund by replacing the current three-tiered structure for promotion surcharges on the three classes of lobster and crab fishing licenses with a single promotion surcharge of $310 for all three classes of licenses.

LD 676 **An Act To Allow a Class III Lobster and Crab Fishing License Holder To Engage More Crew Members** **PUBLIC 259**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B	OTP-AM	H-287

This bill eliminates the Class I, Class II and Class III lobster and crab fishing licenses and replaces them with single and crew lobster and crab fishing licenses. It also specifies that a crew lobster and crab fishing license authorizes a license holder to engage an unlimited number of unlicensed crew members to assist in the licensed activities allowed by the crew lobster and crab fishing license.

Committee Amendment "A" (H-287)

This amendment replaces the title and the bill. It increases from two to four the number of unlicensed crew members a Class III lobster and crab fishing license holder may engage to assist in licensed activities.

Enacted Law Summary

Pulbic Law 2019, chapter 259 increases from two to four the number of unlicensed crew members a Class III lobster and crab fishing license holder may engage to assist in licensed activities.

LD 914 **An Act To Enhance the Recruitment and Retention of Marine Patrol Sergeants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DESCHAMBAULT S TUELL W	ONTP	

This bill provides funding to increase the salaries of Marine Patrol Sergeants in the Department of Marine Resources by five percent.

LD 936 **Resolve, Establishing a Commission To Study the Existing and Potential Effects of Freshwater and Marine Debris on Maine's Freshwater and Coastal Habitats and Species** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN M		

This resolve establishes the Commission To Study the Effects of Freshwater and Marine Debris, which is a 13-member commission tasked with studying freshwater and marine debris and how it has affected or potentially will affect Maine's freshwater and ocean and coastal ecosystems, habitats and species. The commission must submit a report, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than December 4, 2019.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 941 **An Act To Further Define the Monhegan Lobster Conservation Area** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to redefine the status of the Monhegan Lobster Conservation Area.

LD 956 **An Act To Allow Student License Holders in the Monhegan Lobster Conservation Area To Fish for or Take Lobsters during a Closed Season** **PUBLIC 210 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN M	OTP-AM OTP-AM	H-359

This bill allows a person with a student lobster and crab fishing license to fish for or take lobsters during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years.

Committee Amendment "A" (H-359)

This amendment is the majority report of the committee. This amendment strikes and replaces the title and bill.

Like the bill, this amendment allows a person with a student lobster and crab fishing license to fish for or take lobster during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years, except this amendment limits the permission to a student license holder issued trap tags to fish only in the Monhegan Lobster Conservation Area and that student may fish only during the closed season in the Monhegan Lobster Conservation Area. This amendment changes the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder from 15 to 10 for a student license holder if that person is eight years of age or older and under 11 years of age; 25 for a student license holder if that person is 11 years of age or older and under 14 years of age; and 50 for a student license holder if that person is 14 years of age or older and under 23 years of age.

This amendment also adds an emergency preamble and emergency clause so that this legislation will take effect in time for a Monhegan Lobster Conservation Area student license holder to fish for lobster during the summer months.

Committee Amendment "B" (H-360)

This amendment is the minority report of the committee. This amendment strikes and replaces the title and bill.

Like the bill, this amendment allows a person with a student lobster and crab fishing license to fish for or take lobster during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years, except this amendment limits the permission to a student license holder issued trap tags to fish only in the Monhegan Lobster Conservation Area who may fish only during the closed season in the Monhegan Lobster Conservation Area. This amendment retains the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder at 15 for a student license holder eight years of age or older and under 14 years of age and increases from 15 to 25 the number of trap tags issued to a student license holder 14 years of age or older and under 23 years of age.

This amendment also adds an emergency preamble and clause so that it will take effect in time for a Monhegan Lobster Conservation Area student license holder to fish for lobster during the summer months.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 210 allows a person with a student lobster and crab fishing license to fish for or take lobster during the closed season in the Monhegan Lobster Conservation Area if that closed season occurs during an interim between school years, and the student license holder has been issued trap tags to fish only in the Monhegan Lobster Conservation Area.

This law changes the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder from 15 to 10 for a student license holder if that person is eight years of age or older and under 11 years of age; 25 for a student license holder if that person is 11 years of age or older and under 14 years of age; and 50 for a student license holder if that person is 14 years of age or older and under 23 years of age.

Public Law 2019, chapter 210 was enacted as an emergency measure effective June 6, 2019.

LD 960 **An Act To Allow Municipalities with Municipal Shellfish Conservation Ordinances To Establish Minimum and Maximum Size Limits for Shellfish That Are at Least as Strict as Those Limits Established by the State** **PUBLIC 144**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J	OTP-AM	H-177

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing size requirements for soft-shell clams and to create a spat collection permit for soft-shell clams.

Committee Amendment "A" (H-177)

This amendment replaces the bill, which is a concept draft, and the title. It specifies that a municipality with a municipal shellfish conservation ordinance may establish minimum or maximum size limits on shellfish regulated by the ordinance as long as those limits established are no less stringent than any minimum or maximum size limit

set in law or rule, except it requires that an ordinance must establish minimum size limits for soft-shell clams that are at least as strict as those limits established in the Maine Revised Statutes, Title 12, section 6681. Lastly, it also clarifies that enforcement of any provision adopted in any ordinance is enforceable only in the municipality in which the harvesting of the shellfish occurs.

Enacted Law Summary

Public Law 2019, chapter 144 specifies that a municipality with a municipal shellfish conservation ordinance may establish minimum or maximum size limits on shellfish regulated by the ordinance as long as those limits established are no less stringent than any minimum or maximum size limit set in law or rule, except it requires that an ordinance must establish minimum size limits for soft-shell clams that are at least as strict as those limits established in the Maine Revised Statutes, Title 12, section 6681. Lastly, it also clarifies that enforcement of any provision adopted in any ordinance is enforceable only in the municipality in which the harvesting of the shellfish occurs.

LD 961 **An Act To Create the Shellfish Research Fund** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J	OTP-AM	H-376

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a research fund for the clam fishing industry in the State.

Committee Amendment "A" (H-376)

This amendment replaces the bill which was a concept draft. It creates the Shellfish Research Fund as a nonlapsing fund administered by the Commissioner of Marine Resources for the purpose of funding shellfish research projects in the State. It provides ongoing funding of $50,000 per fiscal year from the General Fund. It also allows the commissioner to accept and deposit into the fund any monetary gifts, donations or other contributions from public or private sources. It requires that the commissioner consult with the Shellfish Advisory Council before deciding upon research projects and awarding grants from the fund.

It also increases the membership of the Shellfish Advisory Council from 13 to 14 members. It directs the commissioner to appoint as a member of the Shellfish Advisory Council a person who has a demonstrated knowledge of a marine science and, at minimum, a bachelor's degree in a field of marine science.

This bill was reported out of committee and then carried over to any special or regular session, or both, on the Special Appopriations Table by joint order, H.P. 1322.

LD 962 **An Act To Protect Shellfish in the Intertidal Zone by Including within the Definition of "Fish" the Taking of Spat and Seed** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J		

This bill adds to the definition of the verb "fish" the taking of spat and seed.

LD 1059 **An Act To Authorize the Establishment of an Apprentice License for the Maine Scallop Fishery** **PUBLIC 107**

Sponsor(s)	Committee Report	Amendments Adopted
MCDONALD G DOW D	OTP-AM	H-114

This bill allows the Department of Marine Resources to establish by rule an apprentice program for entry into the scallop fishery that includes an apprentice license allowing an apprentice to engage in dragging for scallops under the supervision of a scallop dragging license holder. It sets the apprentice license fee at $250 and creates a $250 license surcharge for a scallop dragger to sponsor an apprentice. It limits participation to residents and makes 18 years of age the minimum age to participate as an apprentice. It also changes rules to implement the scallop license limited entry system from major substantive rules to routine technical rules.

Committee Amendment "A" (H-114)

This amendment specifies that license fees collected for an apprentice scallop dragging license are to be deposited into the Scallop Research Fund and it clarifies that the fund may be used for the administrative costs associated with an apprentice program for entry into the scallop fishery.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 107 allows the Department of Marine Resources to establish by rule an apprentice program for entry into the scallop fishery that includes an apprentice license allowing an apprentice to engage in dragging for scallops under the supervision of a scallop dragging license holder. It sets the apprentice license fee at $250 and creates a $250 license surcharge for a scallop dragger to sponsor an apprentice. It specifies that license fees collected for an apprentice scallop dragging license are to be deposited into the Scallop Research Fund and allows the fund to be used for the administrative costs associated with an apprentice program for entry into the scallop fishery. It limits participation to residents and makes 18 years of age the minimum age to participate as an apprentice. It also changes rules to implement the scallop license limited entry system from major substantive rules to routine technical rules.

LD 1130 **An Act To Promote Equity in the Elver Aquaculture Quota** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B	ONTP OTP-AM	

This bill requires the Commissioner of Marine Resources to establish an elver fishing lottery if the Atlantic States Marine Fisheries Commission allocates an elver quota specifically for use in aquaculture. To be eligible to apply to the aquaculture lottery, a person must hold a valid elver fishing license. The bill requires the commissioner to allocate the quota in five pound increments to each successful lottery applicant and requires that elvers caught as a result of this lottery be sold to an aquaculture facility approved by the commissioner. Twenty-five dollars of the $35 application fee is required to be deposited in the Eel and Elver Management Fund for a life-cycle study of the elver fishery, and $10 of the fee may be used by the department to fund the costs of administering the lottery.

Committee Amendment "A" (H-288)

This amendment is the minority report of the committee. This amendment replaces the bill. It specifies that a

person receiving an elver quota to be allocated specifically for use in aquaculture shall provide to the Commissioner of Marine Resources a list of elver license holders who provided that person with their elver quota. Once an elver license holder is chosen, that license holder is not eligible to provide elvers to a person allocated an elver quota to be used in aquaculture for a period of three years. A person who has any elver fishing violations in the previous six years is not eligible to provide elvers to a person who receives an elver quota to be used in aquaculture.

This amendment was not adopted.

LD 1148 **An Act Regarding the Costs Incurred by Municipalities in the Administration of Aquaculture Lease and License Applications** **PUBLIC 112**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J VITELLI E	OTP-AM ONTP	H-123

This bill allows a municipality to charge a reasonable fee to a person granted a Department of Marine Resources aquaculture lease on or under coastal waters to pay for the municipality's administrative costs associated with the lease.

Committee Amendment "A" (H-123)

This amendment is the majority report of the committee. This amendment changes the title and replaces the bill. The amendment specifies that a municipality may not charge a person applying for an aquaculture lease or license a fee of more than $50 for the municipality's administrative costs associated with the lease or license application.

Enacted Law Summary

Public Law 2019, chapter 112 specifies that a municipality may not charge a person applying for an aquaculture lease or license from the Department of Marine Resources a fee of more than $50 for the municipality's administrative costs associated with the lease or license application.

LD 1241 **An Act To Improve Survival Rates of Salmon and Other Migratory Fish Transitioning from Freshwater to Saltwater Environments** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DODGE J GRATWICK G	ONTP	

This bill requires the commissioner, in cooperation with the University of Maine, to establish a smoltification success research program to develop reliable scientific information for use in the management of pollution control efforts and pollution licensing decisions.

It requires that the program include:

1. Investigation of external influences on smoltification success and metamorphosis success of nonsalmonid anadromous species and smolt migration success;

2. Specific attention to evaluating the effects of industrial and sewage treatment plant effluent and other pollutants on the timing of smoltification; and

3. The capacity to systematically analyze the effect of a variety of chemicals found in effluents on the timing of the development of and physical health of smolts and recommendations for conservation and management options.

It requires that the analysis include the effluence of biological substances such as pheromones from land-based aquaculture and that analysis of these effects must be conducted cooperatively with the industries and communities that discharge into rivers that are significant for Atlantic salmon and other diadromous fish species.

It also requires the commissioner to submit an annual report to this committee on the success of the program.

LD 1284 **An Act To Create the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L MOORE M	ONTP	

This bill establishes the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species to examine the effects of climate change on Maine's marine ecosystems as habitat for the State's valuable commercial marine species and the direct and indirect effects of climate change on those commercial marine species. The council will identify, study and make recommendations to remediate and mitigate the direct and indirect effects of climate change on marine species that are commercially harvested and grown in the State's coastal and ocean environments.

LD 1285 **An Act To Establish Criteria for a Permit To Conduct Research in the Intertidal Zone** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	ONTP	

This bill authorizes the Department of Marine Resources to establish criteria for a permit to conduct research in the intertidal zone.

LD 1286 **An Act To Allow the Deposition of Oyster Shell Cultch To Ameliorate Ocean and Coastal Acidification** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	ONTP	

This bill allows the deposition of oyster shell cultch in intertidal zones or in harbors or rivers below the dividing line between tidewater and fresh water to ameliorate ocean and coastal acidification with the written permission of the Commissioner of Marine Resources, who may issue permission taking into consideration any conditions the commissioner considers appropriate.

LD 1419 **An Act To Improve Commercial Production of Shellfish by Allowing Municipalities To Establish Active Municipal Shellfish Management Areas** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J	ONTP	

This bill allows a municipality in its municipal shellfish conservation ordinance to establish active municipal shellfish management areas where a person licensed under the ordinance may employ and develop methods that enhance commercial production of shellfish, which include but are not limited to protective netting, traps, cages and boxes. This bill requires that:

1. Active municipal shellfish management areas do not encompass more than 10% of the intertidal zone;

2. Only a person authorized by the municipality to engage in permitted activities in an active municipal shellfish management area may harvest any marine organisms;

3. Each person authorized to engage in permitted activities in an active municipal shellfish management area is limited to engage in those activities on no more than 2 acres of the intertidal zone;

4. An active municipal shellfish management area may not be established in areas closed by the Commissioner of Marine Resources;

5. Any shellfish harvested in an active municipal shellfish management area comply with minimum size requirements;

6. An active municipal shellfish management area be clearly marked with signs that identify that it has been designated as an active municipal shellfish management area and that harvesting of marine organisms is restricted to only those persons that have been authorized by the municipality;

7. Any gear used in an active municipal shellfish management area no more than 18 inches above the sediment; and

8. A person engaged in permitted activities in an active municipal shellfish management area report any findings and landing data to the Department of Marine Resources.

This bill specifies that a person that harvests any marine organisms from an active municipal shellfish management area in a manner that is not in accordance with law or a municipal shellfish conservation ordinance commits a Class D crime and the fines that are to be applied are the same as those imposed on a person that harvested shellfish from an area closed for conservation purposes that is in current law.

LD 1420 **Resolve, To Establish a Task Force To Study the Current Status and Future Sustainability of Aquaculture in the State** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J VITELLI E	ONTP OTP-AM	

This resolve establishes the Task Force to Study the Current Status and Future Sustainability of Aquaculture in the State.

The 17 members of the task force includes Legislators, organizations with an interest and experience in aquaculture, entities representing municipal interests, state agencies, entities representing commercial fisheries interests; trade association representatives; aquaculture lease and license holders; and a representative from the University of Maine.

The duties of the task force include the following:

1. A review of the report from the Governor's Task Force on the Planning and Development of Marine Aquaculture

in Maine dated January 30, 2004;

2. An assessment of the current status of aquaculture in the State, including: the number, increase and distribution of leases and licenses; current production levels and production capacity; and environmental effects and the carrying capacity of the coastal marine environment;

3. Identifying aquaculture best practices;

4. A review of relationships with other fisheries;

5. The current economic and workforce effects;

6. Identifying future opportunities; and

7. The exploration of current and proposed community outreach and education.

The task force is required to submit an interim report no later than September 1, 2019 and a final report no later than December 11, 2019 to the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Environment and Natural Resources, which may each submit legislation based on the report to the Second Regular Session of the 129th Legislature.

Committee Amendment "A" (H-356)

This amendment specifies that the Legislative Council is required to provide staffing assistance to the task force instead of requiring that the Department of Marine Resources and the Department of Environmental Protection provide the assistance as in the resolve. It also removes the requirement that the Department of Marine Resources and the Department of Environmental Protection post the interim and final reports on their publicly accessible websites.

This amendment was not adopted.

LD 1514 An Act To Improve Enforcement in the Elver Fishery **PUBLIC 163**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J	OTP-AM	H-221

This bill clarifies the laws governing the use of the elver transaction card system and the seizure of illegal elvers. It makes it explicit that any currency used in violation of a marine resources law may be taken through the libel process. It requires license revocation for an individual who sells or purchases elvers without using the transaction card system. Finally, it establishes that if the Department of Marine Resources requires inspection of elver shipments prior to export, the department may charge a fee of up to $500 per inspection.

Committee Amendment "A" (H-221)

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 163 clarifies the laws governing the use of the elver transaction card system and the seizure of illegal elvers. It makes it explicit that any currency used in violation of a marine resources law may be taken through the libel process. It requires license revocation for an individual who sells or purchases elvers

without using the transaction card system. Finally, it establishes that if the Department of Marine Resources requires inspection of elver shipments prior to export, the department may charge a fee of up to $500 per inspection.

LD 1552 **An Act To Make Technical Changes to Maine's Marine Resources Laws** **PUBLIC 225**

Sponsor(s)	Committee Report	Amendments Adopted
ALLEY R	OTP-AM	H-289

This bill does the following.

1. It provides that members of the Aquaculture Advisory Council are eligible for reimbursement for travel expenses.

2. It changes from 60 to 30 the number of days in a calendar year that constitute a substantial portion of a vessel's business or trade activities for the purposes of establishing the vessel's base of operations under the commercial fishing laws.

3. It eliminates the Sea Run Fisheries and Habitat Advisory Council.

4. It changes the number of members of the Marine Resources Advisory Council from 16 to 15.

5. It removes obsolete references to the former Atlantic Salmon Commission.

6. It clarifies that an individual who has had that individual's lobster fishing license or right to obtain a lobster fishing license suspended in this State or in another state is not eligible for a nonresident lobster and crab landing permit.

Committee Amendment "A" (H-289)

This amendment clarifies that a person who holds a current lobster and crab fishing license does not need to obtain a commercial green crab only license to fish for or take green crabs or possess, ship, transport or sell green crabs. This amendment also exempts a person from commercial green crab licensing requirements if that person is fishing for, taking, possessing or transporting green crabs for personal use and the green crabs are taken by hand or by speargun, harpoon, minnow trap, hand dip net or hook and line.

Enacted Law Summary

Public Law 2019, chapter 225 does the following.

1. It provides that members of the Aquaculture Advisory Council are eligible for reimbursement for travel expenses.

2. It changes from 60 to 30 the number of days in a calendar year that constitute a substantial portion of a vessel's business or trade activities for the purposes of establishing the vessel's base of operations under the commercial fishing laws.

3. It eliminates the Sea Run Fisheries and Habitat Advisory Council.

4. It changes the number of members of the Marine Resources Advisory Council from 16 to 15.

5. It removes obsolete references to the former Atlantic Salmon Commission.

6. It clarifies that an individual who has had that individual's lobster fishing license or right to obtain a lobster

fishing license suspended in this State or in another state is not eligible for a nonresident lobster and crab landing permit.

7. It clarifies that a person who holds a current lobster and crab fishing license does not need to obtain a commercial green crab only license to fish for or take green crabs or possess, ship, transport or sell green crabs.

8. It exempts a person from commercial green crab licensing requirements if that person is fishing for, taking, possessing or transporting green crabs for personal use and the green crabs are taken by hand or by speargun, harpoon, minnow trap, hand dip net or hook and line.

LD 1725 **An Act To Create a Minimum Age To Hold a Limited-purpose Aquaculture License** **PUBLIC 232 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E	OTP-AM	S-163

This bill sets the minimum age to hold a limited-purpose aquaculture license at 12 years of age.

Committee Amendment "A" (S-163)

This amendment adds an emergency preamble and emergency clause to the bill in order to avoid an influx of applications for limited-purpose aquaculture licenses by individuals who are under 12 years of age.

Enacted Law Summary

Public Law 2019, chapter 232 sets the minimum age to hold a limited-purpose aquaculture license at 12 years of age.

Public Law 2019, chapter 232 was enacted as an emergency measure effective June 7, 2019.

LD 1729 **An Act To Create a Carrier License for Pelagic and Anadromous Fish** **PUBLIC 332**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B	OTP-AM	H-457

This bill creates a new license to allow individuals to possess or transport pelagic or anadromous fish that they did not take.

Committee Amendment "A" (H-457)

This amendment specifies that fees collected for a carrier license are a source of revenue for the Pelagic and Anadromous Fisheries Fund. It specifies that Atlantic herring and Atlantic menhaden are the only species that a person may possess or transport under a carrier license without having taken the fish. Lastly, it makes the legislation effective January 1, 2020.

Enacted Law Summary

Public Law 2019, chapter 332 creates a carrier license to allow individuals to possess or transport pelagic or anadromous fish that they did not take. It specifies that Atlantic herring and Atlantic menhaden are the only species that a person may possess or transport under a carrier license without having taken the fish. It specifies that that fees collected for a carrier license are a source of revenue for the Pelagic and Anadromous Fisheries Fund. It specifies that Atlantic herring and Atlantic menhaden are the only species that a person may possess or transport under a

carrier license without having taken the fish.

This legislation becomes effective January 1, 2020.

LD 1732 An Act To Eliminate the Scallop Drag Size Limitation in Blue Hill Bay PUBLIC 230

Sponsor(s)	Committee Report	Amendments Adopted
MCDONALD G	OTP	

This bill eliminates the drag size limitation of eight feet, six inches that is currently in place for Blue Hill Bay.

Enacted Law Summary

Public Law 2019, chapter 230 eliminates the drag size limitation of eight feet, six inches that is currently in place for Blue Hill Bay.

LD 1745 An Act Regarding the Tagging and Sale of Shellfish PUBLIC 334

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J	OTP-AM	H-456

This bill makes changes to the laws governing shellfish sales and handling to ensure compliance with the National Shellfish Sanitation Program in the protection of public health and to create additional flexibility in shellfish sales.

This bill:

1. Requires a person who holds an aquaculture license to tag that person's shellfish in accordance with Department of Marine Resources rules;

2. Expands the buying station permit to include other species of shellfish besides soft-shelled clams, including mussels, quahogs and oysters;

3. Allows aquaculture license holders to sell shellfish to an enhanced retail certificate holder in addition to a wholesale seafood license holder;

4. Requires a person who holds a land-based aquaculture license to acquire an aquaculture license to sell shellfish from the person's land-based aquaculture facility; and

5. Clarifies that a shellfish sanitation certificate issued by a jurisdiction recognized by the Interstate Shellfish Sanitation Conference allows a person to process, buy, sell, ship, transport or shuck shellfish or whole scallops.

Committee Amendment "A" (H-456)

This amendment specifies that a shellfish sanitation certificate includes one issued by the relevant regulatory authority recognized by the United States Department of Health and Human Services, Food and Drug Administration and posted on the administration's interstate certified shellfish shippers list.

Enacted Law Summary

Public Law 2019, chapter 334 makes changes to the laws governing shellfish sales and handling to ensure

compliance with the National Shellfish Sanitation Program in the protection of public health and to create additional flexibility in shellfish sales. This law:

1. Requires a person who holds an aquaculture license to tag that person's shellfish in accordance with Department of Marine Resources rules;

2. Expands the buying station permit to include other species of shellfish besides soft-shelled clams, including mussels, quahogs and oysters;

3. Allows aquaculture license holders to sell shellfish to an enhanced retail certificate holder in addition to a wholesale seafood license holder;

4. Requires a person who holds a land-based aquaculture license to acquire an aquaculture license to sell shellfish from the person's land-based aquaculture facility; and

5. Clarifies that a shellfish sanitation certificate issued by by the relevant regulatory authority recognized by the United States Department of Health and Human Services, Food and Drug Administration and posted on the administration's interstate certified shellfish shippers list allows a person to process, buy, sell, ship, transport or shuck shellfish or whole scallops.

LD 1763 **An Act To Transfer Responsibility for Licensing of Land-based Aquaculture from the Department of Agriculture, Conservation and Forestry to the Department of Marine Resources** **PUBLIC 310 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E	OTP	

This bill transfers authority for the licensing of land-based aquaculture from the Department of Agriculture, Conservation and Forestry to the Department of Marine Resources.

Enacted Law Summary

Public Law 2019, chapter 310 transfers authority for the licensing of land-based aquaculture from the Department of Agriculture, Conservation and Forestry to the Department of Marine Resources.

Public Law 2019, chapter 310 was enacted as an emergency measure effective June 17, 2019.

Joint Standing Committee on Marine Resources

SUBJECT INDEX

Acquaculture

Enacted

LD 1148	**An Act Regarding the Costs Incurred by Municipalities in the Administration of Aquaculture Lease and License Applications**	**PUBLIC 112**
LD 1725	**An Act To Create a Minimum Age To Hold a Limited-purpose Aquaculture License**	**PUBLIC 232 EMERGENCY**
LD 1763	**An Act To Transfer Responsibility for Licensing of Land-based Aquaculture from the Department of Agriculture, Conservation and Forestry to the Department of Marine Resources**	**PUBLIC 310 EMERGENCY**

Not Enacted

LD 1420	**Resolve, To Establish a Task Force To Study the Current Status and Future Sustainability of Aquaculture in the State**	**Majority (ONTP) Report**

Department of Marine Resources

Enacted

LD 1552	**An Act To Make Technical Changes to Maine's Marine Resources Laws**	**PUBLIC 225**

Not Enacted

LD 914	**An Act To Enhance the Recruitment and Retention of Marine Patrol Sergeants**	**ONTP**

Finfish, Elvers and Herring

Enacted

LD 1514	**An Act To Improve Enforcement in the Elver Fishery**	**PUBLIC 163**
LD 1729	**An Act To Create a Carrier License for Pelagic and Anadromous Fish**	**PUBLIC 332**

Not Enacted

LD 1130	**An Act To Promote Equity in the Elver Aquaculture Quota**	**Majority (ONTP) Report**
LD 1241	**An Act To Improve Survival Rates of Salmon and Other Migratory Fish Transitioning from Freshwater to Saltwater Environments**	**ONTP**

Intertidal Activities

Not Enacted

LD 290	**An Act To Prohibit Motor Vehicle Use in the Intertidal Zone**	**ONTP**
LD 962	**An Act To Protect Shellfish in the Intertidal Zone by Including within the Definition of "Fish" the Taking of Spat and Seed**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1285	**An Act To Establish Criteria for a Permit To Conduct Research in the Intertidal Zone**	**ONTP**

Lobsters and Crabs

Enacted

LD 340	**An Act To Clarify the Temporary Medical Allowance Relating to Lobster and Crab Fishing Licenses**	**PUBLIC 68**
LD 618	**Resolve, To Temporarily Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy**	**RESOLVE 23 EMERGENCY**
LD 676	**An Act To Allow a Class III Lobster and Crab Fishing License Holder To Engage More Crew Members**	**PUBLIC 259**
LD 956	**An Act To Allow Student License Holders in the Monhegan Lobster Conservation Area To Fish for or Take Lobsters during a Closed Season**	**PUBLIC 210 EMERGENCY**

Not Enacted

LD 28	**An Act Regarding Access to Lobster Licenses**	**CARRIED OVER**
LD 174	**An Act To Promote Youth Participation in the Maine Lobster Fishery**	**ONTP**
LD 314	**An Act To Simplify Apprenticeship Requirements for Student and Apprentice Lobster and Crab Fishing License Holders**	**Majority (ONTP) Report**

LD 675	**An Act To Provide Equity in the Lobster Promotion License Surcharge**	**ONTP**
LD 941	**An Act To Further Define the Monhegan Lobster Conservation Area**	**ONTP**

Marine Environment

Not Enacted

LD 936	**Resolve, Establishing a Commission To Study the Existing and Potential Effects of Freshwater and Marine Debris on Maine's Freshwater and Coastal Habitats and Species**	**CARRIED OVER**
LD 1284	**An Act To Create the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species**	**ONTP**
LD 1286	**An Act To Allow the Deposition of Oyster Shell Cultch To Ameliorate Ocean and Coastal Acidification**	**ONTP**

Scallops

Enacted

LD 1059	**An Act To Authorize the Establishment of an Apprentice License for the Maine Scallop Fishery**	**PUBLIC 107**
LD 1732	**An Act To Eliminate the Scallop Drag Size Limitation in Blue Hill Bay**	**PUBLIC 230**

Shellfish

Enacted

LD 960	**An Act To Allow Municipalities with Municipal Shellfish Conservation Ordinances To Establish Minimum and Maximum Size Limits for Shellfish That Are at Least as Strict as Those Limits Established by the State**	**PUBLIC 144**
LD 1745	**An Act Regarding the Tagging and Sale of Shellfish**	**PUBLIC 334**

Not Enacted

LD 629	**An Act To Ensure a Seat on the Shellfish Advisory Council Is Held by a Person with a Background and Credentials in a Field of Marine Science**	**ONTP**
LD 1419	**An Act To Improve Commercial Production of Shellfish by Allowing Municipalities To Establish Active Municipal Shellfish Management Areas**	**ONTP**

Shellfish Research

Enacted

LD 4	**An Act To Encourage Applied Shellfish Research**	**ONTP**
LD 961	**An Act To Create the Shellfish Research Fund**	**CARRIED OVER**

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

August 2019

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LD 42 **An Act To Provide for Nonpartisan Elections for the Office of District Attorney** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill requires that a district attorney be elected on a nonpartisan ballot and that a vacancy in the office be filled without regard to political affiliation. A candidate for district attorney must file by nomination petition and may not include party affiliation. The candidate is not required to unenroll from a party.

LD 53 **An Act To Clarify Local Referendum Ballots** **PUBLIC 58**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN H	OTP-AM	S-41

This bill requires municipalities, for all initiative and referendum questions listed on election ballots, use sequential capital letters of the alphabet and not sequential numbers as required by Maine Revised Statutes, Title 21-A, section 906, subsection 7.

Committee Amendment "A" (S-41)

This amendment allows, but does not require, municipal officers to use sequential capital letters for municipal initiative and referendum questions. This amendment clarifies that Maine Revised Statutes, Title 21-A, section 906, subsection 7, is applicable to municipal initiative and referendum questions except for the sequential numbering requirement.

Enacted Law Summary

Public Law 2019, chapter 58 permits municipalities to use sequential capital letters instead of sequential numbering for municipal initiative and referendum questions.

LD 58 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Extend the Terms of Legislators to 4 Years** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C	ONTP	
CHENETTE J	OTP-AM	

This resolution proposes to amend the Constitution of Maine to increase the length of the terms of State Senators and members of the House of Representatives from 2 years to 4 years beginning in 2022.

Committee Amendment "A" (H-419)

This amendment is the minority report of the committee. It increases the term of office for Representatives and Senators to include two 4-year terms and one 2-year term within 10-year cycles starting with the general election in 2022. To stagger terms within the 10-year cycle, the House and Senate districts are divided as equally as possible into 3 groups with terms as follows: the first group follows a cycle of one 4-year term followed by one 2-year term followed by one 4-year term; the second group follows a cycle of one 2-year term followed by two 4-year terms; and the third group follows a cycle of two 4-year terms followed by one 2-year term.

This amendment was not adopted.

LD 59 **An Act To Permit Plantations To Fill Vacancies of Town Officials** **PUBLIC 18 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN M	OTP-AM	H-8

This bill establishes a procedure for a plantation to recall an elected official due to neglect of duty or misconduct.

Committee Amendment "A" (H-8)

This amendment strikes the bill except for the emergency preamble and clause. This amendment applies town law to plantations with respect to filling a vacancy in the office of a plantation official.

Enacted Law Summary

Public Law 2019, chapter 18 applies town law to plantations with respect to filling a vacancy in a plantation office.

Public Law 2019, chapter 18 was enacted as an emergency measure effective April 5, 2019.

LD 90 **An Act To Amend the Law Governing the Membership of the Town of York Planning Board and the Town of York Appeals Board** **P & S 3 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L LAWRENCE M	OTP-AM	H-36

This bill removes the requirement that at least one member of the Town of York Planning Board and the Town of York Appeals Board be a resident of the York Beach geographical area.

Committee Amendment "A" (H-36)

This amendment adds an emergency preamble and clause to the bill.

Enacted Law Summary

Private and Special Law 2019, chapter 3 repeals the section of law that requires one member of the Town of York Planning Board and one member of the Town of York Appeals Board be a resident of the York Beach geographical area.

Private and Special Law 2019, chapter 3 was enacted as an emergency measure effective April 11, 2019.

LD 144 **An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KESSLER C GUERIN S	ONTP	

This bill creates an exemption to federal law regarding the observation of so-called Eastern Daylight Saving Time. It requires the Secretary of State request the United States Secretary of Transportation place the State in the Atlantic Time Zone.

LD 170 **An Act To Prohibit Questions Regarding Criminal History on Certain State Employment Applications** **PUBLIC 22**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B BELLOWS S	OTP	

This bill prohibits the State from including criminal history questions on employment application forms except when, due to the nature and requirements of the position, a person with a criminal history may be disqualified from eligibility. This bill applies to state employment with the legislative, executive and judicial branches of State Government and positions with quasi-independent state entities or public instrumentalities of the State. It does not apply to positions in school administrative units, municipalities, counties or other political subdivisions of the State.

Enacted Law Summary

Public Law 2019, chapter 22 prohibits the State from including criminal history questions on employment application forms except when, due to the nature and requirements of the position, a person with a criminal history may be disqualified from eligibility. It applies to state employment with the legislative, executive and judicial branches of State Government and positions with quasi-independent state entities or public instrumentalities of the State. It does not apply to positions in school administrative units, municipalities, counties or other political subdivisions of the State.

LD 179 **An Act To Change the Name of Columbus Day to Indigenous Peoples Day** **PUBLIC 59**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B CARPENTER M	OTP ONTP	

This bill changes the Columbus Day holiday in the State to Indigenous Peoples Day.

Enacted Law Summary

Public Law 2019, chapter 59 changes the Columbus Day holiday to the Indigenous Peoples Day holiday.

LD 209 **An Act To Prohibit Municipalities from Prohibiting Short-term Rentals** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
STROM S CYRWAY S	ONTP OTP-AM	

This bill prevents municipalities from prohibiting or restricting the use of short-term rentals except for narrowly tailored regulations to protect public health and safety.

Committee Amendment "A" (H-28)

This amendment is the minority report of the committee. It prevents municipalities from prohibiting short-term rentals. It removes the 4-person limit in the definition of "short-term rental".

This amendment was not adopted.

LD 226 **An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill requires general contractors who bid on public improvement projects with a value over $100,000 to use preapproved subcontractors for certain components of the project. It requires the Director of the Bureau of General Services to establish a process to solicit, accept and evaluate bids from subcontractors to be preapproved for future capital improvement contracts.

LD 257 **An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine** **PUBLIC 136**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	OTP-AM	S-76
EVANGELOS J	OTP	

This bill amends the chapter of the Maine Revised Statutes concerning interbranch communication and coordination to prohibit the Governor from limiting access to department commissioners and other executive branch personnel when the Legislature is seeking information necessary for the Legislature to do the work of the people of Maine.

Committee Amendment "A" (S-76)

This amendment is the majority report of the committee. It replaces the bill with several legislative findings emphasizing the Constitutional and historical basis for active participation of the executive branch in the legislative process to ensure informed and effective legislation.

Enacted Law Summary

Public Law 2019, chapter 136 enacts legislative findings emphasizing the Constitutional and historical basis for active participation of the executive branch in the legislative process to ensure informed and effective legislation.

LD 285 **An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act** **PUBLIC 29**

Sponsor(s)	Committee Report	Amendments Adopted
ZEIGLER S	OTP	
HERBIG E	ONTP	

This bill repeals the provision of law that exempts from legislative review major substantive rules adopted to comply with federal law or to qualify for federal funds.

Enacted Law Summary

Public Law 2019, chapter 29 repeals the provision of law that exempts from legislative review major substantive rules adopted to comply with federal law or to qualify for federal funds.

LD 301 **An Act To Help Older Adults Age in Place through Comprehensive Planning** **PUBLIC 38**

Sponsor(s)	Committee Report	Amendments Adopted
BABBIDGE C CLAXTON N	OTP-AM	H-31

This bill encourages municipalities to develop growth management policies and plans that assist older adults with aging in place and that create age-friendly communities.

Committee Amendment "A" (H-31)

This amendment revises the definition of "age-friendly community" to clarify that it refers to older adults and not to other age groups.

Enacted Law Summary

Public Law 2019, chapter 38 encourages municipalities to adopt comprehensive land use and growth management policies that plan for the needs of older adults in their community including assisting older adults with aging in place.

LD 370 **An Act To Facilitate State Employee Service in the Legislature** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M MARTIN D	ONTP	

This bill allows a State officer or employee in classified and unclassified service to campaign for and serve in a partisan elective office in the Legislature if the officer or employee first resigns or requests and takes a leave of absence from the classified or unclassified service. The officer or employee may be granted unpaid leave while serving in the Legislature under the same provision of law that allows employees in general to be granted a leave of absence from their employment during their service in the Legislature.

LD 390 **An Act To Amend the Laws Governing Dangerous Buildings** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JOHANSEN C		

This bill allows a municipality or county seeking an order of demolition of a dangerous building to seek a writ of attachment of the property on which the building is located.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 391 **Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A WOODSOME D	ONTP	

This resolve establishes the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County. The Committee will study and plan the disposition of the three district courthouses in York County to be vacated when the courts are consolidated.

LD 431 **An Act To Make Election Day a State Holiday** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B MIRAMANT D	OTP-AM ONTP	H-188

This bill designates the day of the general election, which is the day of the regular election of state and county officials occurring biennially in November, as a state holiday.

Committee Amendment "A" (H-188)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 453 **An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L WADSWORTH N	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to ensure the integrity and accountability of persons who are elected to public office.

Committee Amendment "A" (S-119)

This amendment is the minority report of the committee. It sets out a process for county commissioners to request that the Governor suspend a county sheriff while considering a complaint to remove the sheriff pursuant to the Constitution of Maine, Article IX, Section 10.

This amendment was not adopted.

LD 456 **An Act To Strengthen the Qualifications for County Sheriffs** **PUBLIC 33**

Sponsor(s)	Committee Report	Amendments Adopted
DESCHAMBAULT S COSTAIN D	OTP-AM	S-13

This bill requires the 5 years of supervisory experience required of candidates for the office of county sheriff be supervisory experience in law enforcement.

Committee Amendment "A" (S-13)

This amendment reduces the required number of years of supervisory experience for county sheriffs from five years to two years and expands the type of supervisory experience required to include corrections.

Enacted Law Summary

Public Law 2019, chapter 33 requires candidates for county sheriff to have at least two years of supervisory experience in law enforcement or corrections, or some combination of both.

LD 481 **An Act To Allow the Expansion of the Types of Newspapers That Qualify as Legal Notice Publishers by Removing the 2nd Class Postal Matter Requirement** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D MATLACK A	ONTP	

This bill removes from the law governing publication of legal notices, legal advertising and other matter required by law to be published in a newspaper, the requirement that, in order for a newspaper to be qualified as a medium for such publications, it must be entered as second class postal matter in the United States mails.

LD 482 **An Act To Reduce the Participation Thresholds for Various Municipal Referenda and To Change the Measurement of Those Thresholds from Votes Cast for and against the Question to Votes in Favor of the Question** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M DOORE D	ONTP	

This bill changes the voting thresholds required when a municipality votes to:

1. Withdraw from a Regional School Unit;

2. Adopt or revise its charter; and

3. Votes to deorganize.

This bill requires that for a vote to be valid in these situations a certain percentage of votes must be cast in favor of the measure. A vote to withdraw from a Regional School Unit is valid if the number of votes cast in favor of

withdrawal equals or exceed 25% of the total votes cast in the municipality for Governor in the last gubernatorial election. A vote to adopt or revise a charter is valid if the number of votes cast in favor of the proposed change equals or exceeds 15% of the total votes cast in the municipality in the last gubernatorial election. A vote to deorganize is valid if the number of votes cast in favor of deorganization equals or exceeds 1/3 of the total votes cast in the municipality for Governor in the last gubernatorial election.

LD 489 **An Act To Allow Municipalities To Enforce New Noise Ordinances on Existing Shooting Ranges** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J BAILEY D	ONTP	

This bill gives municipalities the authority to adopt noise control or other ordinances for sport shooting ranges if the Commissioner of Public Safety approves the ordinance pursuant to criteria and a process established through rulemaking. Rules adopted by the Commissioner of Public Safety are major substantive.

LD 520 **An Act To Resolve Tie Votes by the Washington County Budget Advisory Committee** **PUBLIC 23 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W	OTP-AM	H-27

This bill provides that in the event of a tie vote on a budget item by the Washington County Budget Advisory Committee, the committee is required to present the item to the Washington County commissioners to decide by majority vote.

Committee Amendment "A" (H-27)

This amendment prevents a tie vote from occurring in the Washington County Budget Adviosry Committee by making the legislative member of the committee a nonvoting member, leaving an odd number of voting members.

Enacted Law Summary

Public Law 2019, chapter 23 makes the legislative delegate of the Washington County Budget Advisory Committee a nonvoting member.

Public Law 2019, chapter 23 was enacted as an emergency measure effective April 11, 2019.

LD 521 **An Act To Amend the Archives and Records Management Law** **PUBLIC 50**

Sponsor(s)	Committee Report	Amendments Adopted
JORGENSEN E DAVIS P	OTP-AM	H-52

This bill makes the following changes to the archives and records management law.

1. It specifies that it is the policy of the State to ensure that nonpermanent records are preserved for the time required by an approved records retention schedule.

2. It includes the advice from the Archives Advisory Board in the State Archivist's consideration of what constitutes an archival record.

3. It changes the definition of "state agency" or "agency" to include all government agencies, including the Legislature and the judicial branch.

4. It changes the definition of "electronic records".

5. It adds language regarding the powers and duties of the State Archivist that was previously stricken.

6. It changes the laws governing the State Archivist to reflect the two organizational units of the Maine State Archives: archives services and records management.

7. It adds language to strengthen the records management practices for all state and local government agencies by using four criteria in the development of a guiding records retention schedule: administrative use, legal requirements, fiscal and audit requirements and historical and research value.

8. It specifies when local government records may be destroyed.

9. It changes the expertise of Archives Advisory Board members, the appointment of the members and the term.

10. It changes the reporting requirement for the Maine Historical Records Advisory Board report from the joint standing committee of the Legislature having jurisdiction over education and cultural affairs to the joint standing committee of the Legislature having jurisdiction over the Maine State Archives.

11. It removes reference to a position that was eliminated in Public Law 2015, chapter 480.

Committee Amendment "A" (H-52)

This amendment removes the judicial branch from the requirements of the Archives and Records Management Law, as in current law.

Enacted Law Summary

Public Law 2019, chapter 50 makes the following changes to the Archives and Records Management Law in Maine Revised Statutes, Title 5, chapter 6.

1. It specifies that it is the policy of the State to ensure that nonpermanent records are preserved for the time required by an approved records retention schedule.

2. It includes the advice from the Archives Advisory Board in the State Archivist's consideration of what constitutes an archival record.

3. It expands the definition of "state agency" or "agency" to include the Legislature.

4. It changes the definition of "electronic records".

5. It adds language regarding powers and duties of the State Archivist that was stricken.

6. It changes the laws governing the State Archivist to reflect the two organizational units of the Maine State Archives: archives services and records management.

7. It adds language to strengthen the records management practices for all state and local government agencies by using four criteria in the development of a guiding records retention schedule: administrative use, legal

requirements, fiscal and audit requirements and historical and research value.

8. It specifies when local government records may be destroyed.

9. It changes the expertise of Archives Advisory Board members, the appointment of the members and the term.

10. It changes the reporting requirement for the Maine Historical Records Advisory Board report from the joint standing committee of the Legislature having jurisdiction over education and culture affairs to the joint standing committee of the Legislature having jurisdiction over the Maine State Archives.

11. It removes reference to a position that was eliminated in Public Law 2015, chapter 480.

LD 554 **An Act To Clarify the Authority To Recall Municipal Officials** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CLAXTON N	ONTP	

This bill repeals the provision in Maine Revised Statute, Title 30-A, section 2505 that limits the recall process for elected municipal officials to cases where the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

LD 563 **An Act To Help Municipalities Prepare for Sea Level Rise** **PUBLIC 153**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	OTP-AM	H-180
BREEN C	ONTP	

This bill amends the State's growth planning and land use laws to reflect that addressing the effects of sea level rise is a state planning and regulatory goal. The bill amends the laws regarding the State's coastal management policies to direct state, local and certain federal agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level. The bill provides that a coastal municipality or multimunicipal region that includes a coastal municipality, if the municipality or region adopts a growth management program under the State's growth planning and land use laws, may include in its comprehensive plan projections regarding sea level changes and the potential effects of the rise in sea level and may develop a coordinated plan for addressing the effects of the rise in sea level. The bill also provides that "coastal municipality" means a municipality or township in the coastal zone as identified by a coastal program administered by the Department of Marine Resources.

Committee Amendment "A" (H-180)

This amendment in the majority report of the committee. It clarifies that a municipality or multimunicipal region that is in the "coastal area" as defined in Maine Revised Statutes, Title 38, section 1802 is subject to the bill. This amendment strikes the language in the bill requiring the state, local and federal agencies responsible for regulating, planning, developing or managing coastal resources conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level.

Enacted Law Summary

Public Law 2019, chapter 153 encourages municipalities and multimunicipal regions to assess and plan for the

effects of sea level rise on buildings, transportation infrastructure, sewage treatment facilities, and other state, regional, municipal, or privately held infrastructure property or resources.

LD 572 **An Act Regarding the State Bird** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
AUSTIN B DIAMOND B	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to specify the black-capped chickadee or the boreal chickadee as the state bird.

LD 585 **An Act To Allow the Adoption of Ordinances Prohibiting the Accumulation of Trash on Private Property in Plantations** **PUBLIC 138**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D VITELLI E	OTP-AM	H-187

This bill grants plantations the power to control junkyards and automobile graveyards in the same manner as municipalities. The bill grants to county commissioners the power to control junkyards and automobile graveyards in unorganized territories in the same manner as municipalities.

Committee Amendment "A" (H-187)

This amendment strikes out the title and everything after the enacting clause. It limits the applicability of the bill to plantations. It removes reference to junkyards and automobile graveyards. It grants plantations the authority to enact ordinances with respect to the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind on private property in the same manner as municipalities.

Enacted Law Summary

Public Law 2019, chapter 138 grants plantations the power to enact ordinances prohibiting the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind on private property in the same manner as municipalities.

LD 592 **Resolve, To Establish a Background Check Consolidation Commission** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D VITELLI E	OTP-AM ONTP	H-35

This resolve establishes the Background Check Consolidation Commission to study consolidating and centralizing criminal background checks mandated by state law as a prerequisite to employment, including background checks for teachers, state workers and persons seeking Maine Guide licenses. It prohibits the commission from studying background checks to obtain firearms.

Committee Amendment "A" (H-35)

This amendment is the majority report of the committee. It removes the emergency preamble and clause. It reduces the number of Senate members on the committee from four to two and increases the number of House members

from three to five. It adds the Commissioner of Administrative and Financial Services, or the commissioner's designee, to the Background Check Consolidation Commission. It moves the report deadline from December 4, 2019 to December 20, 2019.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Study Table by joint order, H.P. 1322.

LD 623 **An Act To Amend the Charter of the City of Brewer High School District** **P & S 6 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
VEROW A LIBBY N	OTP-AM	H-71

This bill amends the charter of the City of Brewer High School District to provide that each trustee of the district receives annual compensation as determined by the city council and to provide that the president, treasurer and clerk receive additional annual compensation as determined by the city council.

Committee Amendment "A" (H-71)

This amendment adds an emergency preamble and clause to ensure the legislation becomes effective prior to the start of the City of Brewer's fiscal year 2019-20. This amendment requires that each City of Brewer High School District trustee receives the same amount of compensation and removes the provision regarding additional compensation for the president, treasurer and clerk.

Enacted Law Summary

Private and Special Law 2019, chapter 6 amends the City of Brewer High School District charter to provide equal compensation to all trustees, beginning in fiscal year 2019-20, in an amount determined by the City of Brewer council.

Private and Special Law 2019, chapter 6 was enacted as an emergency measure effective April 30, 2019.

LD 655 **An Act To Allow Municipalities To Send Separate Tax Bills for Municipal and County and School Taxes** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
ORDWAY L FARRIN B	ONTP OTP	

This bill permits municipalities to issue separate tax bills for taxes attributable to education funding, taxes attributable to county taxes, and all other municipal costs.

LD 687 **Resolve, To Create a Flag To Recognize the Bicentennial of the State** **RESOLVE 22**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J	OTP-AM ONTP	H-72

This bill replaces the current State of Maine flag with Maine's flag from 1909.

Committee Amendment "A" (H-72)

This amendment is the majority report of the committee. It strikes out the title and changes this bill into a resolve directing the Secretary of State to create a bicentennial flag for the State.

Enacted Law Summary

Resolve 2019, chapter 22 directs the Secretary of State to create, within existing resources, a commemorative flag in recognition and celebration of Maine's bicentennial.

LD 696 **An Act To Require Municipalities and School Districts To Provide Notice of Breaches in Personal Data Security** **PUBLIC 512**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S DAUGHTRY M	OTP-AM	S-77 S-364 BREEN C

This bill requires a public employer, if the public employer determines or suspects there has been a breach of confidentiality or theft of an employee's personal information due to cyber activity or other means, to notify the employee within 24 hours of being notified of or discovering the breach or theft and to provide the employee financial counseling.

Committee Amendment "A" (S-77)

This amendment strikes out the title and everything after the enacting clause. It amends the existing Notice of Risk to Personal Data Act in Maine Revised Statutes, Title 10, chapter 210-B to add municipalities and school administrative units to the entities obligated under the Act to provide notice in the event of a data breach. It clarifies that the notice must be given no later than 30 days after the information broker or person maintaining computerized data that includes personal information becomes aware of a security breach. It exempts municipalities and school administrative units from the civil violations provision of the Notice of Risk to Personal Data Act.

Senate Amendment "A" To Committee Amendment "A" (S-364)

This floor amendment clarifies that the 30-day notification requirement applies only if there is not a delay due to a law enforcement investigation.

Enacted Law Summary

Public Law 2019, chapter 512 requires municipalities and school administrative units provide notice in the event of a breach of data security. Notice must be provided no later than 30 days after the information broker or person maintaining the computerized data becomes aware of the breach of security and identifies its scope. Municipalities and school administrative units are one of several entities exempt from the civil penalties applicable for failure to comply with the statute.

LD 730 **An Act To Create the Substance Use Disorders Cabinet** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HYMANSON P GRATWICK G	ONTP	

This bill establishes the Substance Use Disorders Cabinet. The cabinet consists of the commissioners from several executive branch agencies, the Chief Justice of the Supreme Judicial Court and, at the discretion of the Governor, one member of the public. The cabinet is established to promote interdepartmental collaboration on substance use disorders policy development and program implementation and to support service delivery in an integrated manner.

LD 744 **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket** **RESOLVE 76**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S	OTP-AM	H-489

This resolve authorizes the Commissioner of Administrative and Financial Services to lease or sell the state property known as "the Dolby Landfill" located in the Town of East Millinocket.

Committee Amendment "A" (H-489)

This amendment gives the Town of East Millinocket the right of first refusal to purchase the state property at the broker's opinion of value. It clarifies that the State does not own the timber rights to the property and removes the lease option.

Enacted Law Summary

Resolve 2019, chapter 76 permits the Commissioner of the Department of Administrative and Financial Services to sell all or part of the property located in the Town of East Millinocket conveyed to the State by Katahdin Paper Company LLC on September 28, 2011 and recorded in the Penobscot County Registry of Deeds, Book 12608, Page 97-104. It gives the Town of East Millinocket the right of first refusal to purchase the state property at the broker opinion of value. Any proceeds from the sale must be deposited into the Department's Bureau of General Services' capital repair and improvement account for capital improvements. The resolve is repealed 5 years from its effective date.

LD 746 **An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments** **PUBLIC 140**

Sponsor(s)	Committee Report	Amendments Adopted
JORGENSEN E LIBBY N	OTP	

This bill repeals the 30-year limit on the duration of a development district created by a municipality or plantation and funded by assessments. Development districts that are a tax increment financing district remain subject to the 30-year limitation.

Enacted Law Summary

Public Law 2019, chapter 140 permits a development district established by a municipality or plantation and funded by assessments to be of unlimited duration unless a limitation on duration is established by the legislative body of the municipality or plantation adopting the development district.

LD 749 **An Act To Increase the Transparency of the "Maine Open Checkbook" Website** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HARRINGTON M	ONTP	

This bill requires the State Controller to maintain a publicly accessible website with up-to-date information concerning the State's payroll and vendor information. This bill requires the website to include the names of all recipients of state grants, track and record all payments made by quasi-public entities of the State, and include the dollar value of credits awarded through all state economic development programs.

LD 806 **An Act To Clarify the Definition of "Ancient Burying Ground"** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D NADEAU C	ONTP	

This bill defines an ancient burying grounds to include private cemeteries established pursuant to Public Law 1829, chapter 420 and Public Law 1839, chapter 392 and family burying grounds established before 1880. It permits the existence of an ancient burying ground be established through family papers, records of registers of deeds or municipal records, but provides that the lack of such documentation, or of apparent marked boundaries, does not negate the existence of, or a place's status as, an ancient burying ground.

LD 825 **An Act To Change the Harassment Prevention Training Required for Legislators, Legislative Staff and Lobbyists** **PUBLIC 41**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R BLACK R	OTP-AM	H-30

This bill expands the scope of harassment prevention training required for Legislators, legislative staff and lobbyists to include racial harassment.

Committee Amendment "A" (H-30)

This amendment clarifies that sexual and racial harassment are some, but not all of the types of harassment about which Legislators, legislative staff and lobbyists must be trained.

Enacted Law Summary

Public Law 2019, chapter 41 requires Legislators, legislative staff and lobbyists receive training on harassment, including but not limited to, sexual and racial harassment.

LD 848 **An Act Concerning Disclosure Requirements for Transfers of Properties Accessed by Means Other Than a Public Way** **PUBLIC 142**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D JACKSON T	OTP	

This bill conforms the disclosure requirements for transfers of residential and nonresidential properties that are accessed by means other than a public way.

Enacted Law Summary

Public Law 2019, chapter 142 requires the seller of nonresidential real property to provide the purchaser with a disclosure statement containing information describing the means of access to the property by a public way and any other means of access.

LD 867 **An Act To Require Public Health Impact Statements for Certain Legislation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V	ONTP	

This bill requires the Department of Health and Human Services, when requested by the chairs of a joint standing committee of the Legislature, to prepare and provide a public health impact statement for any work session scheduled before the requesting committee. The public health impact statement must include potential positive and negative public health effects of the legislation, considerations necessary for the decision-making process regarding the legislation and practical recommendations to increase the positive health effects and minimize the negative health effects of the legislation.

LD 885 **An Act To Adopt Eastern Daylight Time Year-round** **PUBLIC 268**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM	H-307

This bill requires the State to observe so-called eastern daylight saving time year-round if the United States Congress authorizes states to do so.

Committee Amendment "A" (H-307)

This amendment changes Maine's standard time to what is commonly known as eastern daylight time on a year-round basis when federal law permits the District of Columbia and all states within the eastern time zone to observe eastern daylight time year-round and the District of Columbia and all the eastern time zone states do so. This amendment requires the Secretary of State to monitor legislative activity by the United States Congress, the District of Columbia and all the eastern time zone states regarding year-round eastern daylight time and provide public notice when each of the conditions is met. The amendment specifies the start date of year-round eastern daylight time and requires the Secretary of State to provide public notice of the effective date.

Enacted Law Summary

Public Law 2019, chapter 268 sets Maine's standard time, year-round, to what is commonly known as eastern daylight time. Year-round eastern daylight time goes into effect when federal law permits the District of Columbia and all states within the eastern time zone to observe eastern daylight time year-round and the District of Columbia and all the eastern time zone states do so. The Secretary of State must monitor legislative activity by the United States Congress, the District of Columbia and all the eastern time zone states and provide public notice when each of the conditions is met. Year round eastern daylight time is effective immediately upon the fulfillment of both conditions if the State is observing eastern daylight time on the date both conditions are met. Year-round eastern daylight time is effective on the next start date of eastern daylight time after both conditions are met if the State is

not observing eastern daylight time on the date both of the conditions are met.

LD 928 **An Act To Create a Process To Preempt the Implementation of Powers Delegated by the Legislature** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a process to allow the Legislature to preempt the implementation of powers delegated by the Legislature.

LD 933 **Resolve, Authorizing Certain Persons To Sue the Town of Kittery** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
RYKERSON D LAWRENCE M		

This resolve authorizes persons who claim to have suffered damages arising from the Kittery Community Center transport van accident on Interstate 95 in Greenland, New Hampshire on August 10, 2018 to sue the Town of Kittery for damages resulting from the accident and waives the statutory limitations on damage recovery.

LD 940 **An Act To Increase the Number of Franklin County Commissioners** **PUBLIC 362**

Sponsor(s)	Committee Report	Amendments Adopted
RILEY T BLACK R	OTP-AM	H-488 S-266 CLAXTON N

This bill increases the number of Franklin County commissioner districts from three to five beginning with the election to be held November 3, 2020. This bill sets out the geographic boundaries of the five districts.

Committee Amendment "A" (H-488)

This amendment strikes out everything after the enacting clause. This amendment increases the number of commissioner districts in Franklin County from three to five beginning with the first election held after the 2021 redistricting provided the increase is approved by a majority of the legal voters in Franklin County by referendum ballot at the next general election held in November, 2020. This amendment requires the next redistricting to follow as closely as practicable, the geographic description of each district as set forth in the bill. This amendment provides that the term of office for the three county commissioners elected in 2020 expires in 2022. This amendment changes the staggered terms of the five districts so that the initial term for the county commissioners elected for Districts One, Two and Three, is two years followed by four-year terms. The commissioners elected for Districts Four and Five have a four-year.

Senate Amendment "A" To Committee Amendment "A" (S-266)

This amendment makes a technical correction to reflect that the current term of the commissioner for Commissioner District Three does not expire until 2022.

Enacted Law Summary

Public Law 2019, chapter 362 increases the number of county commissioner districts in Franklin County from three to five effective at the first election held after the 2021 redistricting provided the majority of legal voters in Franklin County vote in favor of the increase by referendum ballot held at the next general election in November 2020. It requires the next redistricting to follow as closely as practible, the geographic description of each district as set forth in the bill. The term of office for the five commissioners is four years with staggered terms. The commissioners elected to Districts One, Two and Three in 2022 serve an initial two-year term. The commissioners elected to Districts Four and Five in 2022 serve four year terms from the start.

LD 948 **An Act To Restrict Ordinances That Affect the Posting of Property for Municipal and Private Land** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P KEIM L	ONTP	

This bill provides that a municipality or political subdivision of the State may not enact an ordinance, law or rule regulating the posting of property by marking with signs or paint that is different from the provisions in state law regulating the posting of property by marking with signs or paint.

LD 953 **An Act To Enact a Vehicle Use Ordinance for Monhegan Plantation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact an ordinance for Monhegan Plantation related to vehicle use in Monhegan Plantation; due to its status as a plantation, Monhegan Plantation is restricted under current law in its ability to enact such ordinances.

LD 970 **An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements** **PUBLIC 145**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL D DIAMOND B	OTP-AM	H-179

This bill directs municipalities to develop policies in the comprehensive planning process that provide for accessory dwelling units, which are dwelling units located within a detached single-family dwelling unit.

Committee Amendment "A" (H-179)

This amendment expands the definition of "accessory dwelling unit" to include a dwelling unit attached to or detached from another single-dwelling unit. It clarifies that municipalities are encouraged, but not required, to develop policies during the comprehensive planning process that provide for accessory dwelling units. This amendment reorganizes the Maine Revised Statutes, Title 30-A, section 4236, subsection 3-A, paragraph G for ease of understanding.

Enacted Law Summary

Public Law 2019, chapter 145 encourages municipalities to develop policies that provide for accessory dwelling units which are defined as self-contained dwelling units located within, attached to or detached from a single-family

dwelling unit on the same parcel of land.

LD 1004 **Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees** **RESOLVE 37**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY S	OTP-AM	H-181

This bill requires that by 2030 at least 30% of state employees must be teleworking. Telework is defined as a flexible work arrangement under which an employee performs the duties and responsibilities of the employee's position from a location other than the office or location provided by the employer. The bill requires the Department of Administrative and Financial Services to annually report the State's progress toward this goal the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Committee Amendment "A" (H-181)

This amendment changes the bill into a resolve directing the Department of Administrative and Financial Services to conduct a study of the costs and benefits of telework for the executive branch and its employees. The Department must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020.

Enacted Law Summary

Resolve 2019, chapter 37 requires the Department of Administrative and Financial Services to conduct a study of the costs and benefits of telework for the executive branch and its employees. The Department must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020. The Joint Standing Committee may introduce legislation tothe 1st Regular Session of the 130th legislature.

LD 1011 **An Act To Clarify Filing Requirements for Proposed Rules** **PUBLIC 146**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT R PIERCE T	OTP-AM	S-73

This bill clarifies that when an agency provides notice to the Legislature of a proposed rule or the adoption of an emergency rule, it must identify whether the proposed rule or adopted emergency rule is a routine technical rule or a major substantive rule.

Committee Amendment "A" (S-73)

This amendment adds the requirement that the public notice for proposed and adopted rulemaking identify whether the rule is routine technical or major substantive as those terms are defined in Maine Revised Statutes, Title 5, section 8071, subsection 2.

Enacted Law Summary

Public Law 2019, chapter 146 requires the public notice and notice to the Legislature of any proposed or adopted rulemaking indicate whether the rule is routine technical or major substantive as those terms are defined in Maine Revised Statutes, Title 5, section 8071.

LD 1054 **An Act To Clarify the Use of Burying Grounds and Family Burying Grounds** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	ONTP OTP	

This bill clarifies the law relating to burying grounds not larger than 1/2 of an acre and family burying grounds not larger than 1/4 of an acre. The description of both types of burying grounds must be recorded in the appropriate registry of deeds. Both are exempt from minimum lot size, and road frontage or other dimensional requirements of any land use regulation or ordinance. The appropriation of either does not create a lot or lots for purposes of subdivision regulation. Burying grounds not larger than 1/2 of an acre are exempt from attached and execution, and are indivisible by the owners without the consent of all the owners. The easement retained by the descendants of any person interned in a family burying ground may be used at reasonable hours using a reasonably convenient route established in a conveyance of the surrounding property, in a direct route from the public way nearest the burying ground, or by another route of equal convenience designated by the owner of the property surrounding the family burying ground.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1065 **An Act To Expand Health Insurance Coverage To Certain State Employees** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN C SANBORN H	OTP-AM ONTP	H-292

This bill requires the State to pay its share of the employee health insurance plan premium for seasonal or session-only employees regardless of whether the employee is in active work status, except when the seasonal or session-only employee has health coverage under another plan.

Committee Amendment "A" (H-292)

This amendment is the majority report of the committee. It requires the State Budget Officer to calculate the increased cost to state departments and agencies due to the requirements of the bill and to transfer the required amounts by financial order. This amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1066 **An Act To Address Municipal Conflicts of Interest** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H LIBBY N	ONTP	

This bill prohibits a municipal treasurer, tax collector or town officer performing the duties of either, from simultaneously acting as the municipality's code enforcement officer. The bill requires the town manager to

implement a training program for municipal officers and employees on the ethical standards applicable to and the performance risks associated with hiring professional consultants. The bill prohibits a person contracted to provide professional services to a municipality from having a direct or indirect pecuniary interest in the business of the municipality.

LD 1086 **An Act To Promote the Goals of the Low-emission Vehicle Program by Requiring That New Vehicle Purchases for the State Fleet Be Composed of a Minimum Percentage of Zero-emission Vehicles** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FOLEY R TUCKER R	ONTP	

This bill promotes the goals of the State's low-emission vehicle program by requiring the Department of Administrative and Financial Services, Bureau of General Services, Central Fleet Management Division to purchase a certain percentage of zero-emission vehicles each year. Starting in fiscal year 2020-21, zero-emission vehicles must equal 15% of all purchases. The requirement is increased each year by 5% until fiscal year 2027-28 when 50% of the state fleet vehicles purchases must be zero-emission vehicles. Zero-emission vehicles include battery electric vehicles, plug-in hybrid electric vehicles and fuel cell vehicles.

LD 1102 **An Act To Remove a Reference to Constables in the Law Governing Execution of Process** **PUBLIC 147**

Sponsor(s)	Committee Report	Amendments Adopted
STETKIS J	OTP	

This bill removes constables from the list of persons allowed to execute legal process at the direction of county commissioners.

Enacted Law Summary

Public Law 2019, chapter 147 removes constables from the list of persons allowed to execute legal process at the direction of county commissioners.

LD 1128 **An Act To Clarify Statutes Related to Establishing a Municipal Charter Commission** **PUBLIC 149**

Sponsor(s)	Committee Report	Amendments Adopted
CLAXTON N	OTP	

This bill differentiates the language used for a petition to establish a charter commission for purposes of creating a new municipal charter from the language used for a petition to establish a charter commission to revise an existing charter.

Enacted Law Summary

Public Law 2019, chapter 149 differentiates the language used for a petition to establish a charter commission for purposes of creating a new municipal charter from the language used for a petition to establish a charter commission to revise an existing charter.

LD 1151 **An Act To Ensure Consistency in Commercial Real Estate Law by Restoring Due Diligence Responsibility to the Buyer** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN J	ONTP	
JACKSON T	OTP	

This bill repeals the requirement that a seller of nonresidential real estate provide the purchaser a property disclosure statement that includes information about any abandoned or discontinued roads, public easements or private roads on or abutting the property, if known by the seller, and who is responsible for maintenance of such roads or easements, including any responsible road association, if known by the seller.

LD 1176 **An Act Regarding Caretakers of Ancient Burying Grounds and Access to Ancient Burying Grounds** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	ONTP	
MCCREIGHT J		

This bill allows a descendant of an individual buried in an ancient burying ground to designate a caretaker if the municipality is unable to care for the burying ground or does not designate a caretaker. This bill clarifies that if the person who owns a parcel of land that contains an ancient burying ground denies access to the municipality the designated caretaker that person shall assume responsibilities for the maintenance duties.

LD 1209 **An Act To Require Legislative Hearings on Citizen-initiated Legislation** **PUBLIC 152**

Sponsor(s)	Committee Report	Amendments Adopted
BRADSTREET D	OTP-AM	H-204

This bill requires a public hearing be held before a joint standing committee of the Legislature or a special legislative committee established by the Legislative Council for a petition for the direct initiative of legislation. The public hearing must be conducted in the same manner as other public hearings.

Committee Amendment "A" (H-204)

This amendment permits the Legislature to waive the public hearing requirement by a 2/3 vote of those present in each House of the Legislature.

Enacted Law Summary

Public Law 2019, chapter 152 requires the Legislature hold a public hearing on a petition for direct initiative submitted in accordance with the Constitution of Maine, Article IV, Part Third, Section 18. The public hearing must be conducted in the same manner as other public hearings and must be held by the joint standing committee of the Legislature having jurisdiction over the subject matter of the direct initiative or by a special legislative committee established for that purpose by the Legislative Council. The public hearing requirement may be waived by a 2/3 vote of the members present in each House of the Legislature.

LD 1280 **An Act To Establish the Maine Buy American and Build Maine Act** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MARTIN D		

This bill establishes the Maine Buy American and Build Maine Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work made by a state agency, board, commission or institution contain a provision that the manufactured goods, including iron, cement and steel, used or supplied in the performance of the contract or any subcontract to the contract must be manufactured in the United States. This requirement does not apply to counties, municipalities or school administrative units.

This bill requires that, in the case of a manufactured good other than an iron, cement or steel product, all of the manufacturing processes take place in the United States and the origin of the manufactured good's components or subcomponents meet a minimum level of domestic content as established by rule.

Under the Act, a public agency may apply to the Governor or the Governor's designee for a waiver of the requirement if the executive head of the public agency finds that the application of the requirement would be inconsistent with the public interest, that the necessary manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or that inclusion of manufactured goods made in the United States will increase the cost of the overall project contract by an unreasonable amount. The Department of Administrative and Financial Services is directed to develop rules to implement the Act.

This bill requires that, if the department has reason to believe that any person, business or other entity has intentionally made fraudulent representations about the domestic content of a manufactured good or has intentionally violated any provision of the Act, the department must, after a hearing, debar that person, business or other entity from contracts or subcontracts with the State for 2 years.

This bill provides that the provisions of this legislation must be applied in a manner consistent with the State's obligations under any applicable international agreements pertaining to government procurement.

This bill also requires that, in the award of a bid for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work or for services to be provided to or on behalf of the State, if two or more bids are submitted that are substantially similar, preference must be given to the bid submitted by an in-state contractor, which includes a business at which at least 60% of the employees are residents of Maine. If the bid submitted by an in-state contractor is higher than the lowest bid submitted by a contractor that is not an in-state contractor, the in-state contractor must be given the opportunity to match the lowest bid submitted.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 3122.

LD 1300 **Resolve, To Transfer the Guilford Butler School Property to the Town of South Thomaston** **RESOLVE 91 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MATLACK A MIRAMANT D	OTP-AM	H-264

This resolve authorizes the State, by and through the Commissioner of the Department of Administrative and Financial Services, to convey its interests in the state property known as the Guilford Butler School property in South Thomaston to the Town of South Thomaston.

Committee Amendment "A" (H-264)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2019, chapter 91 authorizes the State, by and through the Commissioner of the Department of Administrative and Financial Services, to convey its interests in the state property known as the Guilford Butler School property located in South Thomaston to the Town of South Thomaston.

Resolve 2019, chapter 91 was finally passed as an emergency measure effective June 20, 2019.

LD 1302 **An Act To Remove Vacancy Provisions for Certain Positions in County Government** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H	ONTP OTP	

This bill repeals the provision of law that requires the Governor to fill vacancies in certain county positions with a successor from the same political party. The county positions covered by this bill include the county commissioner, treasurer, district attorney and registry of deed.

LD 1328 **An Act To Increase the Salaries of the Governor and Legislators** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M	ONTP	

This bill increases the Governor's salary from $70,000 per year to $125,000 per year effective with the election of a Governor not in office on December 2, 2020. Beginning with the 130th Maine Legislature, this bill increases the salary of Maine Legislators from $14,862 in the first year and $10,613 in the 2nd year of a biennium, after adjustment for inflation, to $20,000 in the first year and $15,000 in the 2nd year of a biennium and the salary of a person who succeeds a member of the Legislature who dies or otherwise vacates office. This bill retains the annual cost-of-living adjustment for salary and clarifies that it applies to a successor's salary. This bill also increases the per diem meal and housing allowances paid to Legislators from $32 and $38 to $40 and $60, respectively.

LD 1340 **An Act To Require Criminal History Record Checks for All Prospective and Current Staff Members of the Office of the State Auditor** **PUBLIC 416 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D CLAXTON N	OTP-AM	H-420

This bill requires all employees of and persons who may be offered employment by the Office of the State Auditor to consent to having their fingerprints taken for criminal background checks conducted by the Department of Public Safety, which include state and federal criminal history record information from the United States Department of Justice, Federal Bureau of Investigation. This bill allows the Office of the State Auditor to request subsequent criminal background checks as the office determines appropriate and establishes provisions relating to confidentiality and use of the information and the rights of the subjects of the fingerprinting and criminal background checks.

Committee Amendment "A" (H-420)

This amendment adds an emergency preamble and emergency clause to ensure the Office of the State Auditor may immediately meet the fingerprint background check requirements set in federal regulation. This amendment makes several minor changes to section 1 to bring this law into conformity with similar criminal background check laws in Maine statute. The amendment authorizes the State Bureau of Identification to obtain fingerprints and conduct state and national criminal history record checks for the Office of the State Auditor. This amendment removes conflicts in the Maine Revised Statutes, Title 25, section 1542-A. This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 416 permits the Office of the State Auditor to require fingerprint based background checks for current and potential employees. It authorizes the Department of Public Safety, State Bureau of Identification to conduct fingerprint based criminal background checks for the Office of the State Auditor.

Public Law 2019, chapter 416 was enacted as an emergency measure effective June 20, 2019.

LD 1379 **An Act To Increase the Annual Salary of the Governor and To Increase the Expense Allowance Paid to Legislators** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN J	ONTP	

This bill increases the Governor's salary from $70,000 per year to $150,000 per year beginning January 2023. This bill increases the legislative meal and housing allowances from $32 and $38 to $50 and $75, respectively. It also increases the mileage allowance from $38 to $75. The increases in the expense allowances for Legislators take effect December 2, 2020.

LD 1391 **An Act To Ensure Consistency of Language in Municipal Documents with the Language in Comprehensive Plans** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WADSWORTH N	ONTP	

This bill amends the laws governing growth management programs to require that a municipality or multimunicipal region ensure that the language and requirements in charters, ordinances, policies, codes, regulations, bylaws and documents setting out or assessing fees align with each other and meet the overall intent of a comprehensive plan approved by the municipality or multimunicipal region. It also amends the law to encourage the consideration of economic effects by municipalities in their planning.

LD 1393 **An Act To Change the Requirements for Recording Plans at the County Registries of Deeds** **PUBLIC 439**

Sponsor(s)	Committee Report	Amendments Adopted
HIGGINS N DAVIS P	OTP-AM	H-291

This bill makes the following changes to the laws governing recording plans in a registry of deeds.

1. It reduces the minimum paper size for plans.

2. It requires that plans be submitted on white 20-pound paper.

3. It specifies that paper plans be rolled and not folded.

4. It authorizes the register of deeds to return plans that are not legible for recording and archival purposes and the processing of which may damage county equipment or resources.

5. It specifies the size of the block that the register uses to record certain information.

6. It changes the requirements for the handling of originals and copies by the register.

7. It requires each plan be microfilmed for archival purposes.

8. It eliminates the requirement for a register to establish standards for making copies of original plans.

Committee Amendment "A" (H-291)

This amendment sets the 20-pound weight for paper as the minimum weight for recording plans at the county registries of deeds. The amendment requires that a digital image be at least 300 dots per inch or 300 pixels per inch. The amendment retains the last paragraph of the Maine Revised Statutes, Title 33, section 652 in current law, which regards standards for the reproduction of copies.

Enacted Law Summary

Public Law 2019, chapter 439 requires plans recorded with the registry of deeds and dated on or after January 1, 2020, be submitted on white paper with a minimum weight of 20 pounds. It requires that the plans be rolled and not folded. It requires the registry of deeds create a digital image of such plans at a minimum of 300 dots per inch or 300 pixels per inch and maintain a copy of public inspection in paper or digital image form. It requires each plan be microfilmed for archival purposes.

LD 1394 **Resolve, To Direct the Department of Administrative and Financial Services To Conduct a Surplus Property Inventory** **RESOLVE 62**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V	OTP-AM	H-263

This resolve directs the Department of Administrative and Financial Services to conduct an inventory of surplus state-owned land and structures pursuant to the authority and process established in the Maine Revised Statutes, Title 5, section 1742, subsection 23 and to work with the Maine State Housing Authority to determine suitability of identified surplus land and structures for development of affordable housing. It directs the department to report to the Joint Standing Committee on Labor and Housing regarding the inventory and to make recommendations regarding affordable housing by February 1, 2020.

Committee Amendment "A" (H-263)

This amendment removes an inaccurate clause from the preamble. It adds a requirement that the Department of Administrative and Financial Services provide an inventory of surplus state-owned land and structures to the Maine State Housing Authority. The amendment also provides the Joint Standing Committee on State and Local Government with the option to introduce a bill in the Second Regular Session of the 129th Legislature related to the resolve.

Enacted Law Summary

Resolve 2019, chapter 62 requires the Department of Administrative and Financial Services to:

1. Conduct an inventory of surplus state-owned land and structures;

2. Provide the inventory to and consult with the Maine State Housing Authority to determine the suitability of surplus land and structures for use in the development of affordable housing; and

3. Provide a report on the outcomes of the inventory and recommendations regarding affordable housing to the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on State and Local Government by February 1, 2020.

The Joint Standing on State and Local Government may introduce legislation on the subject matter of the resolve in the Second Regular Session of the 129th Legislature.

LD 1415 **An Act To Improve the Laws Regarding Discontinued and Abandoned Roads** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C DIAMOND B		

This bill eliminates that presumption of discontinuation by abandonment of town or county public ways effective January 1, 2020. This bill adds a provision clarifying that the discontinuation process established in the Maine Revised Statutes, Title 26, section 3026-A is available. This bill amends the filing required by the clerk of a municipality following the determination of discontinuance by abandonment of a town way to require that the record filed with the registry of deeds include the evidence used by the municipality to make the determination of discontinuation by abandonment and the effective date of that determination.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1427 **An Act To Amend the Legislative Expense Reimbursement** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D EVANGELOS J	ONTP	

This bill changes, beginning with the 130th Legislature, the per diem housing allowance for Legislators from a set amount of $38 per day to an amount that is established annually by the Legislative Council based on the average rate of lodging in the Augusta area.

LD 1439 **An Act To Ensure Quality, Safety and Accountability on Public Construction Projects** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	ONTP	

This bill encourages the State to use project labor agreements for large-scale state-funded construction projects of $10,000,000 or more. A project labor agreement is a prehire collective bargaining agreement with one or more labor unions that establishes the terms and conditions of employment for a specific construction project.

LD 1455 **An Act To Change the Name of Township 17, Range 3 to Van Buren Cove** **P & S 10 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D JACKSON T	OTP-AM	H-338 S-197 CLAXTON N

This bill authorizes the Aroostook County Board of Commissioners to seek approval from the residents of Township 17, Range 3, WELS, to rename the township to Van Buren Cove.

Committee Amendment "A" (H-338)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-197)

This amendment adds a mandate preamble.

Enacted Law Summary

Private and Special Law 2019, chapter 10 requires the Aroostook County Board of Commissioners hold a referendum within 6 months of adjournment of the First Regular Session of the 129th Legislature. The referendum asks the voters of Township 17, Range 3, WELS whether to change the name to Van Buren Cove.

Private and Special Law 2019, chapter 10 was enacted as an emergency measure effective June 14, 2019.

LD 1458 **An Act To Protect Taxpayers in the Privatization of State Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S MARTIN D		

This bill creates a process by which a state agency can enter a privatization contract with a nongovernmental entity to perform basic agency services for up to five years if a number of criteria are met, including:

1. Wages and benefits for employees of the contractor are comparable to state employees performing the same services;

2. The contractor endeavors to hire agency employees terminated due to the privatization;

3. The agency provides an estimate of its costs in providing the subject services in the most efficient manner;

4. The agency provides support and resources to allow agency employees to submit a competing bid to provide the privatized services;

5. The agency considers as a contract cost any income tax revenue lost to the State as a result of services to be performed out of state under the contract; and

6. The Attorney General performs a review to determine that all of the requirements of the bidding process and privatization contract have been met.

This bill was carried over to any regular or special session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1462 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and To Set Term Limits for Legislators** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARPENTER M HARNETT T	ONTP	

This resolution proposes to amend the Constitution of Maine to change the term of office for State Senators from 2 years to 4 years and change the number of consecutive years members of the State Senate and House of Representatives may serve from 8 years to 12 years.

LD 1470 **An Act To Allow the Prohibition of Weapons at Public Proceedings and Voting Places** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
BREEN C BRENNAN M	ONTP OTP-AM	

This bill allows a political subdivision to prohibit the carrying of dangerous weapons at public proceedings and at voting places. It provides an exception to allow the carrying of a handgun by an on-duty law enforcement officer. It defines "political subdivision" as any municipality, plantation, county, quasi-municipal corporation or special purpose district, including, but not limited to, any water district, sanitary district, hospital district, municipal transmission and distribution utility and school administrative unit.

Committee Amendment "A" (S-249)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1476 **An Act To Clarify Recounts in Municipal Elections** **PUBLIC 288**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J	OTP-AM	H-421

This bill repeals the law governing a municipal candidate's inspection of ballots and incoming voting lists and amends the law governing the municipal referendum recount procedure. It sets out: a method to establish official representatives of both sides of a referendum issue; the date of the recount; the method of counting the votes; the availability of election materials for inspection; the resolution of disputed ballots; the resealing of recounted ballots: and the certification of the election results.

Committee Amendment "A" (H-421)

This amendment strikes everything after the enacting clause. It repeals and replaces Maine Revised Statutes, Title 30-A, section 2531-B, Recount of an election for office. Municipalities are given the option of a recount process other than that set out in Maine Revised Statutes, Title 21-A, section 737-A. It amends the referendum recount procedures in Maine Revised Statutes Title 30-A, section 2532 by establishing a process to identify the official representative of the voters seeking a referendum recount and an official representative of those opposed to the referendum recount.

Enacted Law Summary

Public Law 2019, chapter 288 sets out a process for municipalities to follow for recounts of an election for office. It provides a process for municipalities to follow to identify an official representative for those requesting a referendum recount and those opposed to a referendum recount.

LD 1489 **RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Election of Senators** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HUTCHINS S	ONTP	

This resolution proposes to amend the Constitution of Maine to reduce the size of the Senate from no more than 35 members to 32 members as a result of reapportioning to two Senators per county. The resolution also requires the redrawing of district lines in 2022. The resolution increases the Senate term from two to four years.

LD 1517 **An Act To Facilitate the Deployment of Small Wireless Facilities in Maine** **PUBLIC 223**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T BREEN C	OTP-AM	H-363

This bill provides that a small wireless facility must be a permitted use within the public right-of-way subject to any duly adopted, nondiscriminatory conditions otherwise applicable to permitted uses within the municipality and consistent with state and federal law, including, without limitation, any permitting requirements in the Maine Revised Statutes, Title 35-A, chapter 25.

Committee Amendment "A" (H-363)

This amendment states that small wireless facilities are subject to permitting requirements and duly adopted nondiscriminatory conditions otherwise applicable to permitted uses within the municipality. This amendment clarifies that this legislation does not alter a franchise agreement between a cable television company and a municipality.

Enacted Law Summary

Public Law 2019, chapter 223 provides that a small wireless facility must be a permitted use within the public right-of-way, subject to permitting requirements and duly adopted, nondiscriminatory conditions otherwise applicable to permitted uses.

LD 1536 **An Act To Require Municipalities To Maintain Access on Public Rights-of-way** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL D	ONTP	

This bill:

1. Provides that when a municipality discontinues a road it may not retain a public easement if the municipal officers verify that private easements for the purpose of allowing travel along the way for all abutting property owners have been filed with the registry of deeds. If the municipal officers are unable to verify those easements, they may discontinue the road only if a public easement is retained and the public use for which the easement is retained is specified. If the municipality retains a public easement, the municipality must provide sufficient public maintenance of the public easement to allow the specified use;

2. Modifies the road abandonment law to provide that a presumption of abandonment of a way is fully rebutted and removed by evidence that records maintained by the Department of Transportation indicate that a municipality received funds under the Maine Revised Statutes, Title 23, chapter 19, subchapter 6 based on any mileage of the way during any portion of the 30 or more consecutive years of apparent discontinuance;

3. Modifies the road abandonment law to provide that a municipality may not intentionally cease to maintain a way as a means of creating a presumption of abandonment and a presumption of abandonment is fully rebutted and removed by evidence that a municipality intentionally ceased maintenance as a means of creating a presumption of abandonment;

4. Modifies the road abandonment law to provide that a municipality may not assert a presumption of abandonment

for any way that was discontinued prior to September 3, 1965 that resulted in a public easement;

5. Moves a provision of law relating to the removal of snow fences along public highways from a section relating to mail routes to the section of law relating to snow removal;

6. Requires a town to maintain any public right-of-way used as part of a United States postal route in passable condition for postal service delivery except that if the postal service route is seasonal, the right-of-way must be maintained for the applicable season; and

7. Provides that a failure of a town to meet the snow removal and other maintenance requirements of Maine law is deemed a failure to maintain a way under Maine Revised Statutes, Title 23, chapter 313 and the actions and remedies specified in sections 3651 to 3655 of that chapter apply to such a failure.

LD 1541 **An Act To Establish "Ballad of the 20th Maine" as the Official State Ballad** **PUBLIC 250**

Sponsor(s)	Committee Report	Amendments Adopted
CUDDY S	OTP ONTP	

This bill establishes the "Ballad of the 20th Maine" as the official ballad of the State.

Enacted Law Summary

Public Law 2019, chapter 250 establishes the official ballad of the State is the "Ballad of the 20th Maine" as recorded and performed by the band The Ghost of Paul Revere.

LD 1553 **An Act Directing That the Towns Constituting Hospital Administrative District No. 4 Hold a Vote on the Proposed Merger with Northern Light Health** **P & S 5 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P HIGGINS N	OTP-AM	S-63

This bill requires that, notwithstanding any applicable notice requirements, each of the towns of Abbot, Atkinson, Bradford, Cambridge, Dexter, Dover-Foxcroft, Guilford, Milo, Monson, Parkman, Sangerville, Sebec and Willimantic hold an advisory vote no later than April 30, 2019 on the proposed merger of Hospital Administrative District No. 4 with Northern Light Health. Unless a town's charter otherwise provides, the vote must be taken at a town meeting. The results of the vote in each town must be declared by the municipal officers of the town and transmitted to the board of directors of Hospital Administrative District No. Four.

Committee Amendment "A" (S-63)

This amendment changes the date for the advisory vote from April 30, 2019 to May 7, 2019, adds a mandate preamble to the bill and corrects the date of the merger agreement.

Enacted Law Summary

Private and Special Law 2019, chapter 5 mandates that each of the towns comprising Hospital Administrative District No. 4 hold an advisory vote of the inhabitants by May 7, 2019 to determine whether they favor the merger of Hospital Administrative District No. 4 with Northern Light Health in accordance with the March 19, 2019 agreement and plan of merger.

Private and Special Law 2019, chapter 5 was enacted as an emergency measure effective April 25, 2019.

LD 1568 **An Act Authorizing the Deorganization of Magalloway Plantation** **P & S 13**

Sponsor(s)	Committee Report	Amendments Adopted
HEAD F DOW D	OTP-AM	H-339

This bill provides for the deorganization of Magalloway Plantation in Oxford County, subject to approval at local referendum and execution of a withdrawal agreement from Regional School Unit No. 78.

Committee Amendment "A" (H-339)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2019, chapter 13 authorizes the deorganization of Magalloway Plantation in accordance with the deorganization plan dated October 23, 2018 provided a majority of legal voters of the plantation approve the deorganization by ballot at the next general election to be held in November.

LD 1581 **An Act To Restore County Tax Appropriation Integrity** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H	ONTP	

This bill provides specificity for the use and expenditure of funds by county governments by:

1. Limiting the payment of expenditures for the priority-designated social service of transportation to transportation for access to health care services;

2. Limiting grants that are paid to agencies outside of the regular county departments to those that have been statutorily authorized;

3. Requiring the Office of the State Auditor, when conducting an audit of a county, to report any transaction not authorized by statute to the district attorney for that county; and

4. Specifying that the ability of county commissioners to approve county expenditures is limited to those expenditures that are statutorily authorized.

LD 1587 **An Act To Amend the Laws Governing Nominations of County Commissioners, the Terms of County Commissioners and County Commissioner Districts** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M	ONTP	

This bill amends the provisions regarding the election and appointment of county commissioners in the following ways:

1. It requires that when a party is eligible to choose a candidate or nominee for a primary, general or special election for county commissioner by political committee, the members of the county political committee who reside within the boundaries of the district subject to the election make the choice of candidate or nominee;

2. It clarifies that when there is a vacancy during the term of office of a county commissioner prior to the general election held in the second year of the term, a special election must be held to elect a new county commissioner for the last two years of the term, and the election must be held within the boundaries that existed at the time of the original election for that term;

3. It requires that when the law provides that a county commissioner appointed by the Governor to fill a vacancy must be enrolled in the same political party as the commissioner whose term is vacant, the Governor is required to choose from any recommendations submitted by the members of the county committee of the political party from which the appointment is to be made who reside within the boundaries of the district with the vacancy that existed at the time of the initial election for that term;

4. It requires that the apportionment plan of county districts following a decennial census takes effect the second year after the decennial census for the year 2020 and every 20 years thereafter and the plan takes effect on the fourth year after the decennial census for the year 2030 and every 20 years thereafter; and

5. It amends the provisions creating each county's commissioner districts to eliminate staggered terms of commissioners so that, beginning in 2022, each four-year commissioner term expires in a year in which there is a gubernatorial election.

LD 1667 **An Act To Amend the Laws Governing the State Compensation Commission** **PUBLIC 384 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BABBIDGE C GRATWICK G	OTP-AM	H-422

This bill increases the annual salary of the Governor to $141,000 beginning in January 2023. It provides that beginning in January 2027, whenever a new Governor takes office, that Governor's annual salary must be adjusted by the percent change in the Consumer Price Index during the term of office of that Governor's predecessor subject to a limit of 3% per year.

This bill increases the annual salary of members of the Legislature to $23,500 beginning in December 2022. The bill requires the Governor appoint two members of the State Compensation Commission and removes language that provides that one member is appointed by a majority of the members of the commission. The bill increases the term of Commission members to four years and provides for staggered terms.

Committee Amendment "A" (H-422)

This amendment strikes the bill. It adds an emergency preamble and clause. It amends the statutory reporting requirements of the State Compensation Commission by eliminating alternate year interim reports and adding a provision that the final report, due January 15th of every even-numbered year, be submitted to the joint standing committee of the Legislature having jurisdiction over state and local government. The amendment authorizes the joint standing committee of the Legislature having jurisdiction over state and local government matters to introduce legislation based on the commission's report.

Enacted Law Summary

Public Law 2019, chapter 384 requires the State Compensation Commission submit a report by January 15th of every even-numbered year to the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters. In the last year of a gubernatorial term the report must include recommendations on compensation of the Governor. The joint standing committee of the Legislature having jurisdiction over state and local government matters may introduce legislation based upon the report of the commission.

Public Law 2019, chapter 384 was enacted as an emergency measure effective June 19, 2019.

LD 1697 **An Act Regarding the Timeliness of Payments to the State** **PUBLIC 326**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D CLAXTON N	OTP-AM	H-479

This bill requires certain payments due the State and made through the use of automated procedures, electronic processes and computer-driven technology be deposited in the State Treasury within three business days of the date of the transaction initiated by the obligor. It allows the Treasurer of State and the State Controller to adopt routine technical rules outlining procedures for the use of these payment methods. It prohibits any rule adopted from waiving prohibitions against deductions on account of salaries, fees, costs, charges, expenses, refunds, claims or demands of any description whatsoever.

Committee Amendment "A" (H-479)

This amendment clarifies that the bill applies to payments from departments and agencies of the State to the State Treasury. It removes the three-day requirement for payments and directs the Treasurer of State and the State Controller to adopt major substantive rules outlining procedures for the use of automated procedures, electronic processes and computer-driven technology.

Enacted Law Summary

Public Law 2019, chapter 326 directs state agencies and departments that make payment to the State Treasury through the use of automated procedures, electronic processes, and computer-driven technology make such payments in accordance with requirements established by the Treasure of the State and the State Controller through major substantive rulemaking.

LD 1708 **An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation** **P & S 14 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
HIGGINS N DAVIS P	OTP-AM	H-537 S-367 BREEN C

This bill authorizes the merger of Mayo Regional Hospital into a new entity to be known as MRH Corp., a Maine nonprofit, nonstock private corporation that has as its sole member Eastern Maine Healthcare Systems. Upon the effective date of the merger, the district is dissolved and Private and Special Law 1973, chapter 76 is repealed.

Committee Amendment "A" (H-537)

This amendment clarifies that Hospital Administrative District No. 4 is the party to the merger and that the district's quasi-municipal rights, privileges and immunities do not transfer to the new nonprofit corporation created by the merger. It clarifies that upon the merger, Mayo Regional Hospital is no longer a municipally funded hospital under the Maine Revised Statutes, Title 36, section 2891. It adds reference to the advisory vote of the district inhabitants required by Private and Special Law 2019, chapter 5. It conditions the merger on the assumption by the new corporation of all the obligations and liabilities of the district. It removes the exemption from antitrust laws and stipulates that the merger is subject to the certificate of need process outlined in Maine Revised Statutes, Title 22, chapter 103-A. It requires the Secretary of State to notify the Joint Standing Committee on State and Local Government when the articles of merger have been filed with and accepted by the Secretary of State. It requires the joint standing committee, once notified that the articles of merger have been accepted, to introduce legislation to repeal the district charter and remove reference to Mayo Regional Hospital from Maine's tax code. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-367)

This amendment strikes and replaces the appropriations and allocations section.

Enacted Law Summary

Private and Special Law 2019, chapter 14 authorizes the merger of Hospital Administrative District No. 4 into MRH Corp., a Maine nonprofit, nonstock private corporation that has as its sole member Eastern Maine Healthcare Systems. It provides that MRH Corp assumes all the obligations and liabilities of the district and that the district's quasi-municipal rights, privileges and immunities do not transfer to MRH Corp. It requires the Secretary of State notify the joint standing committee on State and Local Government when the articles of merger have been filed with and accepted by the Secretary of State. Once notified by the Secretary of State the joint standing committee will introduce legislation to repeal the district charter, Private and Special Law 1973, chapter 76, and remove reference to Mayo Regional Hospital from Maine Revised Statutes, Title 36, section 2891.

Private and Special Law 2019, chapter 14 was enacted as an emergency measure effective June 28, 2019.

LD 1733 **An Act To Ensure Comprehensive Interdepartmental Planning, Coordination and Collaboration on Aging Policy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FAY J		

This bill creates the position of Director of Aging in the Governor's Office of Policy and Management to oversee the planning and policy development for all functions and activities conducted or supported in the State that relate to aging, older adults and family care partners of older adults, including, but not limited to, promoting intergovernmental collaboration in meeting established aging policy objectives and managing the coordination of multiple-agency initiatives related to policy objectives. The bill amends the requirements for preparing and implementing a comprehensive state plan relating to Maine's aging population and incapacitated and dependent adults. The bill establishes a State Commission on Aging to advise the Governor, Legislature and state agencies on planning, research and intergovernmental cooperation related to the needs of older adults in the State. The bill authorizes the Revisor of Statutes, in preparing legislation, to change any terms that refer to "elderly," "elder" or "senior" individuals to refer instead to "older" individuals.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1753 **An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District** **P & S 11**

Sponsor(s)	Committee Report	Amendments Adopted
STOVER H	OTP-AM	H-486

This bill amends the charter of the Boothbay-Boothbay Harbor Community School District to: require that bond issues in the principal amount of $250,000 or greater go to a referendum vote; to add a competitive bidding requirement for district procurements of $20,000 or greater; and increase the cap on contributions to the capital reserve fund.

Committee Amendment "A" (H-486)

The amendment clarifies that the annual allocation to the capital reserve fund after fiscal year 2020 must be the greater of the previous year's allocation or that year's allocation adjusted by the percentage change in the Consumer Price Index for the most recently concluded calendar year.

Enacted Law Summary

Private and Special Law 2019, chapter 11 requires voter approval for an issue of bond authorized by the Boothbay-Boothbay Harbor Community School District trustees in an amount equal to or greater than $250,000. It requires a competitive bidding process be used for any procurement of the district in an amount equal to or greater than $20,000. It increases to $140,000 the maximum annual allocation into the capital reserve fund, starting in fiscal year 2020. Each year thereafter, the capital reserve fund set aside must equal the greater of the prior year's set-aside amount or the prior year's set aside amount adjusted by the percentage change in the Consumer Price index for the most recently concluded calendar year.

LD 1812 **An Act To Make Necessary Changes to State Law** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to make necessary changes to state law.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1814 **An Act To Amend the Laws Regarding the Legislature** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN M		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend certain laws affecting the operations of the Legislature.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1830 **An Act Establishing the Office of Policy Innovation and the Future** **PUBLIC 383**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN D CLAXTON N	OTP-AM	H-564

This bill eliminates the Office of Policy and Management and establishes the Office of Policy Innovation and the Future. The Office of Policy Innovation and the Future will support the creation of a coherent system of policy planning and coordinated implementation as one function and responsibility of the executive branch of State Government, serve as a research, advisory, consultative, coordinating and administrative agency and advance policies that support a sustainable future for Maine's people, communities, natural resources, physical infrastructure, industries, businesses and institutions.

Committee Amendment "A" (H-564)

This amendment reallocates the language from the bill into the Maine Revised Statutes, Title 5, chapter 310. It repeals Maine Revised Statutes, Title 5, section 3108, leaving the Office of Policy Innovation and the Future subject to the Freedom of Access Act.

Enacted Law Summary

Public Law 2019, chapter 383 eliminates the Office of Policy and Management and establishes the Office of Policy Innovation and the Future to support the creation of a coherent system of policy planning and coordinated implementation as one function and responsibility of the executive branch of State Government, serve as a research, advisory, consultative, coordinating and administrative agency and advance policies that support a sustainable future for Maine's people, communities, natural resources, physical infrastructure, industries, businesses and institutions.

Joint Standing Committee on State and Local Government

SUBJECT INDEX

County Government - Budget

Enacted

LD 520	**An Act To Resolve Tie Votes by the Washington County Budget Advisory Committee**	**PUBLIC 23 EMERGENCY**

County Government - General

Enacted

LD 456	**An Act To Strengthen the Qualifications for County Sheriffs**	**PUBLIC 33**
LD 940	**An Act To Increase the Number of Franklin County Commissioners**	**PUBLIC 362**
LD 1102	**An Act To Remove a Reference to Constables in the Law Governing Execution of Process**	**PUBLIC 147**

Not Enacted

LD 42	**An Act To Provide for Nonpartisan Elections for the Office of District Attorney**	**ONTP**
LD 1581	**An Act To Restore County Tax Appropriation Integrity**	**ONTP**
LD 1587	**An Act To Amend the Laws Governing Nominations of County Commissioners, the Terms of County Commissioners and County Commissioner Districts**	**ONTP**

Holidays

Not Enacted

LD 431	**An Act To Make Election Day a State Holiday**	**CARRIED OVER**

Local Government - Deorganization, Consolidation and Secession

Enacted

LD 1568	**An Act Authorizing the Deorganization of Magalloway Plantation**	**P & S 13**

Local Government - General

Enacted

LD 53	**An Act To Clarify Local Referendum Ballots**	**PUBLIC 58**
LD 59	**An Act To Permit Plantations To Fill Vacancies of Town Officials**	**PUBLIC 18 EMERGENCY**
LD 90	**An Act To Amend the Law Governing the Membership of the Town of York Planning Board and the Town of York Appeals Board**	**P & S 3 EMERGENCY**
LD 623	**An Act To Amend the Charter of the City of Brewer High School District**	**P & S 6 EMERGENCY**
LD 1128	**An Act To Clarify Statutes Related to Establishing a Municipal Charter Commission**	**PUBLIC 149**
LD 1476	**An Act To Clarify Recounts in Municipal Elections**	**PUBLIC 288**

Not Enacted

LD 390	**An Act To Amend the Laws Governing Dangerous Buildings**	**CARRIED OVER**
LD 482	**An Act To Reduce the Participation Thresholds for Various Municipal Referenda and To Change the Measurement of Those Thresholds from Votes Cast for and against the Question to Votes in Favor of the Question**	**ONTP**
LD 554	**An Act To Clarify the Authority To Recall Municipal Officials**	**ONTP**
LD 655	**An Act To Allow Municipalities To Send Separate Tax Bills for Municipal and County and School Taxes**	**Majority (ONTP) Report**
LD 1066	**An Act To Address Municipal Conflicts of Interest**	**ONTP**
LD 1391	**An Act To Ensure Consistency of Language in Municipal Documents with the Language in Comprehensive Plans**	**ONTP**

Local Government - Land Use and Access

Not Enacted

LD 209	**An Act To Prohibit Municipalities from Prohibiting Short-term Rentals**	**Majority (ONTP) Report**

Local Government - Planning and Regulation

Enacted

LD 301	**An Act To Help Older Adults Age in Place through Comprehensive Planning**	**PUBLIC 38**
LD 563	**An Act To Help Municipalities Prepare for Sea Level Rise**	**PUBLIC 153**
LD 585	**An Act To Allow the Adoption of Ordinances Prohibiting the Accumulation of Trash on Private Property in Plantations**	**PUBLIC 138**
LD 746	**An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments**	**PUBLIC 140**
LD 970	**An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements**	**PUBLIC 145**

Not Enacted

LD 489	**An Act To Allow Municipalities To Enforce New Noise Ordinances on Existing Shooting Ranges**	**ONTP**
LD 948	**An Act To Restrict Ordinances That Affect the Posting of Property for Municipal and Private Land**	**ONTP**
LD 953	**An Act To Enact a Vehicle Use Ordinance for Monhegan Plantation**	**ONTP**

Local Government - Roads

Not Enacted

LD 1536	**An Act To Require Municipalities To Maintain Access on Public Rights-of-way**	**ONTP**

Miscellaneous

Enacted

LD 696	**An Act To Require Municipalities and School Districts To Provide Notice of Breaches in Personal Data Security**	**PUBLIC 512**

LD 848	**An Act Concerning Disclosure Requirements for Transfers of Properties Accessed by Means Other Than a Public Way**	**PUBLIC 142**
LD 1004	**Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees**	**RESOLVE 37**
LD 1393	**An Act To Change the Requirements for Recording Plans at the County Registries of Deeds**	**PUBLIC 439**
LD 1517	**An Act To Facilitate the Deployment of Small Wireless Facilities in Maine**	**PUBLIC 223**
LD 1553	**An Act Directing That the Towns Constituting Hospital Administrative District No. 4 Hold a Vote on the Proposed Merger with Northern Light**	**P & S 5 EMERGENCY**
LD 1708	**An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation**	**P & S 4 EMERGENCY**
LD 1753	**An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District**	**P & 11**

Not Enacted

LD 481	**An Act To Allow the Expansion of the Types of Newspapers That Qualify as Legal Notice Publishers by Removing the 2nd Class Postal Matter Requirement**	**ONTP**
LD 806	**An Act To Clarify the Definition of "Ancient Burying Ground"**	**ONTP**
LD 933	**Resolve, Authorizing Certain Persons To Sue the Town of Kittery**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1054	**An Act To Clarify the Use of Burying Grounds and Family Burying Grounds**	**CARRIED OVER**
LD 1151	**An Act To Ensure Consistency in Commercial Real Estate Law by Restoring Due Diligence Responsibility to the Buyer**	**Majority (ONTP) Report**
LD 1176	**An Act Regarding Caretakers of Ancient Burying Grounds and Access to Ancient Burying Grounds**	**ONTP**
LD 1415	**An Act To Improve the Laws Regarding Discontinued and Abandoned Roads**	**CARRIED OVER**
LD 1470	**An Act To Allow the Prohibition of Weapons at Public Proceedings and Voting Places**	**Majority (ONTP) Report**

LD 1812	**An Act To Make Necessary Changes to State Law**	**CARRIED OVER**

Public Employment - Compensation

Not Enacted

LD 1065	**An Act To Expand Health Insurance Coverage To Certain State Employees**	**CARRIED OVER**

Public Employment - Hiring

Enacted

LD 170	**An Act To Prohibit Questions Regarding Criminal History on Certain State Employment Applications**	**PUBLIC 22**
LD 1340	**An Act To Require Criminal History Record Checks for All Prospective and Current Staff Members of the Office of the State Auditor**	**PUBLIC 416 EMERGENCY**

Public Purchasing and Contracting

Not Enacted

LD 226	**An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects**	**ONTP**
LD 1086	**An Act To Promote the Goals of the Low-emission Vehicle Program by Requiring That New Vehicle Purchases for the State Fleet Be Composed of a Minimum Percentage of Zero-emission Vehicles**	**ONTP**
LD 1280	**An Act To Establish the Maine Buy American and Build Maine Act**	**CARRIED OVER**
LD 1439	**An Act To Ensure Quality, Safety and Accountability on Public Construction Projects**	**ONTP**
LD 1458	**An Act To Protect Taxpayers in the Privatization if State Services**	**CARRIED OVER**

Rulemaking

Enacted

LD 285	**An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act**	**PUBLIC 29**
LD 1011	**An Act To Clarify Filing Requirements for Proposed Rules**	**PUBLIC 146**

State Government - Agencies

Enacted

LD 521	**An Act To Amend the Archives and Records Management Law**	**PUBLIC 50**
LD 1697	**An Act Regarding the Timeliness of Payments to the State**	**PUBLIC 326**
LD 1830	**An Act Establishing the Office of Policy Innovation and the Future**	**PUBLIC 383**

Not Enacted

LD 1733	**An Act To Ensure Comprehensive Interdepartmental Planning, Coordination and Collaboration on Aging Policy**	**CARRIED OVER**

State Government - Constitutional Officers

Not Enacted

LD 453	**An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office**	**Majority (ONTP) Report**
LD 1328	**An Act To Increase the Salaries of the Governor and Legislators**	**ONTP**
LD 1379	**An Act To Increase the Annual Salary of the Governor and to Increase the Expense Allowance Paid to Legislators**	**ONTP**
LD 1427	**An Act To Amend the Legislative Expense Reimbursement**	**ONTP**
LD 1462	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and To Set Term Limits for Legislators**	**ONTP**
LD 1489	**RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Election of Senators**	**ONTP**

State Government - General

Enacted

LD 1209	**An Act To Require Legislative Hearings on Citizen-initiated Legislation**	**PUBLIC 152**

Not Enacted

LD 144	**An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone**	**ONTP**
LD 370	**An Act To Facilitate State Employee Service in the Legislature**	**ONTP**
LD 592	**Resolve, To Establish a Background Check Consolidation Commission**	**CARRIED OVER**
LD 730	**An Act To Create the Substance Use Disorder Cabinet**	**ONTP**
LD 749	**An Act To Increase the Transparency of the "Maine Open Checkbook" Website**	**ONTP**
LD 867	**An Act To Require Public Health Impact Statements for Certain Legislation**	**ONTP**
LD 1302	**An Act To Remove Vacancy Provisions for Certain Positions in county Government**	**Majority (ONTP) Report**

State Government - Holidays and Designations

Enacted

LD 179	**An Act To Change the Name of Columbus Day to Indigenous Peoples Day**	**PUBLIC 59**
LD 687	**Resolve, To Create a Flag To Recognize the Bicentennial of the State**	**RESOLVE 22**
LD 885	**An Act To Adopt Eastern Daylight Time Year-round**	**PUBLIC 268**
LD 1541	**An Act To Establish "Ballad of the 20th Maine" as the Official State Ballad**	**PUBLIC 250**

Not Enacted

LD 572	**An Act Regarding the State Bird**	**ONTP**

State Government - Legislature

Enacted

LD 257	**An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine**	**PUBLIC 136**

LD 825	**An Act To Change the Harassment Prevention Training Required for Legislators, Legislative Staff and Lobbyists**	**PUBLIC 41**
LD 1667	**An Act To Amend the Laws Governing the State Compensation Commission**	**PUBLIC 384 EMERGENCY**

Not Enacted

LD 58	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Extend the Terms of Legislators to 4 years**	**Majority (ONTP) Report**
LD 928	**An Act To Create a Process To Preempt the Implementation of Powers Delegated by the Legislature**	**ONTP**
LD 1814	**An Act To Amend the Laws Regarding the Legislature**	**CARRIED OVER**

State Government - Property

Enacted

LD 744	**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket**	**RESOLVE 76**
LD 1300	**Resolve, To Transfer the Guilford Butler School Property to the Town of South Thomaston**	**RESOLVE 91 EMERGENCY**
LD 1394	**Resolve, To Direct the Department of Administrative and Financial Services To Conduct Surplus Property Inventory**	**RESOLVE 62**

Not Enacted

LD 391	**Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County**	**ONTP**

Unorganized Territory

Enacted

LD 1455	**An Act To Change the name of Township 17, Range 3 to Van Buren Cove**	**P & S 10 EMERGENCY**

TAX

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TAXATION

August 2019

MEMBERS:

SEN. BEN CHIPMAN, CHAIR
SEN. HEATHER SANBORN
SEN. MATTHEW POULIOT

REP. RYAN TIPPING, CHAIR
REP. STEPHEN S. STANLEY
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REP. DONALD G. MAREAN
REP. BRUCK A. BICKFORD
REP. HAROLD TREY STEWART*
REP. THEODORE JOSEPH KRYZAK, JR.
REP. PHILIP CURTIS*

*Committee member for a portion of the session

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LD 6 **An Act To Amend the Laws Governing the Home Accessibility Tax Credit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D LIBBY N	ONTP	

This bill provides that the income tax credit for homestead modifications to improve accessibility for an individual with a disability or physical hardship is refundable if the individual is 65 years of age or older and the individual's Maine adjusted gross income is equal to or less than 138% of the federal poverty level.

See also LD 1131.

LD 22 **An Act To Exempt from Taxation Sales to Small Nonprofit Organizations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN M	ONTP	

This bill provides a sales tax exemption and a service provider tax exemption for sales to incorporated nonprofit organizations with annual gross receipts of less than $40,000.

LD 35 **An Act To Exempt All Disabled Veterans in Maine from All Income Tax and To Increase Their Homestead Exemption to $50,000** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
O'CONNOR B FOLEY R	ONTP	

This bill increases the homestead exemption to $50,000 for veterans of the United States Army, Navy, Air Force, Marines or Coast Guard who are receiving disability compensation from the United States Government due to a service-connected disability and provides an income tax deduction for all income of those individuals.

See also LDs 77, 164, 837, 1172, 1234 and 1448 for homestead exemption bills. Part H of the biennial budget, PL 2019, c. 343, increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

See also LDs 163, 1042, 1194, 1271 and 1326 for veterans' property tax exemption bills.

LD 43 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This resolution proposes to amend the Constitution of Maine to dedicate all sales tax revenue from sales of motor vehicles and sales related to motor vehicles to the Highway Fund for roads and bridge capital improvements.

LD 62 **An Act To Enhance the Senior Volunteer Benefit Program** **PUBLIC 36**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D CHENETTE J	OTP OTP-AM	

This bill increases the maximum benefit that a municipality may provide under a senior volunteer benefit program from $750 to the greater of $1,000 and 100 times the state minimum hourly wage.

Committee Amendment "A" (H-33)

This amendment, which is the minority report, removes from the bill a provision that requires a maximum payment under the senior volunteer benefit program of 100 times the state minimum hourly wage if that amount is greater than $1,000.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 36 increases the maximum benefit that a municipality may provide under a senior volunteer benefit program from $750 to the greater of $1,000 and 100 times the state minimum hourly wage.

LD 65 **An Act To Allow Municipalities To Impose a Seasonal or Year-round Local Option Sales Tax** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEEBE-CENTER P CHIPMAN B	ONTP	

This bill allows a municipality to impose a local option sales tax, which may be seasonal, if approved by referendum of the voters in that municipality. The referendum question must identify the rate of the local option sales tax, specify the months during which it will be imposed if not year-round and identify the purposes for which the revenue will be used. The local option sales tax would be collected and administered by the State in the same manner as the sales and use tax. Revenue from the local option sales tax is distributed to the municipality imposing the local option sales tax after deducting state administrative costs. Revenue received by a municipality may not be used to reduce or eliminate funding otherwise due the municipality under other provisions of law.

See also LDs 156, 609, 1110 and 1254.

LD 70 **An Act To Support the Trades through a Tax Credit for Apprenticeship Programs** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E TIPPING R	OTP-AM	S-10

This bill permits an employer who employs an apprentice participating in an approved apprenticeship program to receive an income tax credit and provides for a partial credit if the employer employs a participating apprentice for

fewer than 2,000 hours during a calendar year.

Committee Amendment "A" (S-10)

This amendment adds appropriations for one-time funding for computer programming and for two positions in the Department of Labor to implement the tax credit for apprenticeship programs provided in the bill.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 71 **An Act To Reinstate the Income Tax Deduction for Contributions to College Savings Accounts** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN S	OTP-AM	S-5

This bill reinstates the income tax deduction for certain contributions to qualified tuition programs under Section 529 of the Internal Revenue Code up to $250 per designated beneficiary. This deduction was in effect from 2006 to 2015.

Committee Amendment "A" (S-5)

This amendment increases from $250 to $1,000 the maximum allowable contribution that may be deducted when calculating income tax. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 72 **An Act To Provide an Income Tax Exemption for Military Pay without Regard to Where the Military Service Was Performed** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DILL J TIPPING R	OTP-AM	S-31

This bill provides an income tax deduction for military compensation for active duty service by members of the Armed Forces of the United States, including reserve components, when that service is performed within the State.

Committee Amendment "A" (S-31)

This amendment incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 73 **An Act To Provide an Income Tax Deduction for Certain Student Loan Payments Made Directly to a Lender on Behalf of a Taxpayer** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M TIPPING R	OTP-AM	S-219

This bill provides an income tax credit for certain student loan repayments made by the Finance Authority of Maine or an entity managed or administered by the Finance Authority of Maine. The credit is equal to the amount an individual is required to include in federal adjusted gross income as the result of student loan payments made directly to the individual's student loan lender by the Finance Authority of Maine, or an entity managed or administered by the Finance Authority of Maine, for residents of the State employed by a business located in the State multiplied by the individual's highest federal marginal income tax rate.

Committee Amendment "A" (S-219)

This amendment strikes the the bill and replaces the title. The amendment provides an income tax deduction for student loan payments made directly to a lender on behalf of a taxpayer by a student loan repayment program funded by a nonprofit foundation and administered by the Finance Authority of Maine for residents of the State employed by a business located in the State. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 77 **An Act To Increase the Homestead Property Tax Exemption to $50,000 for Persons 75 Years of Age and Older** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
O'CONNOR B	ONTP	

This bill increases the property tax exemption for individuals who are 75 years of age or older from $20,000 to $50,000 for property tax years beginning on or after April 1, 2020.

Part H of the biennial budget, PL 2019, c. 343, increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

See also LDs 35, 164, 837, 1172, 1234 and 1448.

LD 85 **An Act To Establish a Sales Tax Exemption for the Purchase of Firearm Safety Devices** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P DIAMOND B	OTP-AM	H-59

This bill provides a sales tax exemption for the purchase of firearm safety devices and an income tax deduction of up to $250 for the purchase of a safe or lockbox for securing firearms.

Committee Amendment "A" (H-59)

This amendment strikes the bill and instead establishes a sales tax exemption for a safe, lockbox, trigger lock or barrel lock that is specifically designed for securing firearms.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 86 **An Act To Provide That Persons Who Produce Maple Syrup and Honey Commercially Are Eligible for the Sales Tax Refund and Exemption for Commercial Agricultural Production** **PUBLIC 7 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
KINNEY M BLACK R	OTP	

This bill expands the sales tax refund and exemption for commercial agricultural production to include the commercial production of maple syrup and honey.

Enacted Law Summary

Public Law 2019, chapter 7 expands the sales tax refund and exemption for commercial agricultural production to include the commercial production of maple syrup and honey.

Public Law 2019, chapter 7 was enacted as an emergency measure effective March 25, 2019.

LD 104 **An Act To Replace the Earned Income Tax Credit with the Maine Work Credit** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E	OTP-AM	S-297
TEPLER D	OTP-AM	

This bill expands the earned income tax credit by increasing the credit from 5% to 15% of the federal earned income tax credit and extending the credit to persons from 18 to 24 years of age who have no qualifying child. This bill also requires the Department of Labor, Bureau of Labor Standards to provide a poster or notice to employers that states that employees may be eligible for the earned income tax credit. This bill requires employers to post the poster or notice in a place that is accessible to the employers' employees.

Committee Amendment "A" (S-297)

This amendment, which is the majority report, replaces the provisions of the bill amending the earned income tax credit with the Maine work credit. The Maine work credit is similar to the federal earned income tax credit but uses different factors for calculating the credit that are intended to produce a state credit for individuals with qualifying children that is approximately 23% of the federal credit and for individuals with no qualifying children that is approximately 70% of the federal credit. The bill also provides eligibility for individuals who are at least 18 years of age but less than 25 years of age who have no qualifying children and creates a minimum credit for students and eligible caregivers.

The amendment also adds an appropriations and allocations section.

Committee Amendment "B" (S-298)

This amendment, which is the minority report, expands the earned income tax credit by increasing the credit from 5% of the federal earned income tax credit to 60% for individuals with no qualifying children and 15% of the federal earned income tax credit for all other eligible individuals for tax years beginning in 2020 and increasing each year until it reaches 23% for tax years beginning in 2023 and after.

This amendment also adds an appropriations and allocations section.

This amendment was not adopted.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

See also LD 1491.

LD 107 **An Act To Lower the Maine Individual Income Tax Incrementally to Zero** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HANLEY J CYRWAY S	ONTP	

This bill provides for the phase-out of the individual income tax by reducing income taxes calculated using current law by 25% for tax years beginning on or after January 1, 2020 and requiring additional reductions when General Fund revenue exceeds the amount received in the fiscal year preceding the previous reduction in taxes.

LD 118 **An Act To Direct Vehicle Excise Tax Revenue for Local Transportation Infrastructure** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill provides that revenue received by a municipality from the motor vehicle excise tax must be used for maintenance or improvement of transportation infrastructure within that municipality.

See also LDs 119 and 1031.

LD 119 **An Act To Base the Motor Vehicle Excise Tax on the Sale Price** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill changes the method of computing the motor vehicle excise tax by requiring that the excise tax for all motor vehicles and camper trailers be based upon the purchase price of the vehicle rather than the maker's list price required under current law. Either the original bill of sale or the state sales tax document may be used to verify the purchase price. The bill also requires the State to reimburse a municipality for the difference in the amount of excise tax that would have been collected by the municipality using the maker's list price and amount collected using the actual purchase price.

See also LD 1031.

LD 124 **An Act To Exempt from Sales Tax Certain Watercraft Purchased by an Incorporated Nonprofit Transportation Company That Provides Transportation of Emergency Medical Services Patients from an Island to the Mainland** **Died On Adjournment**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J BREEN C	OTP-AM	H-383

This bill provides a sales tax exemption for sales of watercraft that will be used to provide ambulance services and sales of ambulance supplies to an incorporated nonprofit transportation company that provides ambulance services from an island not served by a bridge to the mainland pursuant to a written agreement with a municipality to provide ambulance services without charge. An incorporated nonprofit transportation company providing ambulance services using watercraft certified and inspected by the United States Coast Guard is not required to be licensed as an ambulance service in order to be eligible for the exemption.

Committee Amendment "A" (H-383)

This amendment changes the title of the bill and provides that the sales tax exemption applies to sales of watercraft to an incorporated nonprofit transportation company that has a written understanding with a municipality that the watercraft will be available at all times to transport an emergency medical services patient from an island to a licensed ambulance service on the mainland.

This bill died on the Special Appropriations Table at the end of the First Regular Session.

This bill, as amended by Committee Amendment "A," was included in the biennial budget bill, PL 2019, chapter 343, Part YYYY.

LD 133 **An Act To Fully Restore State-Municipal Revenue Sharing for Fiscal Year 2018-19** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J MIRAMANT D		

This bill restores state-municipal revenue sharing to 5% from 2% for the entire fiscal year 2018-19.

Part H of the biennial budget, PL 2019, chapter 343, sets state municipal revenue sharing at 3% of the revenue sharing base in fiscal year 2019-20 and 3.75% of the revenue sharing base in fiscal year 2020-21.

See also LDs 193, 444 and 1278.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 146 **An Act To Make the Assessment and Collection of Personal Property Taxes Optional for Municipalities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill allows a municipality, by referendum, to exempt all personal property located in that municipality from assessment and collection of tax by that municipality.

See also LD 824.

LD 156 **An Act To Allow Regional Service Center Municipalities To Assess an Additional One Percent Sales Tax for Infrastructure Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	ONTP	

This bill allows a municipality that is a service center community to impose a local option sales tax of no more than 1% by local referendum for the purpose of funding local infrastructure costs.

See also LDs 65, 609, 1110 and 1254.

LD 162 **An Act To Eliminate the State Income Tax on Maine Public Employees Retirement System Pensions** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S DOORE D		

Retirement benefits under state, local or federal government retirement plans that are based on employment compensation for which contributions are not made to the federal Social Security system result in reductions in the amount of Social Security benefits that a retiree is eligible to receive under the federal windfall elimination provision. This bill provides a state income tax exemption for those retirement benefits.

See also LDs 276 and 1019.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 163 **An Act Regarding Property Tax Relief for Veterans** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FARRIN B HANINGTON S		

This bill provides enhanced property tax exemptions for certain veterans. A veteran regardless of age becomes eligible for a $25,000 exemption if the veteran has served at least 90 days of active service and has served in a

combat zone. A veteran with a service-connected disability becomes eligible for a $50,000 exemption if the disability is rated 50% to 90% and a $100,000 exemption if the disability is rated 100%. A surviving unremarried spouse, minor child or parent who is receiving a pension based on the service of a deceased veteran qualifies for the same exemption the veteran would have been eligible for. A municipality is reimbursed for the constitutionally mandated 50% of the property tax revenue loss as a result of the enhanced exemption.

See also LDs 1042, 1194, 1271 and 1326.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 164 **An Act To Reduce Property Taxes for Maine Residents** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M PIERCE T	OTP-AM	S-231

This bill increases the total exemption under the Maine resident homestead property tax exemption program to $50,000 for property tax years beginning on or after April 1, 2020. This bill also increases state reimbursement to municipalities for homestead property tax exemptions from 62.5% to 100% for property tax years beginning on or after April 1, 2020.

Committee Amendment "A" (S-231)

This amendment increases the homestead property tax exemption to $30,000 instead of $50,000 as in the bill and requires municipalities to include a statement on tax bills regarding the availability of the homestead tax exemption and providing information on how to apply. The amendment also adds an appropriations and allocations section.

Part H of the biennial budget, PL 2019, c. 343 increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

See also LDs 35, 77, 837, 1172, 1234 and 1448.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 193 **An Act To Fully Fund and Restore State-Municipal Revenue Sharing** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HARNETT T	OTP-AM OTP-AM	H-260 S-174 CHIPMAN B

This bill restores state-municipal revenue sharing to 5% from 2% on January 1, 2019, six months earlier than currently provided in law.

Committee Amendment "A" (H-260)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Committee Amendment "B" (H-261)

This amendment, which is the minority report of the committee, provides that the state-municipal revenue sharing percentage is 2.5% for fiscal year 2019-20 and 3% for fiscal year 2020-21 and returns to 5% in fiscal year 2021-22.

This amendment was not adopted.

Senate Amendment "A" (S-174)

This amendment removes the emergency preamble and emergency clause.

See also LDs 133, 444 and 1278.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 241 **An Act To Adjust the Personal Property Tax Exemption for Farm Machinery** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
O'NEIL M CARPENTER M	OTP-AM	H-335

This bill increases the amount of the exemption from personal property taxation for farm machinery from $10,000 to $45,000.

Committee Amendment "A" (H-335)

This amendment provides a time frame for implementation of the increase in the property tax exemption for farm machinery, provides administrative provisions for the Bureau of Revenue Services to enforce the exemption and verify required state reimbursement amounts and requires the State to reimburse municipalities for 100% of property taxes lost as a result of the increase in the exemption. This amendment also includes an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 268 **An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T TIPPING R	OTP-AM	S-218 S-277 JACKSON T

This bill provides a credit against the commercial forestry excise tax for landowners who are based in the United States and who employ and retain businesses or contractors that are based in the United States, that employ at least 75% United States residents and that are current in the payment of all state and local taxes. The bill also requires recapture of the credit if a recipient is found to have been ineligible.

Committee Amendment "A" (S-218)

This amendment requires a landowner seeking the credit against the commercial forestry excise tax to obtain affidavits indicating that businesses or contractors retained by the landowner are based in the United States, that at least 75% of their employees are United States residents and that they are current in the payment of all state and

local taxes. It makes other technical changes to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-277)

This amendment changes the starting date for the credit to tax years based on the status of property on or after April 1, 2022 and changes the percentage of employees who must be residents of the United States from 75% to 90% for the first two years of the credit.

LD 276 **An Act To Provide Equity in the State Income Tax Deduction for Maine Public Employees Retirement System Pensions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D MCCREIGHT J	ONTP	

This bill provides an income tax deduction for retirement benefits under state, local or federal government retirement plans that are based on employment compensation for which contributions are not made to the federal Social Security system.

See also LD 162.

LD 286 **An Act To Provide a Sales Tax Exemption for Menstrual Products** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D BREEN C	OTP-AM	H-58

This bill provides a sales tax exemption on the purchase of feminine hygiene products.

Committee Amendment "A" (H-58)

This amendment changes the term used to describe the products subject to exemption and changes the definition to that in the model Streamlined Sales and Use Tax Agreement to simplify multistate administration.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 335 **An Act To Require the State To Distribute 12 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C DESCHAMBAULT S	OTP-AM ONTP	H-484 S-287 SANBORN H

This bill allocates 25% of the gross sales and excise tax revenue generated by adult use marijuana establishments in the State to the municipalities where the revenue was generated and makes a reduction to the amount deposited in the Adult Use Marijuana Public Health and Safety Fund.

Committee Amendment "A" (H-484)

This amendment changes from 25% to 12% the amount of sales tax and excise tax revenue generated by adult use marijuana establishments required to be transferred to the municipalities where the revenue was generated after the transfer to the Adult Use Marijuana Public Health and Safety Fund and the deduction of state administrative costs. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-287)

This amendment makes technical changes to the bill, as amended by Committee Amendment "A," that are necessitated by recent changes to the laws governing adult use marijuana that were enacted in Public Law 2019, chapter 231. (See LD 1652 summarized below.)

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 393 **An Act To Change the Eligibility Requirements for the Property Tax Fairness Credit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J DESCHAMBAULT S	ONTP	

This bill changes the formula for calculation of the property tax fairness credit to expand the credit to residents whose property taxes or rent constituting property taxes on homestead property exceeds 5%, rather than 6% in current law, of the residents' income for tax years beginning on or after January 1, 2020.

Part H of the biennial budget, PL 2019, chapter 343, makes the change provided in this bill.

See also LDs 669, 887, 957 and 1158.

LD 403 **An Act To Prevent Tax Haven Abuse** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R JACKSON T		

This bill requires corporations that file unitary income tax returns in Maine to include income from certain jurisdictions outside the United States in net income when apportioning income among tax jurisdictions. The State Tax Assessor is required to adopt major substantive rules to determine the income or loss attributable to such corporations and to prevent double taxation or deduction of income. The assessor is required to submit an annual report to the joint standing committee of the Legislature having jurisdiction over taxation matters regarding whether jurisdictions should be added to or deleted from the list of tax havens based on specified criteria.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 420 **An Act To Amend the Maine Exclusion Amount in the Estate Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B CHIPMAN B	OTP-AM ONTP	

This bill returns the exclusion amount, below which the Maine estate tax does not apply, to $2,000,000 from $5,600,000 for estates of decedents dying on or after January 1, 2020 and removes the annual adjustment for inflation of that exclusion amount.

Committee Amendment "A" (H-610)

This amendment, which was the majority report, makes a technical correction to the language that ends the annual adjustment for inflation of the exclusion amount for tax years after 2019 and includes appropriations to cover the cost of administering the change in the exclusion amount.

See also LD 518.

This bill was reported out of committee and then recommitted to the committee; it was then carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 424 **An Act To Provide a Sales Tax Exemption for Baling Twine, Net and Wrapping for Hay** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
O'NEIL M BLACK R	OTP-AM	H-57

This bill provides a sales tax exemption for baling twine, net and wrapping for hay.

Committee Amendment "A" (H-57)

This amendment incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 444 **An Act To Fully Restore Revenue Sharing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S WARREN C	ONTP	

This bill restores state-municipal revenue sharing to 5% from 2% of the revenue sharing base beginning April 1, 2019.

Part H of the biennial budget, PL 2019, chapter 343, sets state municipal revenue sharing at 3% of the revenue sharing base in fiscal year 2019-20 and 3.75% of the revenue sharing base in fiscal year 2020-21.

See also LDs 133, 193 and 1278.

LD 448 **An Act Repealing Tax Lien Foreclosure Requirements** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK G HYMANSON P	ONTP	

This bill removes the provisions enacted in Public Law 2017, chapter 478 that established a preforeclosure process that municipalities must use in order to foreclose on homestead property for nonpayment of property tax if the owner is 65 years of age or older and has income and liquid assets below specified limits.

See also LD 451.

LD 451 **An Act To Repeal the Recently Enacted Changes to the Law Governing Tax Lien Foreclosure** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MOORE M TUELL W		

This bill repeals or removes the changes to the foreclosure law that were made by Public Law 2017, chapter 478. Under that law, a municipality is restricted in how it may sell a foreclosed property that was owned by a person who is at least 65 years of age, occupied the property as a homestead and meets specified income and asset requirements.

PL 2017, chapter 478 also places specific notice requirements regarding the foreclosure process on the State Tax Assessor and municipalities and provides for continuous eligibility under the Maine resident homestead property tax exemption for a person who loses ownership of a homestead to tax lien foreclosure and subsequently regains ownership of the homestead; these provisions are also removed by this bill.

See also LD 448.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 452 **An Act To Change the Penalty When Land under the Maine Tree Growth Tax Law Is Transferred** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MOORE M PERRY A	ONTP	

This bill provides that if land classified under the Maine Tree Growth Tax Law is to be transferred, the owner must notify the assessor of the intended transfer and the intended transferee of a potential withdrawal penalty. If land is transferred, a withdrawal penalty must be assessed against the transferor unless the intended transferee notifies the assessor of intent to maintain eligibility of the land for tree growth classification.

LD 465 **An Act To Eliminate the Service Provider Tax on Services Covered by Medicaid** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T DOW D	ONTP	

This bill repeals portions of the service provider tax that apply to services that are covered by the federal Medicaid program.

See also LD 892.

LD 483 **An Act To Improve the Maine Seed Capital Tax Credit Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M HUBBELL B	ONTP	

This bill increases the total annual aggregate amount of credits that may be issued under the Maine Seed Capital Tax Credit Program from $5,000,000 to $10,000,000, decreases the total aggregate credits that may be authorized for any one business from $5,000,000 to $3,500,000 and requires that eligible businesses that provide a product or service that is sold or rendered predominantly outside the State maintain more than 50% of their employees in positions within the State.

See also LD 1200.

LD 518 **An Act To Change the Exclusion Amount under the Estate Tax** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BROOKS H	ONTP	

This bill reduces the exclusion amount, below which the Maine estate tax does not apply, to $1,000,000 from $5,600,000 for estates of decedents dying on or after January 1, 2020 and removes the annual adjustment for inflation of that exclusion amount.

See also LD 420.

LD 529 **An Act To Provide Property Tax Deferral for Senior Citizens and People with Physical Disabilities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J SANBORN L	ONTP	

This bill reinstates the State's property tax deferral program, which was in effect for applications filed before April 1, 1991.

The bill modifies the program to include households with at least one individual who is 65 years of age or older or who retired from gainful employment due to physical disability and to surviving spouses who are at least 60 years of age and provides that household income must be less than $40,000. This limit is indexed for inflation in 2020 and annually thereafter.

The bill limits the total amount of property taxes that a taxpayer may defer to 80% of the taxpayer's equity in the property and requires the Finance Authority of Maine to establish a loan program to ensure adequate funding of reimbursements to municipalities.

See also LDs 682, 751, 1145 and 1242.

LD 560 **An Act To Improve Access to Property Tax Exemptions for New Homeowners** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GROHOSKI N	OTP-AM ONTP	H-77 H-194 GROHOSKI N

This bill provides that a permanent resident of the State who owns a homestead in the State does not need to own a homestead for the preceding 12 months in order to qualify for the Maine resident homestead property tax exemption.

Committee Amendment "A" (H-77)

This amendment, which was the majority report of the committee, provides that the bill's expansion of the homestead property tax exemption to include persons who have not owned a homestead for the preceding 12 months first applies for property tax years beginning on or after April 1, 2020. The amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-194)

This amendment increases the state reimbursement rate of property taxes lost due to such participation to 100% for the first year the exemption is received; thereafter, the rate of state reimbursement returns to the current rate of 62.5%.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 561 **An Act To Exempt from Taxation Certain Out-of-state Pensions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	ONTP	

This bill exempts from Maine income tax certain income from out-of-state pensions in order to avoid double taxation of that income. The exemption is only for the amount of the contribution made by the taxpayer divided by the life expectancy of the taxpayer and applies only if the income is included in federal adjusted gross income and not deducted under the general pension deduction.

In order to qualify for the exemption, the contribution must have been made using income on which income tax was paid and is available only if the state in which the taxpayer resided at the time of the contribution provides a similar exemption to a former resident of Maine.

See also LD 1019.

LD 564 **An Act To Encourage the Installation of Solar Panels on Residential Property** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L BREEN C		

This bill provides a property tax exemption for solar panels and associated equipment installed on residential property that qualifies for a homestead exemption.

See also LDs 922, 1191 and 1430.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 604 **An Act To Create an Electric Vehicle Tax Credit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J TERRY M	ONTP	

This bill provides an income tax credit for the purchase of a new plug-in electric-drive motor vehicle that is eligible for a federal income tax credit. The credit is $300 plus $50 for each kilowatt-hour of battery capacity in excess of five kilowatt-hours up to a maximum credit of $1,500.

LD 607 **An Act To Provide Equitable Taxation for the Food and Beverage Industry** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN S	OTP-AM ONTP	S-280

This bill allows a deduction from Maine individual and corporate taxable income equal to the reduction in salaries and wages expense for federal income tax purposes associated with the taxpayer's federal credit for employer social security tax on employee cashed tips. Under current Maine law, when an employer takes the credit available under the federal Internal Revenue Code, the employer receives neither a Maine credit nor a return of the federal disallowed deduction for Maine taxable income purposes; such a deduction is allowed from Maine taxable income for the work opportunity credit and empowerment zone employment credit. This bill makes Maine's treatment consistent across the three federal credits.

Committee Amendment "A" (S-280)

This amendment, which is the majority report of the committee, provides the correct references to the provision of federal law that causes the need for the deductions authorized by the bill and specifies that the deductions apply beginning with the 2019 tax year.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th

Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 609 **An Act To Provide Municipalities Additional Sales Tax Revenue from Lodging Sales** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TERRY M		

This bill provides an incremental sales tax of 1% for those sales currently subject to the 9% sales tax on lodging. The incremental revenue, after reduction for administrative costs, is returned to the municipality or unorganized territory to which the revenue is attributable. The amount received may not be used to reduce any other state aid or revenue sharing to municipalities or the unorganized territory.

See also LDs 65, 156, 1110 and 1254.

This bill was carried over to any special or regular session, or both of the 129th Legislature by joint order, H.P. 1322.

LD 625 **An Act To Phase Out the Insurance Premium Tax on Annuities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S DOW D	OTP-AM	H-32

This bill phases out the insurance premium tax on annuity considerations over four years beginning in 2020. During the phase-out period, the prescribed rate applies only if the insurer credits the savings from the rate reductions to annuity holders. The bill also specifies that certain deductions related to annuities may be deducted from annuity considerations for tax periods beginning on or after January 1, 2020.

Committee Amendment "A" (H-32)

This amendment changes the phase-out of the insurance premium tax on annuity considerations from four years to nine years and provides that during the phase-out period the retaliatory tax on non-Maine insurance companies does not apply. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 645 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Cap the Property Tax on the Primary Residence of Certain Residents Who Are 65 Years of Age or Older** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN M	ONTP	

This resolution proposes to amend the Constitution of Maine to authorize the Legislature to require municipalities to cap property taxes on property owned and occupied as a person's primary residence if that person is at least 65 years of age and the household income for the residents of the property does not exceed 400% of the federal poverty level. The tax would be stabilized at the amount assessed on the property on the later of the date by which the

person attained 65 years of age or purchased the property. Upon transfer of the property to someone other than a family member of the owner, the property would assume the just value at the time of transfer. The State would be required to reimburse a municipality for any revenue lost due to the cap on property taxes.

See also LD 812.

LD 660 **An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A	OTP-AM	H-183

This bill provides a sales tax exemption to a parent-teacher organization organized as a public benefit corporation.

Committee Amendment "A" (H-183)

The amendment adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 669 **An Act To Provide Housing Relief for Maine Families and Seniors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V	ONTP	

This bill replaces the property tax fairness credit with a refundable housing relief credit for tax years beginning on or after January 1, 2020.

Resident individuals are eligible for the housing relief credit if their income is equal to or less than the area median income identified by the federal Department of Housing and Urban Development. The credit is equal to the amount by which a resident individual's housing cost exceeds 25% of the individual's income. Housing cost includes payments made for the purpose of maintaining a homestead, including property tax payments, property insurance payments, mortgage payments, rent payments and payments for heat, electricity, water and sewer, including well and septic maintenance. The maximum credit is $3,000 for resident individuals under 70 years of age as of the last day of the taxable year or $4,000 for resident individuals 70 years of age and older as of the last day of the taxable year.

See also LDs 393, 887, 957 and 1158.

LD 682 **An Act To Provide Seniors and Certain Persons with Disabilities Assistance with Property Taxes through the Deferral of Those Taxes** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM	H-443

This bill reinstates the State's property tax deferral program, which was in effect for applications filed before April 1, 1991. The bill modifies the program to include households with at least one individual who is 65 years of age or

older or who is unable to continue employment due to disability and to surviving spouses who are at least 60 years of age or who are unable to continue employment due to disability and provides that income must be less than $40,000. This income limit is indexed for inflation in 2021 and annually thereafter. The bill also changes the rate of accrual of interest on deferred property taxes from 6% to the prime rate published in the Wall Street Journal rounded up to the next whole percent minus one percentage point. The bill adds a maximum liquid asset standard for eligibility of property owners and provides that property may not be subject to deferral under both the state deferral program and a municipal deferral program.

Committee Amendment "A" (H-443)

This amendment makes changes to clarify provisions of the State's property tax deferral program and to facilitate the administration of the deferral of property taxes for seniors and certain persons with disabilities, including expanding the authority of guardians to include an agent under a power of attorney or pursuant to a protective arrangement or any other lawful order. The amendment adds an appropriations and allocations section.

See also LDs 529, 751, 1145 and 1242.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 709 **An Act To Exempt Certain Meals Provided to Food Service Employees from the Sales and Use Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY S VITELLI E	OTP-AM	H-328

This bill exempts from sales and use tax meals, up to a maximum cost to the employer of $6 per day, provided to an employee of an eating establishment while that employee is working. It provides that, beginning in 2020, the amount of the exemption must be adjusted for inflation.

Committee Amendment "A" (H-328)

This amendment provides that the tax exemption applies to meals that are provided at no cost to an employee who is actually working as a food service employee and that the exempted meals do not include alcoholic beverages. The amendment also removes the maximum meal cost limitation and inflation indexing provisions and allocates the exemption to a more appropriate subsection.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 725 **An Act To Provide an Income Tax Credit To Encourage Small Business Hiring** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FAY J HERBIG E	ONTP	

This bill provides an income tax credit for employers with an average of 25 or fewer full-time employees during a tax year. The credit is equal to the amount of federal social security tax and Medicare tax paid by the employer for the first 40 hours of employment for new employees who are employed for at least 12 consecutive months for year-round jobs or at least two consecutive seasons for seasonal jobs.

LD 726 **An Act To Make Sales to Area Agencies on Aging Tax-exempt** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D JACKSON T	OTP-AM	H-56

This bill provides an exemption from the sales and use tax to area agencies on aging, as designated by the Department of Health and Human Services, and public and private nonprofit agencies that are operating under grants provided by the department, that provide social services in order to secure and maintain maximum independence and dignity in a home environment for older people capable of self-care with appropriate supportive services.

Committee Amendment "A" (H-56)

This amendment adds an exemption from the service provider tax for sales of taxable services to agencies that the bill makes eligible for a sales tax exemption.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 731 **An Act To Amend the Maine Tax Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the Maine tax laws.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 732 **An Act To Provide a Sales Tax Exemption for Nonprofit Career and Technical Student Organizations** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R LUCHINI L	OTP-AM	H-391

This bill provides a sales tax exemption to nonprofit career and technical education student organizations recognized by the Department of Education.

Committee Amendment "A" (H-391)

This amendment adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 751 **An Act To Reinstate the State Property Tax Deferral Program for Maine's Senior Homeowners** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SKOLFIELD T DAVIS P	ONTP	

This bill reinstates the State's elderly property tax deferral program, which until April 1, 1991 provided a mechanism allowing qualifying senior homeowners to defer property tax payments and required the State to pay the property taxes on behalf of the homeowners. This bill modifies the program's eligibility standards by increasing the household income threshold from less than $32,000 to less than $40,000 and adding a liquid asset limit. The bill makes the existing abatement and appeal processes available in cases in which the State Tax Assessor disagrees with the municipal assessment of a property eligible for enrollment in the program.

See also LDs 529, 682, 1145 and 1242.

LD 811 **An Act To Provide Additional Flexibility in the Municipal Property Tax Assistance Programs for Seniors** **PUBLIC 159**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER J	OTP	

This bill amends the law regarding municipal property tax assistance programs to provide more flexibility to municipalities that choose to implement a program by allowing the municipality to establish:

1. A minimum age for eligibility, as long as that age is at least 62 years; and

2. A minimum length of time that the claimant has maintained a homestead in the municipality.

A municipality may impose other eligibility standards and procedures, as long as they are established by ordinance.

Enacted Law Summary

Public Law 2019, chapter 159 amends the law regarding municipal property tax assistance programs to provide more flexibility to municipalities that choose to implement a program by allowing the municipality to establish:

1. A minimum age for eligibility, as long as that age is at least 62 years; and

2. A minimum length of time that the claimant has maintained a homestead in the municipality.

A municipality may impose other eligibility standards and procedures, as long as they are established by ordinance.

LD 812 **An Act To Stabilize Property Taxes on Homesteads of Individuals Who Are 66 Years of Age or Older** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J BAILEY D	ONTP	

This bill permits a municipality to maintain the property tax on the homestead of a permanent resident who is at least 66 years of age or older at the amount billed in the year prior to an application for stabilization. The amount by which the tax assessed exceeds the stabilized amount must be paid to the municipality by the State. An applicant for stabilization must be a permanent resident of the State and must have received a property tax fairness credit for the income tax year preceding application for stabilization. An application for stabilization must be made each year to continue eligibility.

See also LD 645.

LD 824 **An Act To Allow a Municipality To Opt Out of Collecting Personal Property and Business Equipment Taxes** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
THERIAULT T POULIOT M	ONTP	

This bill allows a municipality, by referendum, to exempt all personal property, including business equipment, located in that municipality from assessment and collection of tax by that municipality.

See also LD 146.

LD 837 **An Act To Increase the Homestead Property Tax Exemption for Certain Persons Who Are at Least 75 Years of Age** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A WOODSOME D	ONTP	

This bill provides an additional $30,000 homestead property tax exemption, for a total exemption of $50,000, for persons who are 75 years of age or older and claimed the homestead as a permanent residence for 10 or more years. The bill requires the State to reimburse municipalities 100% of the revenue lost as a result of the increased exemption for persons 75 years of age or older.

Part H of the biennial budget, PL 2019, c. 343 increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

See also LDs 35, 77, 164, 1172, 1234 and 1448.

LD 839 **An Act To Increase Funding for Multimodal Transportation** **Veto Sustained**

Sponsor(s)	Committee Report	Amendments Adopted
CLOUTIER K CHIPMAN B	OTP-AM ONTP	H-329

This bill increases the sales tax on short-term rentals of automobiles, small trucks and vans from 10% to 15% to provide funding for multimodal transportation. The increase takes effect October 1, 2019.

Committee Amendment "A" (H-329)

This amendment reduces from 15% to 12% the increased rate of the sales tax on short-term rental of automobiles,

small trucks and vans and adds an appropriations and allocations section.

LD 854 **An Act To Improve Tax Incentives for Broadband Service** **PUBLIC 260**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K BELLOWS S	OTP-AM	H-385

This bill expands the allowable use of tax increment financing to include development, expansion or improvement of broadband services, including connecting to broadband service outside the tax increment financing district.

Committee Amendment "A" (H-385)

This amendment clarifies the circumstances under which tax increment financing project costs may include broadband and fiber optics expansion projects that serve residential or other nonbusiness or noncommercial areas within a municipality or plantation.

See also LD 1123.

Enacted Law Summary

Public Law 2019, chapter 260, expands the allowable use of tax increment financing to include development, expansion or improvement of broadband services, including connecting to broadband service outside the tax increment financing district and clarifies the circumstances under which tax increment financing project costs may include broadband and fiber optics expansion projects that serve residential or other nonbusiness or noncommercial areas within a municipality or plantation.

LD 863 **An Act To Exempt Diapering Products from Sales Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D VITELLI E	OTP-AM ONTP	H-212

This bill provides a sales tax exemption for disposable and reusable diapers for children, including diaper covers, wraps and diaper pins that are used with reusable diapers.

Committee Amendment "A" (H-212)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 873 **An Act To Clarify the Application of the Motor Vehicle Excise Tax to Water Well Drilling Equipment** **PUBLIC 430**

Sponsor(s)	Committee Report	Amendments Adopted
GRIGNON C DAVIS P	OTP-AM	H-442

This bill sets the annual property tax on equipment for water well drilling owned by a licensed well driller at $2,500 for tax years beginning January 1, 2020 and thereafter.

Committee Amendment "A" (H-442)

This amendment strikes and replaces the bill and provides that water well drilling equipment attached to a self-propelled vehicle is not considered part of the motor vehicle for purposes of the motor vehicle excise tax.

Enacted Law Summary

Public Law 2019, chapter 430, provides that water well drilling equipment attached to a self-propelled vehicle is not considered part of the motor vehicle for purposes of the motor vehicle excise tax.

LD 887 **An Act To Improve the Property Tax Fairness Credit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLUME L	ONTP	

This bill increases the maximum credit available under the property tax fairness credit to $2,000 for resident individuals, regardless of age. Current law provides a maximum credit of $750 for resident individuals under 65 years of age and $1,200 for resident individuals 65 years of age and older. This bill also removes the inclusion of benefits received under the federal Social Security Act and railroad retirement benefits from being included as income for purposes of determining the credit. The credit is fully refundable after the application of nonrefundable credits.

Part H of the biennial budget, PL 2019, chapter 343, changes the formula for calculation of the property tax fairness credit to expand the credit to residents whose property taxes or rent constituting property taxes on homestead property exceeds 5%, rather than 6% in current law, of the residents' income for tax years beginning on or after January 1, 2020.

See also LDs 393, 669, 957 and 1158.

LD 892 **Resolve, To Require the Examination of Alternatives to the Service Provider Tax** **RESOLVE 81**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E MCCREIGHT J	OTP-AM	S-289

This bill repeals the service provider tax for so-called MaineCare Appendix C private nonmedical institutions, which are residential care facilities maintained wholly or partly for the purpose of providing residents with medical and remedial treatment services. The service provider tax continues to apply to private nonmedical institution services that are provided by MaineCare Appendix B, D, E or F private nonmedical institutions.

Committee Amendment "A" (S-289)

This amendment replaces the bill with a resolve that directs the Department of Health and Human Services in partnership with the Department of Administrative and Financial Services and other state agencies that the departments determine should be included to examine the service provider tax and alternatives to the tax and submit a report on their findings to the Joint Standing Committee on Taxation by March 1, 2020. The committee is authorized to submit a bill to the Second Regular Session of the 129th Legislature.

See also LD 465.

Enacted Law Summary

Resolve 2019, chapter 81, directs the Department of Health and Human Services in partnership with the Department of Administrative and Financial Services and other state agencies that the departments determine should be included to examine the service provider tax and alternatives to the tax and submit a report on their findings to the Joint Standing Committee on Taxation by March 1, 2020. The committee is authorized to submit a bill to the Second Regular Session of the 129th Legislature.

LD 903 **An Act To Improve Corporate Tax Fairness by Amending the Rates Imposed on Corporate Income** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CUDDY S CHIPMAN B		

This bill establishes two new tax brackets and three new rates for corporate income tax purposes for tax years beginning on or after January 1, 2020. Under the bill, corporate income between $2,000,000 and $3,000,000 is taxed at the rate of 8.5% and corporate income between $3,000,000 and $3,500,000 is taxed at the rate of 8.75%; such income is taxed under current law at the rate of 8.33%. The top tax rate, which is imposed on corporate income over $3,500,000, is increased from 8.93% to 9%.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 905 **An Act To Exempt Long-term Capital Gains from Income Tax for Certain Income Levels** **Accepted Report B (ONTP)**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY M	OTP-AM ONTP	

This bill exempts from Maine income tax net capital gains on the sale of securities held for 10 years or longer and that are subject to federal income tax for individuals with federal adjusted gross income of $300,000 or less if filing married joint returns and $150,000 or less for all other individuals.

Committee Amendment "A" (H-211)

This amendment, which was one of two reports, each supported by six members of the committee, provides an income tax deduction for certain long-term capital gains related to securities held for at least 10 years after October 1, 2019 that were not acquired by gift or inheritance if at least one of the taxpayers filing the tax return is 62 years of age or older and the federal adjusted gross income of the individuals filing the return is $150,000 or less for individuals filing married joint returns and $75,000 or less for all other returns.

This amendment was not adopted.

LD 922 **An Act To Provide a Property Tax Exemption for Renewable Energy Fixtures** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J MIRAMANT D	ONTP	

This bill provides a property tax exemption for renewable energy fixtures installed on or after September 1, 2019.

See also LDs 564, 1191 and 1430.

LD 957 **An Act To Increase the Property Tax Fairness Credit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
INGWERSEN H POULIOT M	ONTP	

This bill increases the maximum credit available under the property tax fairness credit from $750 to $1,000 for resident individuals under 65 years of age and from $1,200 to $1,500 for resident individuals 65 years of age and older and decreases the threshold from 6% to 5% of the resident individual's income for purposes of calculating the credit.

Part H of the biennial budget, PL 2019, chapter 343, changes the formula for calculation of the property tax fairness credit to expand the credit to residents whose property taxes or rent constituting property taxes on homestead property exceeds 5%, rather than 6% in current law, of the residents' income for tax years beginning on or after January 1, 2020.

See also LDs 393, 669, 887 and 1158.

LD 958 **An Act To Amend the Maine Income Tax Laws** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the Maine income tax laws.

LD 963 **An Act To Exempt Overtime Pay from Individual Income Tax** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
GRIGNON C FARRIN B	ONTP OTP-AM	

This bill excludes from income tax overtime compensation if the employer is required by law to pay the overtime compensation to the employee.

Committee Amendment "A" (H-259)

This amendment, which is the minority report of the committee and which was adopted in the Senate, adds an appropriations and allocations section to fund costs of activities necessary to administer the tax change provided in the bill.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-256)

This amendment, which was adopted in the Senate, imposes a surcharge in the amount of 2.15% on income above $1,450,000. The revenue from the surcharge must be used to offset the loss of revenue attributable to the exclusion of overtime pay from income tax provided for in the bill.

This amendment was not adopted.

LD 977 **An Act To Restore the Super Credit for Substantially Increased Research and Development** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HEPLER A BELLOWS S	OTP-AM	H-621

Under a tax credit that expired January 1, 2014, a taxpayer that qualified for a research expense tax credit was allowed a so-called super credit for qualified research expenses for research conducted in this State. A taxpayer who had unused credits may carry over any unused credit for the next succeeding 10 years, except that the credit is limited to no more than 25% of the taxpayer's tax due after the allowance of other tax credits.

This bill restores the availability of the super credit, retroactive to January 1, 2014, and resets the base amount to the average annual amount spent by the taxpayer on qualified research expenses during the three years before the credit is taken or during the three years before the effective date of this legislation, whichever is greater.

Committee Amendment "A" (H-621)

This amendment restores the super credit for substantially increased research and development for tax years beginning on or after January 1, 2019. The amendment also provides reporting and evaluation requirements to permit evaluation of the credit in meeting its intended purposes.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 989 **An Act To Improve Maine's Tax Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact changes to improve the application and efficacy of the tax laws.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1019 **An Act To Increase the Maximum Pension Deduction for State Income Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L	OTP-AM	S-230

This bill eliminates double taxation of certain employee contributions to retirement benefit plans made in other states by exempting from Maine income tax the portion of retirement benefits attributable to the taxpayer's contribution to an employee retirement plan or an individual retirement account that was taxed by another jurisdiction if those benefits are included in federal adjusted gross income.

Committee Amendment "A" (S-230)

This amendment increases the maximum annual income tax pension deduction amount for nonmilitary retirement pensions from $10,000 to $35,000 over a five-year period beginning with the 2019 tax year. The $35,000 pension deduction amount that applies after the 2023 tax year is subject to an annual inflation adjustment.

See also LD 561.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1028 **An Act To Prevent and Reduce Tobacco Use with Adequate Funding and by Equalizing the Taxes on Tobacco Products and To Improve Public Health** **PUBLIC 530**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J	OTP-AM	H-622
CHIPMAN B	ONTP	H-656 TIPPING R

This bill increases the cigarette tax from $2.00 to $3.50 per pack of 20 cigarettes and increases the tax on all other tobacco products including electronic cigarettes to 81% of the wholesale sales price, beginning November 1, 2019.

The bill provides that, if the tax on cigarettes is increased on or after November 1, 2019, the tax on all other tobacco products will be adjusted by a rate that is equivalent to the percentage change in the tax rate for one cigarette.

The bill provides ongoing funding, $11,100,000 per year, to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for tobacco use prevention and cessation in order to align with the United States Department of Health and Human Services, Centers for Disease Control and Prevention recommendations. The bill also provides $1,000,000 in fiscal year 2019-20 and $750,000 thereafter for MaineCare members for tobacco use cessation medications and counseling. Finally, the bill provides $250,000 per year in ongoing funding to the Attorney General's office for increased tobacco enforcement activities.

Committee Amendment "A" (H-622)

This amendment, which is the majority report of the committee, strikes the bill and instead increases the tax on tobacco products, other than cigarettes, to 43% of the wholesale sales price, beginning January 2, 2020, and includes electronic smoking devices and liquids used in electronic smoking devices in the definition of "tobacco products." The amendment provides that, if the tax on cigarettes is increased after January 2, 2020, the tax on smokeless tobacco and other tobacco products will be adjusted by a rate that is equivalent to the percentage change in the tax rate for one cigarette.

The amendment provides ongoing funding of $5,100,000 in each year of the biennium to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for tobacco use prevention and cessation in order to align with the United States Department of Health and Human Services, Centers for Disease Control and Prevention recommendations. The bill also provides $1,000,000 in fiscal year 2019-20 and $750,000 in fiscal year 2020-21 for tobacco use cessation medications and counseling for MaineCare members.

House Amendment "A" To Committee Amendment "A" (H-656)

This amendment reduces appropriations for tobacco use prevention and cessation and adds provisions increasing reimbursement for certain services under the MaineCare program, providing an income tax deduction for student loan payments made by a taxpayer's employer directly to a lender on behalf of a qualified health care employee and transferring Hospital Tax Other Special Revenue Funds in the Department of Health and Human Services to the unappropriated surplus of the General Fund.

Enacted Law Summary

Public Law 2019, chapter 530 increases the tax on tobacco products, other than cigarettes, to 43% of the wholesale sales price, beginning January 2, 2020, and includes electronic smoking devices and liquids used in electronic smoking devices in the definition of "tobacco products." The law provides that, if the tax on cigarettes is increased after January 2, 2020, the tax on smokeless tobacco and other tobacco products will be adjusted by a rate that is equivalent to the percentage change in the tax rate for one cigarette.

This law provides ongoing funding in each year of the biennium to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for tobacco use prevention and cessation in order to align with the United States Department of Health and Human Services, Centers for Disease Control and Prevention recommendations. The law also provides funding for tobacco use cessation medications and counseling for MaineCare members.

The law increases reimbursement for certain services under the MaineCare program, provides an income tax deduction for student loan payments made by a taxpayer's employer directly to a lender on behalf of a qualified health care employee and transfers Hospital Tax Other Special Revenue Funds in the Department of Health and Human Services to the unappropriated surplus of the General Fund.

LD 1031 **An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ORDWAY L DAVIS P	ONTP	

This bill requires that the excise tax for all motor vehicles, mobile homes and camper trailers be based upon the actual value of the vehicle or mobile home at the time of delivery to the owner, as determined by sources approved by the State Tax Assessor rather than the maker's list price required under current law.

The bill requires the State to reimburse a municipality for the difference between the amount of excise tax that would be collected by the municipality on all vehicles registered and taxed by the municipality using the actual value and the amount of tax that would be collected using maker's list price.

See also LD 119.

LD 1042 **An Act To Exempt Disabled Veterans from Property Taxes in Accordance with Their Disability Ratings** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ROBERTS-LOVELL		

This bill permits a veteran with a service-connected disability rated by the United States Department of Veterans Affairs at 30% or greater to choose to receive a homestead exemption equal to 50% of the just value of the homestead multiplied by the veteran's percentage disability rating instead of the current homestead exemption and exemptions for veterans and legally blind persons. The bill requires the State to reimburse municipalities for 75% of the revenue loss attributable to the new exemption.

See also LDs 163, 1194, 1271 and 1326.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1044 **An Act To Advance Children's Cancer Research in Maine** **PUBLIC 433**

Sponsor(s)	Committee Report	Amendments Adopted
HEAD F JACKSON T	OTP-AM	H-441

This bill was rereferred from the Joint Standing Committee on Transportation with the recommendation that the bill establish an income tax checkoff contribution. The original bill creates the option for an individual to make a donation upon vehicle registration or renewal in support of children's cancer research and establishes the Maine Children's Cancer Research Fund for collection of the donations. All donations are transferred quarterly to an entity determined by the Secretary of State and must be used exclusively for children's cancer research.

Committee Amendment "A" (H-441)

This amendment replaces the bill and establishes the Maine Children's Cancer Research Fund administered by the Department of Health and Human Services to support children's cancer research. Amounts available in the fund must be used to provide grants and other funding to support children's cancer research provided by research facilities in Maine that operate children's cancer programs. The amendment also requires the inclusion of a check-off provision on Maine income tax forms for taxpayers who wish to contribute to the fund. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 433, establishes the Maine Children's Cancer Research Fund administered by the Department of Health and Human Services to support children's cancer research. Amounts available in the fund must be used to provide grants and other funding to support children's cancer research provided by research facilities in Maine that operate children's cancer programs. The law also requires the inclusion of a checkoff provision on Maine income tax forms for taxpayers who wish to contribute to the fund.

LD 1069 **An Act To Amend the Tax Expenditure Review Process** **PUBLIC 161**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP	

This bill changes dates for the submission to the Legislature of tax expenditure reports by the joint standing committee of the Legislature having jurisdiction over taxation matters and the date for submission to the committee of certain materials by the Office of Program Evaluation and Government Accountability. These changes are made to accommodate previous reporting changes made with regard to full evaluations of tax expenditures and to facilitate a more efficient review of all tax expenditure provisions.

Enacted Law Summary

Public Law 2019, chapter 161, changes dates for the submission to the Legislature of tax expenditure reports by the joint standing committee of the Legislature having jurisdiction over taxation matters and the date for submission to the committee of certain materials by the Office of Program Evaluation and Government Accountability. These changes are made to accommodate previous reporting changes made with regard to full evaluations of tax expenditures and to facilitate a more efficient review of all tax expenditure provisions.

LD 1070 **An Act To Reduce the Number of Domestic Assaults and Suicides By Increasing the Tax on Alcohol** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CARDONE B GRATWICK G	ONTP	

This bill increases the premium tax on spirits from $1.25 to $1.50 per proof gallon, the excise tax on malt liquor from 35 cents to 50 cents per gallon, the excise tax on wine, fortified wines and hard cider by various amounts and the sales tax on liquor sold in licensed establishments from 8% to 10%.

LD 1074 **An Act To Establish a Tax on Water Extracted for Bottling in Order To Secure the Economic Future of Rural Maine** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
GRAMLICH L CARPENTER M	ONTP OTP-AM	

This bill creates an excise tax of 12¢ per gallon on the extraction of groundwater or surface water for commercial bottling for sale. Revenue from the tax must be used to improve the economy of the State by supporting the expansion and improvement of high-speed broadband access and by providing tuition grants for up to two years for postsecondary education.

Committee Amendment "A" (H-637)

This amendment, which is the minority report of the committee, reduces the proposed tax on the extraction of bottled water from 12¢ per gallon to 5¢ per gallon and provides that the revenue, after subtraction of administrative costs, is credited to the Highway Fund. The amendment also includes statutory referendum provisions to ensure that the tax will not take effect unless approved by the voters at a statewide election and changes dates to reflect the referendum timing.

This amendment was not adopted.

LD 1076 **An Act To Account for Market Change in the Adult Use Marijuana Excise Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY S		

This bill changes the excise tax on adult use marijuana cultivation facilities from a tax based on quantity to a tax based on a percentage of the average market price for the category of marijuana sold. The bill requires the average market price to be determined quarterly by the Department of Administrative and Financial Services. The tax would not apply to sales by a cultivation facility to a licensee with which it is vertically integrated.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1110 **An Act To Establish a Local Option for Sales Tax** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GRAMLICH L CHIPMAN B	ONTP	

This bill allows a municipality to impose a local option sales tax if approved by referendum of the voters in that municipality. The referendum question must identify the rate of the local option sales tax, the categories of taxable items the local option sales tax will apply to and the purposes for which the revenue will be used. The local option sales tax would be collected and administered by the State in the same manner as the sales and use tax. Revenue from the local option sales tax is distributed to the municipality imposing the local option sales tax. Revenue received by a municipality may not be used to reduce or eliminate funding otherwise due the municipality under other provisions of law.

See also LDs 65, 156, 609 and 1254.

LD 1122 **An Act To Expand Tax Increment Financing** **PUBLIC 148**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M TIPPING R	OTP-AM	S-75

This bill expands the types of projects eligible for tax increment financing for municipalities and plantations by including public safety facilities instead of just fire stations, as in the current law.

Committee Amendment "A" (S-75)

This amendment, like the bill, expands the types of projects eligible for tax increment financing by including public safety facilities instead of only fire stations as allowed under current law. The amendment defines "public safety facility" and caps the percentage of tax increment financing funds per development district that may be used for public safety facilities located outside the district.

Enacted Law Summary

Public Law 2019, chapter 148 expands the types of projects eligible for tax increment financing by including public safety facilities instead of only fire stations as allowed under current law. The law defines "public safety facility" and caps the percentage of tax increment financing funds per development district that may be used for public safety facilities located outside the district.

LD 1123 **An Act Regarding Telecommunications Infrastructure Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK R LANDRY S	ONTP	

This bill amends the laws governing development districts designated by a municipality or plantation to provide that costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of such projects, whether or not such expansion projects serve residential or business areas within the municipality or plantation are authorized project costs.

See also LD 854.

LD 1131 **Resolve, Directing the Maine State Housing Authority To Study and Report on the Need for Modifications To Make Homes Accessible for Senior Citizens and Persons with Disabilities** **RESOLVE 50**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V DESCHAMBAULT S	OTP-AM	H-327

This bill changes the maximum income eligibility level for the income tax credit for home modifications to improve accessibility and the Maine State Housing Authority pilot project to assist older adults and persons with disabilities with certain home modifications. The new income eligibility level for each program is changed to the area median income as determined by the United States Department of Housing and Urban Development for the county or municipality in which the home is located.

Committee Amendment "A" (H-327)

This amendment changes the bill to a resolve and directs the Maine State Housing Authority to work with interested parties to study and make recommendations to the Second Regular Session of the 129th Legislature regarding the need, with reference to geographical areas of the State, for home modifications to provide accessibility for low-income older or disabled residents of the State in order to permit those persons to remain in their homes and avoid institutionalization.

See also LD 6.

Enacted Law Summary

Resolve 2019, chapter 50, directs the Maine State Housing Authority to work with interested parties to study and make recommendations to the Second Regular Session of the 129th Legislature regarding the need, with reference to geographical areas of the State, for home modifications to provide accessibility for low-income older or disabled residents of the State in order to permit those persons to remain in their homes and avoid institutionalization.

LD 1145 **An Act To Improve the Law Authorizing Municipalities To Allow Low-income Seniors To Defer Payment of Municipal Property Taxes** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J SANBORN H	ONTP	

This bill lowers from 70 years of age to 65 years of age the age of eligibility for municipal property tax deferral programs for homesteads of low-income seniors and requires the State to reimburse municipalities for the taxes deferred. The State acquires a lien on the property for the amount of taxes deferred plus interest.

See also LDs 529, 682, 751 and 1242.

LD 1150 **An Act To Amend the Maine Tree Growth Tax Law To Encourage Public Access** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN J JACKSON T		

This bill excludes from classification under the Maine Tree Growth Tax Law a parcel of land to which public access for recreational use is limited or prohibited.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1156 **An Act To Create the Savings Account Program for Small Businesses** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T JACKSON T		

This bill establishes the Savings Account Program for Small Businesses in the Finance Authority of Maine to certify corporations eligible to claim an income tax credit for contributions made to qualifying savings accounts. The bill creates the tax credit and establishes that withdrawals from the savings accounts are taxable income.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1158 **An Act To Provide Property Tax Relief** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TALBOT ROSS R SANBORN H	OTP-AM	H-382

This bill amends the property tax fairness credit under the income tax laws for tax years beginning on or after January 1, 2020 by changing the formula for calculation of benefits to reflect the calculation that applied under the

Maine Residents Property Tax Program, referred to as "the circuitbreaker program," which was in effect prior to enactment of the property tax fairness credit.

Committee Amendment "A" (H-382)

This amendment changes "calendar year" to "tax year" in the definition of "household income" and clarifies that the income factor for the calculation proposed in the bill of the property tax fairness credit is household income. This amendment also adds an appropriations and allocations section.

See also LDs 393, 669, 887 and 957.

Part H of the biennial budget, PL 2019, chapter 343, changes the formula for calculation of the property tax fairness credit to expand the credit to residents whose property taxes or rent constituting property taxes on homestead property exceeds 5%, rather than 6% in current law, of the residents' income for tax years beginning on or after January 1, 2020.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1163 **An Act Regarding Energy, Utilities and Technology** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LAWRENCE M		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws regarding energy, utilities and technology.

This bill was rereferred to the Taxation Committee by the Joint Standing Committee on Energy, Utilities and Technology with a recommended draft of an income tax credit for investments in qualified high-speed internet projects.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1164 **An Act To Improve the Educational Opportunity Tax Credit** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M TIPPING R	OTP-AM	S-229

This bill makes the current income tax credit for educational opportunity inapplicable to tax years beginning on or after January 1, 2020, and creates a new simplified tax credit for student loan repayment applicable to tax years beginning on or after January 1, 2020. The new credit contains the following provisions.

1. A qualified individual must be a full-year Maine resident who has obtained an associate, bachelor's or graduate degree from an accredited Maine or non-Maine community college, college or university after 2007 and who works at least part time in Maine or on a vessel at sea or is deployed for military service in the United States Armed Forces during the taxable year.

2. Loans obtained from related persons, such as family members and certain businesses, trusts and exempt

organizations, do not qualify for the credit.

3. The credit may not reduce the tax due to less than zero.

4. The credit for qualified individuals is the lesser of the amount paid on eligible education loans during the taxable year and 15% of the outstanding eligible education loan debt on the date the first education loan payment is made after a degree is earned.

5. The credit for employers is the lesser of the amount paid by an employer on behalf of a qualified employee during the taxable year during the term of employment and 20% of the outstanding eligible education loan debt on the date the first education loan payment is made after December 31, 2019.

6. The credit is available to the spouse of an individual eligible for a credit even if the spouse is not employed.

7. Income tax deductions are provided for student loan payments made directly to a lender by an employer on behalf of a qualified employee and payments made directly to a lender on behalf of a taxpayer by a student loan repayment program funded by a nonprofit foundation and administered by the Finance Authority of Maine for residents of the State employed by a business located in the State.

8. The annual credit may include loan amounts paid in excess of the amount due during a taxable year. The amendment also provides that credits in excess of those that may be used during a taxable year may be carried over for the next succeeding five years.

Committee Amendment "A" (S-229)

This amendment removes the requirement that a taxpayer's degree was received after 2007 to receive a credit for student loan repayment and provides that taxpayers who were eligible for a refundable credit under the credit for educational opportunity may continue to receive a refundable credit for tax years beginning before January 1, 2022. The amendment also increases from $50,000 per year to $75,000 per year the funds provided to market the Job Creation Through Educational Opportunity Program.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1172 **An Act To Provide Direct Property Tax Relief to Homeowners by Increasing the Homestead Exemption** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N GIDEON S	ONTP	

This bill increases the total exemption amount under the Maine resident homestead property tax exemption program from the current $20,000 to $30,000 for the property tax year beginning April 1, 2020 and to $40,000 for property tax years beginning on or after April 1, 2021. This bill also increases the reimbursement rate by the State for the revenue lost by a municipality due to the exemption from 62.5% to 75%, beginning with the 2020-2021 property tax year.

Part H of the biennial budget, PL 2019, c. 343 increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

See also LDs 35, 77, 164, 837, 1234 and 1448.

LD 1191 **An Act To Exempt Solar Energy Equipment from Property Tax** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LAWRENCE M	ONTP	

This bill provides a property tax exemption for solar energy equipment installed on residential property on or after September 1, 2019 to generate electricity or provide hot water to be used in a structure.

See also LDs 564, 922 and 1430.

LD 1194 **An Act To Increase Property Tax Relief for Veterans** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T NADEAU C	OTP-AM	S-136

This bill increases the property tax exemption beginning on or after April 1, 2020 from $6,000 to $10,000 of the just value of a home of a veteran who served in the Armed Forces of the United States during specified periods or who is receiving compensation from the United States Government for total, service-connected disability.

Committee Amendment "A" (S-136)

This amendment increases to $10,000 the property tax exemption for all categories of eligible veterans other than those receiving a $50,000 exemption for specially adapted housing units and who are paraplegic veterans. It also expands the dates of federally recognized war periods to include February 1, 1955 to February 27, 1961. State reimbursement is provided for 100% of the property tax revenue loss to municipalities as a result of the increase and expansion of exemptions. The amendment also adds an appropriations and allocations section.

See also LDs 163, 1042, 1271 and 1326.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1200 **An Act To Amend the Maine Seed Capital Tax Credit Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M GIDEON S	OTP-AM	S-169

This bill amends the Maine Seed Capital Tax Credit Program by:

1. Reducing from 50% to 40% the maximum credit available to individual investors and private venture capital funds for investments made after April 1, 2019;

2. Requiring that eligible exporting businesses retain in Maine a majority of their employees;

3. Reducing from $5,000,000 to $3,500,000 the total aggregate investment eligible for tax credits for any one

business;

4. Limiting to $2,000,000 the total aggregate investment eligible for any one business in any calendar year; and

5. Increasing from $5,000,000 to $15,000,000 the overall annual limit on total authorized credits.

Committee Amendment "A" (S-169)

This amendment restricts the increase in the overall annual limit on total authorized credits to calendar years 2019 to 2025, removes the requirement that a majority of an eligible business's employment associated with the creation and sale of a product or a provision of services be within the State and provides a structure for the required reporting of data to facilitate an evaluation of the effectiveness of the credit by the Office of Program Evaluation and Government Accountability.

See also LD 483.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1234 **An Act To Expand the Value of the Homestead Exemption to $25,000 and State Reimbursement to 70 Percent of Lost Property Tax Revenue** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
AUSTIN B	OTP-AM	H-482
LIBBY N	OTP-AM	

This bill increases for property tax years beginning April 1, 2020 the value of the homestead exemption benefit under the Maine resident homestead property tax exemption from $20,000 to $25,000 and increases the state reimbursement for the lost property tax revenue from 62.5% to 100%. The bill also provides that the property tax assessed on a homestead eligible for the homestead exemption may not be less than $100.

Committee Amendment "A" (H-482)

This amendment, which is the majority report of the committee, changes to 70% the percentage of state reimbursement of lost property tax revenue due to the increase in the homestead exemption in the bill. It also removes from the bill the provision that the tax assessed on a homestead eligible for the homestead exemption may not be less than $100. The amendment also adds an appropriations and allocations section.

Committee Amendment "B" (H-483)

This amendment, which is the minority report of the committee, removes from the bill the increase in the value of the homestead exemption and the provision that the tax assessed on a homestead eligible for the homestead exemption may not be less than $100. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

See also LDs 35, 77, 164, 837, 1172 and 1448.

Part H of the biennial budget, PL 2019, c. 343 increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1238 **An Act To Exempt Certain Print Publications from Sales Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HEPLER A GRATWICK G	OTP-AM ONTP	H-330

This bill expands the sales tax exemption for free publications to also apply to printed publications, including daily newspapers, that are issued at least once every seven days, on average.

Committee Amendment "A" (H-330)

This amendment, which is the majority report of the committee, removes language from the bill that changes the definition of "publication" to retain the minimum average publication interval of three months, as found in the current law, required for a publication to qualify for the exemption.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1242 **An Act To Reinstitute the State Property Tax Deferral Program for Seniors** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
CLOUTIER K LIBBY N		

This bill reinstitutes the property tax deferral program for seniors which, until April 1, 1991, provided a mechanism allowing qualifying senior homeowners to defer property tax payments and required the State to pay the property taxes on behalf of the homeowners. The bill makes the existing abatement and appeal processes available in cases in which the State Tax Assessor disagrees with the municipal assessment of a property eligible for enrollment in the program and makes other technical changes to the program to bring it into conformity with current law.

See also LDs 529, 682, 751 and 1145.

LD 1254 **An Act To Authorize a Local Option Sales Tax on Meals and Lodging and Provide Funding To Treat Opioid Use Disorder** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M CHIPMAN B	OTP-AM ONTP	

This bill allows a municipality to impose a local option sales tax, which may be seasonal, on prepared food, not including marijuana or marijuana products, and short-term lodging of no more than 1% if approved by referendum of the voters in that municipality. Revenue from the local option sales tax is distributed 85% to the municipality and 15% to all other municipalities. The 15% distributed to a municipality must be used by that municipality for the purposes of preventing and treating opioid use disorder in that municipality. Revenue received by a municipality may not be used to reduce or eliminate funding otherwise due the municipality under other provisions of law.

Committee Amendment "A" (H-536)

This amendment, which is the majority report of the Committee, provides that a municipality adopting a local option sales tax on meals and lodging is limited to a tax rate of 1% and provides that the tax must be assessed year-round. The amendment changes the distribution of local sales tax net revenue to 75% for the municipality imposing the tax and 25% to be distributed to the Maine Rural Development Authority. A local option sales tax may not take effect before July 1, 2021. This amendment was adopted in the House but not in the Senate.

This amendment was not adopted.

House Amendment "A" To Committee Amendment "A" (H-593)

This amendment limits the local option sales tax to lodging. This amendment was adopted in the House but not in the Senate.

This amendment was not adopted.

See also LDs 65, 156, 609 and 1110.

This bill was recommitted to the committee; it was then carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1256 An Act To Provide a Health Care Preceptor Tax Credit **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PERRY A MOORE M	OTP-AM	H-331

This bill establishes a refundable tax credit in the amount of $500 per student, up to a maximum of $1,500 per year, for a health care preceptor who provides, without compensation, instruction to and supervision of advanced practice registered nursing students in an approved course of study. A health care preceptor may be a licensed physician, physician's assistant or advanced practice registered nurse.

Committee Amendment "A" (H-331)

This amendment requires a health care preceptor to submit documentation of the activities necessary for the preceptor to qualify for an income tax credit and removes the provision making the credit refundable.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1265 An Act To Establish a Maine Low-income Housing Tax Credit **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M COLLINGS B	ONTP	

This bill creates an income tax credit for owners of low-income housing developments that qualify for tax credits under federal law and are financed with tax-exempt bonds, located in the State and determined by the Maine State Housing Authority to be eligible for a federal tax credit whether or not a federal tax credit is allocated to the development. A taxpayer that receives the credit must agree to enter a restrictive covenant to maintain and operate the development as low-income housing and follow various federal requirements for 15 years. The aggregate amount of new credits allocated by the Maine State Housing Authority may not exceed $42,000,000 in each year.

The state tax credit is for six years and has a recapture provision if the basis, as determined under federal law, of the development goes below a certain amount. An insurance company is allowed to apply the credit against the company's insurance premium tax. The Maine State Housing Authority is required annually to report various details of the qualified developments that received a credit for the prior tax year.

See also LD 1645.

LD 1271 **An Act To Exempt Permanently Disabled Veterans from Payment of Property Tax** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T NADEAU C	ONTP	

This bill provides a 100% veterans property tax exemption in the municipality of residence for a veteran receiving benefits based on a rating of 100% for a service-connected disability.

See also LDs 163, 1042, 1194 and 1326.

LD 1278 **RESOLUTION, Proposing an Amendment to the Constitution of Maine Requiring the State To Share Not Less Than 5 Percent of State Sales and Income Tax Revenue with Municipalities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MOORE M TUELL W	ONTP	

This resolution proposes an amendment to the Constitution of Maine to require that not less than 5% of state sales and income tax revenue be distributed to municipalities.

Part H of the biennial budget, PL 2019, chapter 343, sets state municipal revenue sharing at 3% of the revenue sharing base in fiscal year 2019-20 and 3.75% of the revenue sharing base in fiscal year 2020-21.

See also LDs 133, 193 and 444.

LD 1292 **An Act To Lower Maine's Individual Income Tax** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
O'CONNOR B DOW D	ONTP OTP-AM	

This bill decreases over three years the rate of taxation imposed on individual income by:

1. Decreasing the lowest rate from 5.8% to 5.2% for tax years 2020 and 2021 and to 5% beginning in 2022;

2. Decreasing the middle rate from 6.75% to 6.3% for tax years 2020 and 2021 and to 6% beginning in 2022; and

3. Decreasing the highest rate from 7.15% to 7.05% for tax years 2020 and 2021 and to 7% beginning in 2022.

This bill also changes cross-references in the Tax Relief Fund for Maine Residents and inflation adjustment statutes.

Committee Amendment "A" (H-384)

This amendment, which is the minority report of the committee, corrects a rounding error in the bill and adds language to make inflation adjustments to the tax tables.

This amendment was not adopted.

LD 1305 **An Act To Encourage Savings through Contributions to Family Development Accounts** **Accepted Report B (ONTP)**

Sponsor(s)	Committee Report	Amendments Adopted
VITELLI E BROOKS H	OTP-AM ONTP	

This bill reestablishes an income tax credit for contributions up to $25,000 to a family development account reserve fund administered by a community development organization approved by the Finance Authority of Maine.

Committee Amendment "A" (S-137)

This amendment, which was one of two reports, each supported by six members of the committee, changes the responsibility for the verification of eligibility for the tax credit for contributions to a family development account reserve fund from the State Tax Assessor to the state agency with responsibility for overseeing the family development account program.

This amendment was not adopted.

See also LD 1217 summarized under the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

LD 1322 **An Act To Provide Equitable Tax Treatment to State-licensed Marijuana Businesses** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JORGENSEN E CHIPMAN B	OTP-AM	H-334

This bill expands the list of licensed marijuana businesses that are eligible to take tax deductions otherwise allowed under the state income tax laws to include adult use marijuana establishments and testing facilities and medical marijuana manufacturing facilities. This bill also corrects two lettering conflicts created when two separate public laws enacted new paragraphs with the same letter designations by reallocating the later enacted versions.

Committee Amendment "A" (H-334)

This amendment provides a General Fund appropriation for administrative costs.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1326 **An Act To Expand Eligibility for the Veterans' Property Tax Exemption** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L	ONTP	

This bill allows persons who served in the Armed Forces of the United States during the period from February 1, 1955 to February 27, 1961 to qualify for the veterans' property tax exemption based on dates of service.

See also LDs 163, 1042, 1194 and 1271.

LD 1362 **An Act To Fund Opioid Treatment by Establishing an Excise Tax on Manufacturers of Opioids** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
O'NEIL M	OTP-AM	H-608
CHIPMAN B	OTP-AM	H-650 O'NEIL M

This bill establishes the Opioid Stewardship Fund within the Fund for a Healthy Maine for the purpose of supporting opioid use disorder prevention, treatment and recovery funded by an excise tax of 0.1¢ per morphine milligram equivalent assessed upon opioid drugs distributed in the State.

Committee Amendment "A" (H-608)

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It provides that the excise tax is a tax on manufacturers of opioids if more than 100,000 morphine milligram equivalents of the manufacturer's prescription opioid products are dispensed in the State in the tax year.

2. It changes the rate of the tax from 0.1¢ per morphine milligram equivalent to $0.01 per morphine milligram equivalent for a brand-name opioid distributed in the State or $0.0025 per morphine milligram equivalent for a generic substitute.

3. It removes the prohibition on passing the tax on to consumers.

4. It provides that revenue collected from the tax also may be used to fund the costs of administering the tax and provides necessary administrative details.

5. It provides that the tax is in effect until December 31, 2023 and requires the joint standing committee of the Legislature having jurisdiction over taxation matters to review the tax. It authorizes the committee to submit a bill to extend, amend or repeal the tax to the 131st Legislature based on the review.

6. It adds an appropriations and allocations section.

Committee Amendment "B" (H-609)

This amendment, which is the minority report of the committee, changes the bill to a resolve and directs the Commissioner of Health and Human Services, in consultation with the director of opioid response in the Executive Department and the Department of Administrative and Financial Services, Maine Revenue Services, to convene a study group to examine the need for funding for opioid use disorder education, prevention, treatment and recovery services and to identify sustainable sources of funding. The commissioner is directed to present a report of the

study group's findings and recommendations to the Joint Standing Committee on Taxation and the Joint Standing Committee on Appropriations and Financial Affairs by January 10, 2020. Each committee may submit legislation to the Second Regular Session of the 129th Legislature regarding the results of the report.

House Amendment "B" To Committee Amendment "A" (H-650)

This amendment to the committee amendment strikes the list of information that must be reported annually by a manufacturer of opioids to the Department of Health and Human Services and substitutes a requirement that the department adopt major substantive rules establishing the information that must be reported. The amendment also provides a different method of determining the products subject to the two levels of tax specified in the committee amendment and changes elements of the calculation of the rates. This retains the appropriations and allocations section in Committee Amendment "A."

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1424 **An Act To Create an Access to Justice Income Tax Credit** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D	OTP-AM	H-332

This bill provides an income tax credit for five years for attorneys who practice law in the State and agree to practice for at least five years in an underserved area of the State as determined by the Supreme Judicial Court. Eligibility for the credit is open from 2020 through 2025. The court may certify up to five eligible attorneys each year. The joint standing committee of the Legislature having jurisdiction over taxation matters is directed to review the effectiveness of the credit and may submit legislation to extend or revise it.

Committee Amendment "A" (H-332)

This amendment changes the entity reporting information to the Legislature regarding the access to justice credit from the State Tax Assessor to the Supreme Judicial Court and clarifies that the authorized disclosure by the assessor of tax information related to the credit is to the Supreme Judicial Court for purposes of making the report to the Legislature.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1430 **An Act To Create Tax Equity among Renewable Energy Investments** **PUBLIC 440**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R POULIOT M	OTP-AM	H-507

This bill provides clarification related to the eligibility of business investments in renewable energy facilities for purposes of the business equipment tax exemption and provides personal property tax and real estate tax exemptions for renewable energy facilities installed for noncommercial use. Additionally, the bill directs the Department of Administrative and Financial Services, Maine Revenue Services to provide guidance documents to assist municipalities with the assessment of renewable energy facilities included in these provisions.

Committee Amendment "A" (H-507)

This amendment provides property tax exemptions for certain renewable energy facilities in the form of personal property and real property. Additionally, the amendment directs the Department of Administrative and Financial Services, Maine Revenue Services to provide guidance on its publicly accessible website to assist municipalities with the assessment of renewable energy facilities included in these provisions.

See also LDs 564, 922 and 1191.

Enacted Law Summary

Public Law 2019, chapter 440, provides property tax exemptions for certain renewable energy facilities in the form of personal property and real property. Additionally, the amendment directs the Department of Administrative and Financial Services, Maine Revenue Services to provide guidance on its publicly accessible website to assist municipalities with the assessment of renewable energy facilities included in these provisions.

LD 1443 **An Act To Enact the Senior Property Tax Reimbursement Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PICKETT R CLAXTON N	ONTP	

This bill provides state reimbursement to eligible individuals for the portion of property taxes on their homesteads for a tax year that exceeds the property taxes for the year in which they reached retirement age as defined under the federal Social Security Act. For an individual to be eligible, the individual must be receiving a homestead exemption, have a household income of less than $40,000 and, if filing individually, have liquid assets of less than $50,000 or, if household members are filing jointly, have liquid assets of less than $75,000.

See also LDs 682 and 751.

LD 1446 **An Act To Remove Sales and Use Taxation on Gold and Silver Coins** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J MOORE M	ONTP OTP-AM	

This bill exempts from the sales and use tax sales of specie, which is defined as coins with gold or silver content or refined gold or silver bullion that is coined, stamped or imprinted with its weight and purity and the value of which is based primarily on its metal content and not on its form.

Committee Amendment "A" (H-333)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1448 **An Act To Expand the Homestead Exemption for Disabled Veterans** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B CARPENTER M	ONTP	

This bill permits a veteran with a service-connected disability rated by the United States Department of Veterans Affairs to choose to receive a homestead exemption equal to the just value of the homestead multiplied by the veteran's disability rating percentage instead of the current homestead exemption and exemptions for veterans and legally blind persons.

See also LDs 35, 77, 164, 873, 1172 and 1234 for homestead exemption bills. Part H of the biennial budget, PL 2019, c. 343, increased the homestead exemption from $20,000 to $25,000 and state reimbursement to municipalities from 62.5% to 70%.

See also LDs 163, 1042, 1194, 1271 and 1326 for veterans' property tax exemption bills.

LD 1452 **An Act Regarding the Collection of the Sales and Use Tax by Marketplace Facilitators** **PUBLIC 441**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R CHIPMAN B	OTP-AM	H-508 H-521 TIPPING R

This bill ensures that persons making sales through physical or electronic marketplaces of tangible personal property and taxable services subject to the sales and use tax are subject to the same sales and use tax collection and remittance responsibilities as other sellers.

Committee Amendment "A" (H-508)

This amendment enacts definitions and other provisions to require a marketplace facilitator to collect and remit the sales tax on sales of tangible personal property and taxable services facilitated on the marketplace facilitator's marketplace that are delivered into the State. It consolidates the sales tax registration provisions by repealing the recently enacted Maine Revised Statutes, Title 36, section 1951-B and reformatting the provision of law requiring certain persons to register with the State Tax Assessor and collect and remit taxes, including the remote seller registration requirements in the new provision, harmonizing the merged provisions and removing obsolete language. It also adjusts the use tax calculation used on the income tax return to report unpaid use tax, lowering the default amount from .08% to .04% of Maine adjusted gross income to account for the increased tax collected by remote sellers and marketplace facilitators.

House Amendment "A" To Committee Amendment "A" (H-521)

This amendment amends the committee amendment. It changes the term "gross revenue" to "gross sales" in a provision designating persons who are required to register. It changes a subsection headnote to better reflect the substance of the subsection. It provides that a marketplace facilitator is considered a retailer for each sale of tangible personal property or taxable services for delivery in this State, instead of into this State, that the marketplace facilitator facilitates on or through its marketplace.

Enacted Law Summary

Public Law 2019, chapter 441, ensures that persons making sales through physical or electronic marketplaces of

tangible personal property and taxable services subject to the sales and use tax are subject to the same sales and use tax collection and remittance responsibilities as other sellers.

The law makes the following changes.

1. It enacts definitions and other provisions to require a marketplace facilitator to collect and remit the sales tax on sales of tangible personal property and taxable services facilitated on the marketplace facilitator's marketplace that are delivered into the State.

2. It consolidates the sales tax registration provisions by repealing the recently enacted Maine Revised Statutes, Title 36, section 1951-B and reformatting the provision of law requiring certain persons to register with the State Tax Assessor and collect and remit taxes, including the remote seller registration requirements in the new provision, harmonizing the merged provisions and removing obsolete language.

3. It makes technical changes to sales tax registration and administration provisions to facilitate the application of the sales tax law to marketplace facilitators.

4. It adjusts the use tax calculation used on the income tax return to report unpaid use tax, lowering the default amount from .08% to .04% of Maine adjusted gross income to account for the increased tax collected by remote sellers and marketplace facilitators.

LD 1491 **Resolve, To Study Consolidation of Payment of Cost-of-living Tax Credits** **RESOLVE 74**

Sponsor(s)	Committee Report	Amendments Adopted
TERRY M VITELLI E	OTP-AM	H-509

This bill replaces the Maine earned income credit under the income tax with the Maine work credit. The Maine work credit is similar to the federal earned income tax credit but uses different factors for calculating the credit that are intended to produce a state credit for individuals with qualifying children that is approximately equal to 30% of the federal credit and for individuals with no qualifying children that is approximately equal to 100% of the federal credit. The bill also provides eligibility for individuals who are at least 18 years of age but less than 25 years of age who have no qualifying children and creates a minimum credit for students and eligible caregivers.

The bill also establishes a working group to study ways to streamline applications for tax credits intended to assist low to middle income taxpayers with the cost of basic necessities and to permit administration of those credits as advance consolidated payments.

Committee Amendment "A" (H-509)

This amendment strikes the bill and replaces it with a resolve that retains the provision of the bill that establishes a working group to study and report on ways to streamline applications for tax credits intended to assist low to middle income taxpayers with the cost of basic necessities and to permit administration of those credits as advance consolidated payments.

See also LD 104.

Enacted Law Summary

Resolve 2019, chapter 74, establishes a working group appointed by the Associate Commissioner of Tax Policy in the Department of Administrative and Financial Services, bureau of Revenue Services, to study ways to streamline applications for tax credits intended to assist low to middle income taxpayers with the cost of basic necessities and

to permit administration of those credits as advance consolidated payments. The working group reports to the Joint Standing Committee on Taxation and the Joint Standing Committee on Appropriations and Financial Affairs by February 1, 2020 and the two committees are authorized to submit related bills to the Second Regular Session of the 129th Legislature.

LD 1520 **An Act To Create and Sustain Jobs and Encourage Affordable Housing through Development of Cooperatives and Employee-owned Businesses** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N DAUGHTRY M	OTP-AM	S-260

This bill supports employee-owned businesses and cooperatives in the following ways.

1. It excludes from Maine income tax the amount of gain, up to a maximum of $750,000 recognized by a business owner in transferring the business to an employee stock ownership plan, eligible worker-owned cooperative, consumer cooperative or affordable housing cooperative.

2. It excludes from Maine income tax interest from loans that finance transfers of ownership from a business to an employee stock ownership plan, eligible worker-owned cooperative, consumer cooperative or affordable housing cooperative.

3. It requires the Department of Economic and Community Development, Office of Business Development to encourage and assist employee-owned businesses by requiring the office to: develop educational programs, including convening an annual conference on employee ownership issues; provide information about employee ownership and technical assistance to retiring business owners, employees of plants threatened with closure and entrepreneurs interested in creating businesses with broadly shared ownership; link Maine businesses interested in implementing employee ownership to available financial, technical and legal resources; and help businesses interested in implementing some form of employee ownership to obtain financing, as well as undertake other duties.

4. It requires the Commissioner of Economic and Community Development to give priority to employee-owned businesses, either established or in the process of becoming employee-owned, when providing loans or grants from funds or programs maintained by the department.

5. It requires the Maine Public Employees Retirement System to conduct a study to determine how funds held by the system may be invested responsibly in employee-owned businesses in this State and to report its findings to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, which is authorized to report out a bill to the Second Regular Session of the 129th Legislature based on the study and recommendations of the system.

Committee Amendment "A" (S-260)

This amendment requires the Department of Economic and Community Development, Office of Business Development to contract with a nonprofit development organization with relevant expertise to develop and manage the Maine Employee Ownership Center to provide information and programs to assist businesses in the transition to employee or cooperative ownership, rather than requiring the office to provide those services.

The amendment removes requirements that the Department of Administrative and Financial Services, Maine Revenue Services collect specified data and report annually to the Office of Program Evaluation and Government Accountability and that the Maine Public Employees Retirement System study investment of funds in employee-owned businesses.

The amendment also makes changes to facilitate the administration and evaluation of the deductions provided in the

bill. The amendment also adds appropriations and allocations.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1585 **An Act To Allow the City of Augusta To Adjust the Definition of "Original Assessed Value" for the City of Augusta's Performance Food Group Municipal Tax Increment Financing District and To Validate the Assessment, Commitment and Collection of Property Taxes Dedicated for the District for the Fiscal Years 2018-19 and 2019-20** **P & S 7 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M TIPPING R	OTP	

This bill authorizes the City of Augusta to adjust the definition of "original assessed value" for the City of Augusta's Performance Food Group municipal tax increment financing district and to validate the assessment, commitment and collection of property taxes dedicated for the Performance Food Group municipal tax increment financing district for the fiscal years 2018-19 and 2019-20.

Enacted Law Summary

Private and Special Law 2019, chapter 7, authorizes the City of Augusta to adjust the definition of "original assessed value" for the City of Augusta's Performance Food Group municipal tax increment financing district and to validate the assessment, commitment and collection of property taxes dedicated for the Performance Food Group municipal tax increment financing district for the fiscal years 2018-19 and 2019-20.

Private and Special Law 2019, chapter 7 was enacted as an emergency measure effective May 30, 2019.

LD 1586 **An Act To Promote Major Food Processing and Manufacturing Facility Expansion and To Create Jobs in Maine** **PUBLIC 386 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MARTIN J	OTP-AM	S-228

This bill, modeled on the tax credit for major business headquarters expansions, provides a tax credit to a food processing and manufacturing business that:

1. Is, and has been for the five years prior to application, a corporation or limited liability company organized under the laws of the State;

2. Has been headquartered in this State for the five years prior to application;

3. Pays at least 75% of its employees a salary that exceeds the income threshold for the county in which the facility that is the subject of the application is located;

4. Agrees to make an investment of at least $35,000,000 in the construction or expansion in this State of a facility for that business; and

5. Adds a total of 40 new full-time employees by the end of the first year of qualifying for the tax credit, maintains that number for the next two years and then adds 20 more full-time employees, maintaining a total of 60 full-time

employees for each year after the third year of qualifying for the tax credit. The employees added must be based in the State.

A business that qualifies is allowed a refundable tax credit equal to 2% of the amount of the qualified investment each tax year for 20 years. The total investment that may be approved for any one business may not exceed $85,000,000 and the total aggregate investment that may be approved is limited to $100,000,000. The maximum amount of tax credits that may be received by a business under one construction or expansion project is $34,000,000.

Committee Amendment "A" (S-228)

This amendment adds an emergency preamble and an emergency clause to the bill. The amendment also adds provisions that change the calculation of the credit, and that facilitate administration of the credit and the review of the credit by the Office of Program Evaluation and Government Accountability under the tax expenditure laws.

Enacted Law Summary

Public Law 2019, chapter 386 provides an income tax credit to a food processing and manufacturing business that:

1. Has been headquartered in this State for the five years prior to application;

2. Pays at least 75% of its employees a salary that exceeds the most recent annual per capita personal income for the county in which the facility that is the subject of the application is located;

3. Agrees to make an investment of at least $35,000,000 in the construction or expansion in this State of a facility for that business; and

4. Adds a total of 40 new full-time employees by the end of the first year of qualifying for the tax credit, maintains that number for the next two years and then adds 20 more full-time employees, maintaining a total of 60 full-time employees for each year after the third year of qualifying for the tax credit. The employees added must be based in the State.

A business that qualifies is allowed a refundable tax credit equal to 1.8% of the amount of the qualified investment each tax year for 20 years. The total investment that may be approved for any one business may not exceed $85,000,000 and the total aggregate investment that may be approved is limited to $100,000,000. The maximum amount of tax credits that may be received by a business under one construction or expansion project is $34,000,000.

A certified applicant, the Commissioner of Economic and Community Development and the State Tax Assessor are required to submit annual reports regarding the credit, and the credit is subject to review by the Office of Program Evaluation and Government Accountability under the tax expenditure review laws.

Public Law 2019, chapter 386 was enacted as an emergency measure effective June 19, 2019.

LD 1597 **An Act To Provide a Sales Tax Exemption for Purchases Made by Nonprofit Youth Camps** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
SAMPSON H	OTP-AM ONTP	H-381

This bill provides a sales tax exemption for purchases made by nonprofit organizations that operate seasonal campgrounds in Maine.

Committee Amendment "A" (H-381)

This amendment provides that the sales tax exemption applies to nonprofit youth camps that are licensed by the Department of Health and Human Services and are entitled to a property tax exemption. The amendment also adds an appropriations and allocations section.

LD 1608 **An Act To Exempt Trailers Sold to Out-of-state Entities from Sales and Use Tax** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D NADEAU C	OTP-AM	S-168

This bill provides an exemption from the sales and use tax for trailers that are purchased in the State but then driven or transported outside the State immediately upon delivery.

Committee Amendment "A" (S-168)

This amendment incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1643 **An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2019-20** **PUBLIC 212 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-326

This bill establishes municipal cost components for state and county services provided to the unorganized territory that would normally be paid for by a municipality. The municipal cost components constitute the property tax for the unorganized territory.

Committee Amendment "A" (H-326)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 212, establishes municipal cost components for state and county services provided to the unorganized territory that would normally be paid by a municipality. The municipal cost components constitute the basis for the property tax in the unorganized territory.

Public Law 2019, chapter 212, was enacted as an emergency measure effective June 6, 2019.

LD 1645 **An Act To Create Affordable Workforce and Senior Housing and Preserve Affordable Rural Housing** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R POULIOT M	OTP-AM	H-481

This bill creates a refundable income tax credit allocated by the Maine State Housing Authority for affordable housing projects. The credit is equal to 100% of the federal credit for a qualified Maine project or 50% of $100,000 or more of qualified basis of an affordable housing project for which a federal credit is not claimed up to $500,000. MSHA may allocate up to $20,000,000 in credits each year 2021 to 2024. Ten percent of the credit must be set aside for the preservation of affordable housing units that are constructed with financial assistance from the United States Department of Agriculture, Office of Rural Development, Rural Housing Service and at risk of losing their affordable status. In addition, 30% of the credit allocated to new housing units is targeted for seniors and 20% is targeted for rural areas. The credit is subject to reporting requirements and a process for tax expenditure review by the Office of Program Evaluation and Government Accountability.

Committee Amendment "A" (H-481)

This amendment makes several changes to the procedure for administration of the credit for affordable housing to appropriately reflect the most effective responsibilities of the Maine State Housing Authority and the Department of Administrative and Financial Services, Maine Revenue Services and requires the authority to adopt routine technical rules necessary for administration of the credit. The amendment also removes the date for a report by the Office of Program Evaluation and Government Accountability.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1647 **An Act To Provide Tax Fairness to Maine's Middle Class and Working Families** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY S CHIPMAN B		

This bill, for tax years beginning on or after January 1, 2020, requires payment of a tax equalization assessment if a tax family has an expanded income of at least $250,000 for a tax family filing as a single individual, $325,000 for a tax family filing as a head of a household or $400,000 for a tax family filing a married joint return or filing a joint return as a surviving spouse, and an effective tax rate that is less than the average effective tax rate on state and local taxes paid by the bottom 99% of tax families. The tax equalization assessment is an amount equal to the difference in the average effective tax rate on state and local taxes paid, calculated by decile, and a tax family's individual effective tax rate on state and local taxes paid, the sum of which is multiplied by a tax family's expanded income.

This bill also provides the following tax benefits.

1. For property tax years beginning on or after April 1, 2020, the bill increases the total amount of the Maine resident homestead property tax exemption by $5,000 to $25,000 of the just value of the homestead.

2. For income tax years beginning on or after January 1, 2020, this bill increases the earned income tax credit from 5% of the federal earned income tax credit to 10% of the federal earned income tax credit.

3. For income tax years beginning on or after January 1, 2019, this bill expands benefits under the property tax fairness credit by reducing from 6% to 5% the eligibility threshold percentage of property taxes, or rent constituting property taxes, compared to household income.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1652 **An Act To Make Technical Changes to the Taxation of Marijuana** **PUBLIC 231 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP	

This bill does the following.

Part A:

1. Authorizes the Department of Administrative and Financial Services to deny, suspend or revoke an adult use marijuana establishment license for failure to cooperate with Maine Revenue Services in the payment of a final tax liability;

2. Aligns the record-keeping requirements imposed by the Maine Revised Statutes, Title 28-B with those of Title 36 by extending the record-keeping period in Title 28-B from three tax years to six tax years;

3. Excludes foods containing marijuana and marijuana products from the category of tax-exempt grocery staples; and

4. Imposes the 10% tax rate on adult use marijuana and marijuana products sold by marijuana establishments on all marijuana and marijuana products sold by any person to an individual who is not a qualifying patient.

Part B moves the adult use marijuana excise tax from Title 28-B to Title 36. In addition, Part B:

1. Requires that applicants for an adult use marijuana license, except a testing facility license, register with the State Tax Assessor to collect and remit sales tax, as is currently required by Title 36, as a condition for obtaining the license;

2. Requires cultivation facilities to register with the State Tax Assessor to collect and remit the adult use marijuana excise tax as a condition for receiving a cultivation facility license; imposes penalties on cultivation facilities that sell marijuana without registering with the State Tax Assessor; and allows for the suspension and revocation of the registration for failure to comply with the adult use marijuana excise tax laws;

3. Clarifies that the adult use marijuana excise tax is imposed when a person holding both a cultivation facility license and either a marijuana store license or products manufacturing facility license transfers marijuana from the cultivation facility to either the marijuana store or products manufacturing facility or otherwise undertakes an activity with the marijuana pursuant to the marijuana store license or products manufacturing facility license; and

4. Moves the adult use excise tax due date from the last day of the month to the 15th day of the month to coincide with the sales tax due date.

Enacted Law Summary

Public Law 2019, chapter 231, does the following.

Part A:

1. Authorizes the Department of Administrative and Financial Services to deny, suspend or revoke an adult use marijuana establishment license for failure to cooperate with Maine Revenue Services in the payment of a final tax liability;

2. Aligns the record-keeping requirements imposed by the Maine Revised Statutes, Title 28-B with those of Title 36 by extending the record-keeping period in Title 28-B from three tax years to six tax years;

3. Excludes foods containing marijuana and marijuana products from the category of tax-exempt grocery staples; and

4. Imposes the 10% tax rate on adult use marijuana and marijuana products sold by marijuana establishments on all marijuana and marijuana products sold by any person to an individual who is not a qualifying patient.

Part B moves the adult use marijuana excise tax from Title 28-B to Title 36. In addition, Part B:

1. Requires that applicants for an adult use marijuana license, except a testing facility license, register with the State Tax Assessor to collect and remit sales tax, as is currently required by Title 36, as a condition for obtaining the license;

2. Requires cultivation facilities to register with the State Tax Assessor to collect and remit the adult use marijuana excise tax as a condition for receiving a cultivation facility license; imposes penalties on cultivation facilities that sell marijuana without registering with the State Tax Assessor; and allows for the suspension and revocation of the registration for failure to comply with the adult use marijuana excise tax laws;

3. Clarifies that the adult use marijuana excise tax is imposed when a person holding both a cultivation facility license and either a marijuana store license or products manufacturing facility license transfers marijuana from the cultivation facility to either the marijuana store or products manufacturing facility or otherwise undertakes an activity with the marijuana pursuant to the marijuana store license or products manufacturing facility license; and

4. Moves the adult use excise tax due date from the last day of the month to the 15th day of the month to coincide with the sales tax due date.

Public Law 2019, chapter 231 was enacted as an emergency measure effective June 7, 2019.

LD 1671 **An Act To Amend the Laws Governing the Maine Capital Investment Credit To Ensure Fairness for Maine Businesses and To Reduce Taxes on Lower-income Working Families** **PUBLIC 527**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP-AM	H-623

This bill is a concept draft pursuant to Joint Rule 208 that proposes to amend the Maine capital investment credit to ensure that Maine businesses benefit to the same extent as out-of-state businesses.

Committee Amendment "A" (H-623)

This amendment replaces the concept draft with the following changes to the income tax laws for tax years beginning on or after January 1, 2020.

Part A makes changes to the Maine capital investment credit and related subtraction modification provisions to provide greater fairness in the treatment of Maine businesses compared to out-of-state businesses.

Part B expands the earned income tax credit to individuals who are 18 to 24 years of age and have no qualifying children, increases the credit from 5% to 25% of the federal earned income tax credit for individuals with no qualifying children and 12% of the federal earned income tax credit for all other eligible individuals and requires

employers to post a notice provided by the Department of Labor, Bureau of Labor Standards regarding the availability of the earned income credit.

Enacted Law Summary

Public Law 2019, chapter 527 makes the following changes to the income tax laws for tax years beginning on or after January 1, 2020.

Part A makes changes to the Maine capital investment credit and related subtraction modification provisions to provide greater fairness in the treatment of Maine businesses compared to out-of-state businesses.

Part B expands the earned income tax credit to individuals who are 18 to 24 years of age and have no qualifying children, increases the credit from 5% to 25% of the federal earned income tax credit for individuals with no qualifying children and 12% of the federal earned income tax credit for all other eligible individuals and requires employers to post a notice provided by the Department of Labor, Bureau of Labor Standards regarding the availability of the earned income credit.

LD 1698 **An Act To Create Jobs and Slow Climate Change by Promoting the Production of Natural Resources Bioproducts** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	OTP-AM	H-552
JACKSON T	OTP-AM	

This bill provides an income tax credit for the production of renewable chemicals by the conversion of renewable biomass from the forest, farms, the sea or solid waste. The credit is equal to 7¢ per pound of renewable chemical produced in the State, 9¢ per pound of renewable chemical produced in the State if the taxpayer demonstrates to the satisfaction of the Department of Economic and Community Development that the contractors hired or retained by a landowner to harvest renewable biomass used in production of the renewable chemicals are third-party certified by the Northeast Master Logger program or successor program and at least 50% of the contractors' employees are residents of the United States or 12¢ per pound of renewable chemical produced in the State if the taxpayer demonstrates to the satisfaction of the Department of Economic and Community Development that the contractors hired or retained by a landowner to harvest renewable biomass used in such production are third-party certified by the Northeast Master Logger program and at least 75% of the contractors' employees are residents of the United States. Renewable chemicals are defined to include chemicals, polymers, plastics and formulated products, and to exclude substances used for food, feed or fuel, with limited exceptions.

The bill also reinstates the tax credit for commercial production and use of biofuels.

Committee Amendment "A" (H-552)

This amendment, which is the majority report of the committee, includes a provision permitting the Department of Administrative and Financial Services, Maine Revenue Services to provide to the Department of Economic and Community Development information necessary for administration of the renewable chemicals tax credit and strikes language that would create an overlap of the renewable chemicals tax credit and the credit for the commercial production and use of biofuels.

Committee Amendment "B" (H-553)

This amendment, which is the minority report of the committee, includes a provision permitting the Department of Administrative and Financial Services, Maine Revenue Services to provide to the Department of Economic and Community Development information necessary for administration of the renewable chemicals tax credit and strikes language that would create an overlap of the renewable chemicals tax credit and the credit

for the commercial production and use of biofuels. The amendment also removes provisions establishing different tiers of credit calculation if a taxpayer uses contractors that are third-party certified by a northeast master logger program and has employees at least 50% of whom or 75% of whom are residents of the United States.

This amendment was not adopted.

LD 1713 **An Act To Return Funds to Maine Property Tax Payers** **PUBLIC 448**

Sponsor(s)	Committee Report	Amendments Adopted
GIDEON S JACKSON T	OTP-AM ONTP	H-620

This bill changes the name and purpose of the Tax Relief Fund for Maine Residents which was originally established to provide income tax reductions. Under this bill the fund is renamed the Property Tax Relief Fund for Maine Residents to be used to provide property tax relief payments directly to residents of this State whose residence qualifies for an exemption under the Maine homestead property tax exemption. The amount of the tax relief payment is determined annually by dividing the total amount of funds available in the Property Tax Relief Fund for Maine Residents by the total number of homesteads that qualify for the Maine homestead property tax exemption. If that amount is at least $100, the Treasurer of State is required, by December 1st, to mail checks for the tax relief payment to each owner of a qualifying homestead.

Committee Amendment "A" (H-620)

This amendment, which is the majority report of the committee, changes the responsibility for calculating property tax relief payments from the State Tax Assessor to the Treasurer of State and changes dates for steps in the process of calculating and making relief payments. The amendment also provides that the Treasurer of State's costs in administering relief payments and in making state payments to municipalities for mandate costs are also paid from the Property Tax Relief Fund for Maine Residents and it adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 448, changes the name and purpose of the Tax Relief Fund for Maine Residents which was originally established to provide income tax reductions. Under this law the fund is renamed the Property Tax Relief Fund for Maine Residents to be used to provide property tax relief payments directly to residents of this State whose residence qualifies for an exemption under the Maine homestead property tax exemption. The amount of the tax relief payment is determined annually by dividing the total amount of funds available in the Property Tax Relief Fund for Maine Residents by the total number of homesteads that qualify for the Maine homestead property tax exemption. If that amount is at least $100, the Treasurer of State is required, by December 1st, to mail checks for the tax relief payment to each owner of a qualifying homestead. The Treasurer of State's costs in administering relief payments and in making state payments to municipalities for mandate costs are also paid from the Property Tax Relief Fund for Maine Residents.

LD 1718 **An Act To Exempt Purchases by Pet Food Pantries from Sales Tax** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E BICKFORD B	OTP-AM	S-241

This bill provides a sales tax exemption for purchases made by nonprofit organizations that provide pet food and supplies for little or no charge to low-income owners of pets.

Committee Amendment "A" (S-241)

This amendment provides that, in order to be eligible for a sales tax exemption, an incorporated nonprofit organization must be organized for the purpose of providing food or other supplies intended for pets at no charge to owners of those pets. The amendment also adds an appropriations and allocations section.

LD 1739 **Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory** **RESOLVE 68**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP-AM	H-440

This resolve authorizes the State Tax Assessor to convey the interest of the State in several parcels of real estate in the Unorganized Territory that were acquired by the State for nonpayment of property taxes.

Committee Amendment "A" (H-440)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2019, chapter 68, authorizes the State Tax Assessor to convey the interest of the State in several parcels of real estate in the Unorganized Territory that were acquired by the State for nonpayment of property taxes.

LD 1744 **An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes** **PUBLIC 233 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP	

This bill updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986, as amended through December 31, 2018, for tax years beginning on or after January 1, 2018 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986, as amended. This bill primarily affects the State's income tax laws.

Enacted Law Summary

Public Law 2019, chapter 233, updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986, as amended through December 31, 2018, for tax years beginning on or after January 1, 2018 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986, as amended. This bill primarily affects the State's income tax laws.

Public Law 2019, chapter 233, was enacted as an emergency measure effective June 7, 2019.

LD 1798 An Act To Amend the Maine Tax Laws **PUBLIC 401**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP-AM	H-596
		H-598 TIPPING R

This bill makes the following changes to the tax laws.

Part A expands the allowed use of a facsimile signature of the State Tax Assessor to any use by the assessor or at the assessor's direction. In addition, in order to make changes to the property tax law of Maine, Part A:

1. Aligns the delinquent property tax interest rate in the unorganized territory with that of municipalities;

2. Simplifies the notice and appeals processes for municipal valuations;

3. Allows the adjustment of prior years' state valuations for purposes of calculating current and ongoing state education payments to a municipality. Municipalities may appeal adverse decisions to the State Board of Property Tax Review;

4. Requires that the municipal assessor be notified prior to the commitment of taxes for an owner of a partial interest in property to be assessed on the partial interest only;

5. Removes the requirement for benevolent and charitable institutions to be incorporated in Maine in order to qualify for property tax exemption;

6. Clarifies when the alternative municipal tax lien foreclosure sales process is required;

7. Removes the provision allowing the $4,000 exemption for the legally blind to be apportioned among multiple jurisdictions. Instead, the exemption may be claimed only in the taxpayer's place of residence;

8. Eliminates photocopiers and postage machines from property eligible for tax exemption under the business equipment tax exemption;

9. Removes the provision limiting the aggregate total acres that may be classified in the farm and open space tax program to 15,000 for a single person;

10. Aligns the definition of delinquent taxes in the unorganized territory with that of municipalities where taxes are delinquent if not paid by the due date;

11. Clarifies the definitions of "mobile home" and "camper trailer" to align the definitions with those used in property tax and sales tax law;

12. Clarifies that the credit for excise tax previously paid and the model year adjustment for certain vehicles is limited to instances when the previously paid excise tax is the Maine excise tax; and

13. Defines nominal value as less than 20% of the assessed value for determining when the market value for a property should be used for the purposes of calculating the real estate transfer tax.

Part B, in order to make changes to the sales tax law in the Maine Revised Statutes:

1. Specifies that camper trailers and motor homes must be rented as tangible personal property and not as living quarters for the purposes of the exclusion from the definition of retail sale;

2. Aligns the tax treatment of box trucks purchased for short-term rental with that of automobiles, pickup trucks and vans when the trucks are under 26,000 pounds gross vehicle weight by taxing box trucks rental at the same 10% rate and excluding their purchase from sales tax when they are purchased for rental;

3. Provides equity among sales through vending machines by repealing the inclusion of sales by a person primarily engaged in the resale of products through vending machines and also repealing the exemption for sales made through a vending machine;

4. Adds oxygen delivery equipment to the sales tax exemption for positive airway pressure equipment;

5. Reorganizes Title 36, section 1811, which imposes the Maine sales tax, for clarity, moves the provisions regarding the valuation of automobile rentals to the definition of sale price and moves the provision regarding the sourcing of products transferred electronically to a new sourcing provision;

6. Repeals the registration requirement for a person who rents or leases space to more than four persons at one location for less than a 12-month period for the purpose of making retail sales;

7. Consolidates the sales tax registration provisions by repealing Title 36, section 1951-B and including the remote seller registration requirements in section 1754-B, except for the expedited route to challenge the remote seller registration requirements due to the United States Supreme Court decision in *South Dakota v. Wayfair, Inc*.;
8. Removes the "provisional" resale certificate status for initial resale certificates and makes all resale certificates valid for a more similar time period;

9. Clarifies that beer and liquor prepared by a manufacturer and sold for on-premises consumption is taxed at the same 8% rate as beer and liquor sold for on-premises consumption by other establishments;

10. Adds retailers registered voluntarily under Title 36, section 1756 to the list of registered retailers able to claim a credit of tax paid on purchases for resale;

11. Enacts a new provision for the sourcing of the sale of tangible personal property, products transferred electronically and services. The new provision aligns Maine's practice with that of the Streamlined Sales and Use Tax Agreement and codifies Maine's existing delivery rule;

12. Consolidates and aligns two similar use tax exemptions for the donation of merchandise to tax-exempt organizations; and

13. Terminates and repeals the rental vehicle excise tax reimbursement for excise tax paid after June 30, 2019.

In order to make changes to the income tax laws of Maine, Part C:

1. Repeals the underutilized Maine fishery infrastructure investment tax credit program;

2. Limits calculation of the prior year's sales factor, for purposes of apportioning to the State the gain or loss on the sale of a partnership interest, to those items that represent the partnership's business activity in the State and corrects a reference;

3. Allows nonresident taxpayers to elect to recognize the entire gain or loss from an installment sale of real or tangible property in the taxable year of the transfer or in a subsequent year to simplify the filing process for nonresident individuals;

4. Clarifies the corporate income tax calculation for apportionment to the State with respect to the sale of a partnership interest by replacing references to "gains or losses" with references to "gross receipts." This change creates internal consistency with the calculation of the corporate apportionment factor that is based on the gross receipts of the taxpayer;

5. Removes the apportionment calculation for mutual fund service providers due to lack of use;

6. Clarifies that active duty service members who are domiciled in Maine remain eligible for the educational opportunity tax credit if assigned to active military duty outside Maine, as long as they otherwise qualify;

7. Prohibits the payment of interest on refunds issued relative to the new markets capital investment tax credit when they are delayed due to the fiscal year spending cap on the credit;

8. Allows, at the discretion of the State Tax Assessor, fiduciaries, agents and other persons who act as fiscal agents for federal income tax purposes on behalf of employers to act in similar fashion for Maine income tax withholding purposes. Those fiduciaries, agents and persons are subject to the same requirements and liabilities as imposed on client employers;

9. Replaces provisions subjecting the lowest individual income tax brackets and the highest individual income tax brackets to different annual cost-of-living adjustments with a provision that uses the same cost-of-living adjustment calculation for both brackets; and

10. Repeals a Department of Administrative and Financial Services, Maine Revenue Services reporting requirement enacted by "An Act To Enhance Access to Affordable Health Care" and a transfer to the MaineCare Stabilization Fund based on the report.

Part D merges the changes made to the income tax credit for major business headquarters expansions made by two different laws enacted in the 128th Legislature, Second Regular Session, Public Law 2017, chapter 405, "An Act To Improve the Effectiveness of the Major Business Headquarters Expansion Tax Credit" and Public Law 2017, chapter 375, "An Act To Amend the Maine Tax Laws."

Part E allows the disclosure of confidential tax information to an authorized representative of the Public Utilities Commission for use in the administration and oversight of the E-9-1-1 funding, the state universal service fund and the telecommunications education access fund.

Committee Amendment "A" (H-596)

This amendment makes the following changes to the bill.

1. It requires an owner of a partial interest in property requesting a separate assessment to notify the assessor by April 1st of the year in which the separate assessment is requested.

2. It strikes from the bill a provision removing the 15,000-acre limitation on the amount of land that a single taxpayer may have classified under the farm and open space tax program.

3. It strikes from the bill a provision that would remove the requirement that benevolent and charitable organizations be incorporated in Maine to qualify for a property tax exemption.

4. It removes from the bill provisions that would change the sales tax treatment of box trucks purchased for short-term rental.

5. It strikes from the bill a provision terminating and repealing the rental vehicle excise tax reimbursement.

6. It makes technical changes to clarify several provisions in the bill.

House Amendment "A" (H-598)

This amendment removes from the bill the provisions that:

1. Eliminate photocopiers and postage machines from property eligible for tax exemption under the business equipment tax exemption;

2. Remove from the definition of "retail sale" the sale of products for internal human consumption to certain persons for resale through vending machines;

3. Repeal the exemption from sales and use tax of products sold through vending machines by certain persons; and

4. Replace provisions subjecting the lowest individual income tax brackets and the highest individual income tax brackets to different annual cost-of-living adjustments with a provision that uses the same cost-of-living adjustment calculation for both brackets.

This amendment also changes the application sections for Parts A and B of the bill to reflect the removal of sections pursuant to this amendment.

Enacted Law Summary

Public Law 2019, chapter 401 makes the following changes to the tax laws.

Part A expands the allowed use of a facsimile signature of the State Tax Assessor to any use by the assessor or at the assessor's direction. In addition, in order to make changes to the property tax law of Maine, Part A:

1. Aligns the delinquent property tax interest rate in the unorganized territory with that of municipalities;

2. Simplifies the notice and appeals processes for municipal valuations;

3. Allows the adjustment of prior years' state valuations for purposes of calculating current and ongoing state education payments to a municipality. Municipalities may appeal adverse decisions to the State Board of Property Tax Review;

4. Requires that the municipal assessor be notified prior to the commitment of taxes for an owner of a partial interest in property to be assessed on the partial interest only;

5. Removes the requirement for benevolent and charitable institutions to be incorporated in Maine in order to qualify for property tax exemption;

6. Clarifies when the alternative municipal tax lien foreclosure sales process is required;

7. Removes the provision allowing the $4,000 exemption for the legally blind to be apportioned among multiple jurisdictions. Instead, the exemption may be claimed only in the taxpayer's place of residence;

8. Aligns the definition of delinquent taxes in the unorganized territory with that of municipalities where taxes are delinquent if not paid by the due date;

9. Clarifies the definitions of "mobile home" and "camper trailer" to align the definitions with those used in property tax and sales tax law;

10. Clarifies that the credit for excise tax previously paid and the model year adjustment for certain vehicles is limited to instances when the previously paid excise tax is the Maine excise tax; and

11. Defines nominal value as less than 20% of the assessed value for determining when the market value for a property should be used for the purposes of calculating the real estate transfer tax.

Part B, in order to make changes to the sales tax law in the Maine Revised Statutes:

1. Specifies that camper trailers and motor homes must be rented as tangible personal property and not as living quarters for the purposes of the exclusion from the definition of retail sale;

2. Adds oxygen delivery equipment to the sales tax exemption for positive airway pressure equipment;

3. Reorganizes Title 36, section 1811, which imposes the Maine sales tax, for clarity, moves the provisions regarding the valuation of automobile rentals to the definition of sale price and moves the provision regarding the sourcing of products transferred electronically to a new sourcing provision;

4. Repeals the registration requirement for a person who rents or leases space to more than four sons at one location for less than a 12-month period for the purpose of making retail sales;

5. Consolidates the sales tax registration provisions by repealing Title 36, section 1951-B and including the remote seller registration requirements in section 1754-B, except for the expedited route to challenge the remote seller registration requirements due to the United States Supreme Court decision in *South Dakota v. Wayfair, Inc*
6. Removes the "provisional" resale certificate status for initial resale certificates and makes all resale certificates valid for a more similar time period;

7. Clarifies that beer and liquor prepared by a manufacturer and sold for on-premises consumption is taxed at the same 8% rate as beer and liquor sold for on-premises consumption by other establishments;

8. Adds retailers registered voluntarily under Title 36, section 1756 to the list of registered retailers able to claim a credit of tax paid on purchases for resale;

9. Enacts a new provision for the sourcing of the sale of tangible personal property, products transferred electronically and services. The new provision aligns Maine's practice with that of the Streamlined Sales and Use Tax Agreement and codifies Maine's existing delivery rule; and

10. Consolidates and aligns two similar use tax exemptions for the donation of merchandise to tax-exempt organizations.

In order to make changes to the income tax laws of Maine, Part C:

1. Repeals the underutilized Maine fishery infrastructure investment tax credit program;

2. Limits calculation of the prior year's sales factor, for purposes of apportioning to the State the gain or loss on the sale of a partnership interest, to those items that represent the partnership's business activity in the State and corrects a reference;

3. Allows nonresident taxpayers to elect to recognize the entire gain or loss from an installment sale of real or tangible property in the taxable year of the transfer or in a subsequent year to simplify the filing process for nonresident individuals;

4. Clarifies the corporate income tax calculation for apportionment to the State with respect to the sale of a

partnership interest by replacing references to "gains or losses" with references to "gross receipts." This change creates internal consistency with the calculation of the corporate apportionment factor that is based on the gross receipts of the taxpayer;

5. Removes the apportionment calculation for mutual fund service providers due to lack of use;

6. Clarifies that active duty service members who are domiciled in Maine remain eligible for the educational opportunity tax credit if assigned to active military duty outside Maine, as long as they otherwise qualify;

7. Prohibits the payment of interest on refunds issued relative to the new markets capital investment tax credit when they are delayed due to the fiscal year spending cap on the credit;

8. Allows, at the discretion of the State Tax Assessor, fiduciaries, agents and other persons who act as fiscal agents for federal income tax purposes on behalf of employers to act in similar fashion for Maine income tax withholding purposes. Those fiduciaries, agents and persons are subject to the same requirements and liabilities as imposed on client employers;

9. Replaces provisions subjecting the lowest individual income tax brackets and the highest individual income tax brackets to different annual cost-of-living adjustments with a provision that uses the same cost-of-living adjustment calculation for both brackets; and

10. Repeals a Department of Administrative and Financial Services, Maine Revenue Services reporting requirement enacted by "An Act To Enhance Access to Affordable Health Care" and a transfer to the MaineCare Stabilization Fund based on the report.

Part D merges the changes made to the income tax credit for major business headquarters expansions made by two different laws enacted in the 128th Legislature, Second Regular Session, Public Law 2017, chapter 405, "An Act To Improve the Effectiveness of the Major Business Headquarters Expansion Tax Credit" and Public Law 2017, chapter 375, "An Act To Amend the Maine Tax Laws."

Part E allows the disclosure of confidential tax information to an authorized representative of the Public Utilities Commission for use in the administration and oversight of the E-9-1-1 funding, the state universal service fund and the telecommunications education access fund.

LD 1808 **An Act To Provide a Sales Tax Exemption for Certain Nonprofit Charitable Organizations** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T JACKSON T	OTP-AM	H-599

This bill provides a sales tax exemption for sales made to a nonprofit community-based worldwide charitable organization that provides, using private funding, financial support to other nonprofit charitable organizations at the community level.

Committee Amendment "A" (H-599)

This amendment adds an appropriations and allocations section.

LD 1817 An Act To Make Technical Changes to the Maine Tax Laws PUBLIC 379

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP	

This bill makes a number of technical changes to the Maine tax laws.

Part A:

1. Makes clerical corrections to outdated language and gender references;

2. Adds a cross-reference to the Maine Revised Statutes, Title 36, chapter 105 and corrects a headnote;

3. Corrects a mathematical error in which 4% was used instead of four percentage points;

4. Clarifies the use of the related terms "eligible business equipment" and "qualified property" and amends the definition of "eligible business equipment";

5. Corrects a reference to the preceding tax year;

6. Eliminates the penalty for transfer of land from farmland to timberland to match current practice and all other transfers between current use programs; and

7. Corrects the time period used for determining when cogeneration facility property is eligible for reimbursement to include the most current available cogeneration data.

Part B:

1. Removes the definitions of "storage" and "storage or use" and expands the definition of "use" to improve the clarity and logic of these terms;

2. Clarifies the sales and use tax exemption for libraries and organizations that support libraries;

3. Removes obsolete language related to the previously repealed indexing of the gasoline excise tax and the special fuel excise tax rates and clarifies the current applicable rates; and

4. Repeals the annual licensing requirements for distributors of cigarettes and tobacco products.

Part C:

1. Repeals a redundant confidentiality exemption for the taxpayer advocate;

2. Clarifies the definition of Maine taxable income;

3. Clarifies that the subtraction modification for Maine Public Employees Retirement System pick-up contributions is allowed for the amount of pick-up contributions that were previously taxed by Maine, not just the amount of pick-up contributions taxed during the previous three years;

4. Clarifies that the increased credit rate applicable to certified qualified rehabilitation expenditures for a certified

affordable housing project is increased by one percentage point each year the State Tax Assessor is notified by the Maine Historic Preservation Commission and the Maine State Housing Authority that the percentage of certified affordable housing projects is below 30% of the total aggregate square feet of projects eligible for the historic preservation credit. The increased credit rate may not exceed 35%. It further clarifies that the increased credit rate for certified affordable housing projects applies to tax years beginning in the year of notification and to any subsequent tax year;

5. Makes a typographical correction; and

6. Makes clarifying changes to an application clause.

Enacted Law Summary

Public Law 2019, chapter 379, makes a number of technical changes to the Maine tax laws.

Part A:

1. Makes clerical corrections to outdated language and gender references;

2. Adds a cross-reference to the Maine Revised Statutes, Title 36, chapter 105 and corrects a headnote;

3. Corrects a mathematical error in which 4% was used instead of four percentage points;

4. Clarifies the use of the related terms "eligible business equipment" and "qualified property" and amends the definition of "eligible business equipment";

5. Corrects a reference to the preceding tax year;

6. Eliminates the penalty for transfer of land from farmland to timberland to match current practice and all other transfers between current use programs; and

7. Corrects the time period used for determining when cogeneration facility property is eligible for reimbursement to include the most current available cogeneration data.

Part B:

1. Removes the definitions of "storage" and "storage or use" and expands the definition of "use" to improve the clarity and logic of these terms;

2. Clarifies the sales and use tax exemption for libraries and organizations that support libraries;

3. Removes obsolete language related to the previously repealed indexing of the gasoline excise tax and the special fuel excise tax rates and clarifies the current applicable rates; and

4. Repeals the annual licensing requirements for distributors of cigarettes and tobacco products.

Part C:

1. Repeals a redundant confidentiality exemption for the taxpayer advocate;

2. Clarifies the definition of Maine taxable income;

3. Clarifies that the subtraction modification for Maine Public Employees Retirement System pick-up contributions

is allowed for the amount of pick-up contributions that were previously taxed by Maine, not just the amount of pick-up contributions taxed during the previous three years;

4. Clarifies that the increased credit rate applicable to certified qualified rehabilitation expenditures for a certified affordable housing project is increased by one percentage point each year the State Tax Assessor is notified by the Maine Historic Preservation Commission and the Maine State Housing Authority that the percentage of certified affordable housing projects is below 30% of the total aggregate square feet of projects eligible for the historic preservation credit. The increased credit rate may not exceed 35%. It further clarifies that the increased credit rate for certified affordable housing projects applies to tax years beginning in the year of notification and to any subsequent tax year;

5. Makes a typographical correction; and

6. Makes clarifying changes to an application clause.

LD 1819 **An Act To Harmonize State Income Tax Law and the Centralized Partnership Audit Rules of the Federal Internal Revenue Code of 1986** **PUBLIC 380**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R	OTP-AM	H-570

This bill harmonizes Maine law with recent changes in federal law with respect to partnership income tax audits wherein a partnership may be liable for federal income tax, penalties and interest that result from an audit of the partnership. This bill imposes a corresponding partnership state tax liability for increases in tax, penalties and interest that result from a federal audit of the partnership in order to ensure that state income tax revenue is not lost as a result of the federal changes. This bill applies to partnership-level audits of partnerships with respect to taxable years beginning on or after January 1, 2018.

Committee Amendment "A" (H-570)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 380, harmonizes Maine law with recent changes in federal law with respect to partnership income tax audits wherein a partnership may be liable for federal income tax, penalties and interest that result from an audit of the partnership. This bill imposes a corresponding partnership state tax liability for increases in tax, penalties and interest that result from a federal audit of the partnership in order to ensure that state income tax revenue is not lost as a result of the federal changes. This bill applies to partnership-level audits of partnerships with respect to taxable years beginning on or after January 1, 2018.

Joint Standing Committee on Taxation

SUBJECT INDEX

Administration of Tax Laws

Enacted

LD 1069	**An Act To Amend the Tax Expenditure Review Process**	**PUBLIC 161**
LD 1798	**An Act To Amend the Maine Tax Laws**	**PUBLIC 401**
LD 1817	**An Act To Make Technical Changes to the Maine Tax Laws**	**PUBLIC 379**
LD 1819	**An Act To Harmonize State Income Tax Law and the Centralized Partnership Audit Rules of the Federal Internal Revenue Code of 1986**	**PUBLIC 380**

Not Enacted

LD 957	**An Act To Increase the Property Tax Fairness Credit**	**ONTP**

Income Tax - General

Enacted

LD 1044	**An Act To Advance Children's Cancer Research in Maine**	**PUBLIC 433**

Not Enacted

LD 107	**An Act To Lower the Maine Individual Income Tax Incrementally to Zero**	**ONTP**
LD 403	**An Act To Prevent Tax Haven Abuse**	**CARRIED OVER**
LD 903	**An Act To Improve Corporate Tax Fairness by Amending the Rates Imposed on Corporate Income**	**CARRIED OVER**
LD 958	**An Act To Amend the Maine Income Tax Laws**	**ONTP**

LD 1292	**An Act To Lower Maine's Individual Income Tax**	**Majority (ONTP) Report**

Income Tax Conformity

Enacted

LD 1744	**An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes**	**PUBLIC 233 EMERGENCY**

Income Tax Credits, Exemptions, Deductions and Incentives

Enacted

LD 1131	**Resolve, Directing the Maine State Housing Authority To Study and Report on the Need for Modifications To Make Homes Accessible for Senior Citizens and Persons with Disabilities**	**RESOLVE 50**
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LD 1586	**An Act To Promote Major Food Processing and Manufacturing Facility Expansion and To Create Jobs in Maine**	**PUBLIC 386 EMERGENCY**
LD 1671	**An Act To Amend the Laws Governing the Maine Capital Investment Credit To Ensure Fairness for Maine Businesses and To Reduce Taxes on Lower-income Working Families**	**PUBLIC 527**

Not Enacted

LD 6	**An Act To Amend the Laws Governing the Home Accessibility Tax Credit**	**ONTP**
LD 70	**An Act To Support the Trades through a Tax Credit for Apprenticeship Programs**	**CARRIED OVER**
LD 71	**An Act To Reinstate the Income Tax Deduction for Contributions to College Savings Accounts**	**CARRIED OVER**
LD 72	**An Act To Provide an Income Tax Exemption for Military Pay without Regard to Where the Military Service Was Performed**	**CARRIED OVER**
LD 73	**An Act To Provide an Income Tax Deduction for Certain Student Loan Payments Made Directly to a Lender on Behalf of a Taxpayer**	**CARRIED OVER**
LD 104	**An Act To Replace the Earned Income Tax Credit with the Maine Work Credit**	**CARRIED OVER**
LD 162	**An Act To Eliminate the State Income Tax on Maine Public Employees Retirement System Pensions**	**CARRIED OVER**

LD 276	**An Act To Provide Equity in the State Income Tax Deduction for Maine Public Employees Retirement System Pensions**	**ONTP**
LD 393	**An Act To Change the Eligibility Requirements for the Property Tax Fairness Credit**	**ONTP**
LD 483	**An Act To Improve the Maine Seed Capital Tax Credit Program**	**ONTP**
LD 561	**An Act To Exempt from Taxation Certain Out-of-state Pensions**	**ONTP**
LD 604	**An Act To Create an Electric Vehicle Tax Credit**	**ONTP**
LD 607	**An Act To Provide Equitable Taxation for the Food and Beverage Industry**	**CARRIED OVER**
LD 725	**An Act To Provide an Income Tax Credit To Encourage Small Business Hiring**	**ONTP**
LD 887	**An Act To Improve the Property Tax Fairness Credit**	**ONTP**
LD 905	**An Act To Exempt Long-term Capital Gains from Income Tax for Certain Income Levels**	**Report B (ONTP)**
LD 963	**An Act To Exempt Overtime Pay from Individual Income Tax**	**Died Between Houses**
LD 977	**An Act To Restore the Super Credit for Substantially Increased Research and Development**	**CARRIED OVER**
LD 1019	**An Act To Increase the Maximum Pension Deduction for State Income Tax**	**CARRIED OVER**
LD 1156	**An Act To Create the Savings Account Program for Small Businesses**	**CARRIED OVER**
LD 1158	**An Act To Provide Property Tax Relief**	**CARRIED OVER**
LD 1163	**An Act Regarding Energy, Utilities and Technology**	**CARRIED OVER**
LD 1164	**An Act To Improve the Educational Opportunity Tax Credit**	**CARRIED OVER**
LD 1200	**An Act To Amend the Maine Seed Capital Tax Credit Program**	**CARRIED OVER**
LD 1256	**An Act To Provide a Health Care Preceptor Tax Credit**	**CARRIED OVER**

LD 1265	**An Act To Establish a Maine Low-income Housing Tax Credit**	**ONTP**
LD 1305	**An Act To Encourage Savings through Contributions to Family Development Accounts**	**Report B (ONTP)**
LD 1424	**An Act To Create an Access to Justice Income Tax Credit**	**CARRIED OVER**
LD 1520	**An Act To Create and Sustain Jobs and Encourage Affordable Housing through Development of Cooperatives and Employee-owned Businesses**	**CARRIED OVER**
LD 1645	**An Act To Create Affordable Workforce and Senior Housing and Preserve Affordable Rural Housing**	**CARRIED OVR**
LD 1647	**An Act To Provide Tax Fairness to Maine's Middle Class and Working Families**	**CARRIED OVER**
LD 1698	**An Act To Create Jobs and Slow Climate Change by Promoting the Production of Natural Resources Bioproducts**	**HELD BY GOVERNOR**

Motor Vehicle Excise Tax

Enacted

LD 873	**An Act To Clarify the Application of the Motor Vehicle Excise Tax to Water Well Drilling Equipment**	**PUBLIC 430**

Not Enacted

LD 118	**An Act To Direct Vehicle Excise Tax Revenue for Local Transportation Infrastructure**	**ONTP**
LD 119	**An Act To Base the Motor Vehicle Excise Tax on the Sale Price**	**ONTP**
LD 1031	**An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value**	**ONTP**

Multiple Taxes

Enacted

LD 1652	**An Act To Make Technical Changes to the Taxation of Marijuana**	**PUBLIC 231 EMERGENCY**

Not Enacted

LD 35	**An Act To Exempt All Disabled Veterans in Maine from All Income Tax and To Increase Their Homestead Exemption to $50,000**	**ONTP**
LD 85	**An Act To Establish a Sales Tax Exemption for the Purchase of Firearm Safety Devices**	**CARRIED OVER**
LD 731	**An Act To Amend the Maine Tax Laws**	**CARRIED OVER**
LD 989	**An Act To Improve Maine's Tax Laws**	**CARRIED OVER**

Municipal Revenue Sharing

Not Enacted

LD 133	**An Act To Fully Restore State-Municipal Revenue Sharing for Fiscal Year 2018-19**	**CARRIED OVER**
LD 193	**An Act To Fully Fund and Restore State-Municipal Revenue Sharing**	**CARRIED OVER**
LD 444	**An Act To Fully Restore Revenue Sharing**	**ONTP**

Other Taxes

Enacted

LD 892	**Resolve, To Require the Examination of Alternatives to the Service Provider Tax**	**RESOLVE 81**
LD 1028	**An Act To Prevent and Reduce Tobacco Use with Adequate Funding and by Equalizing the Taxes on Tobacco Products and To Improve Public Health**	**PUBLIC 530**

Not Enacted

LD 268	**An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States**	**HELD BY GOVERNOR**
LD 335	**An Act To Require the State To Distribute 12 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities**	**CARRIED OVER**
LD 420	**An Act To Amend the Maine Exclusion Amount in the Estate Tax**	**CARRIED OVER**
LD 465	**An Act To Eliminate the Service Provider Tax on Services Covered by Medicaid**	**ONTP**

LD 518	**An Act To Change the Exclusion Amount under the Estate Tax**	**ONTP**
LD 625	**An Act To Phase Out the Insurance Premium Tax on Annuities**	**CARRIED OVER**
LD 1070	**An Act To Reduce the Number of Domestic Assaults and Suicides By Increasing the Tax on Alcohol**	**ONTP**
LD 1074	**An Act To Establish a Tax on Water Extracted for Bottling in Order To Secure the Economic Future of Rural Maine**	**Majority (ONTP) Report**
LD 1076	**An Act To Account for Market Change in the Adult Use Marijuana Excise Tax**	**CARRIED OVER**
LD 1322	**An Act To Provide Equitable Tax Treatment to State-licensed Marijuana Businesses**	**CARRIED OVER**
LD 1362	**An Act To Fund Opioid Treatment by Establishing an Excise Tax on Manufacturers of Opioids**	**CARRIED OVER**

Property Tax - Current Use

Not Enacted

LD 452	**An Act To Change the Penalty When Land under the Maine Tree Growth Tax Law Is Transferred**	**ONTP**
LD 1150	**An Act To Amend the Maine Tree Growth Tax Law To Encourage Public Access**	**CARRIED OVER**

Property Tax - Exemptions

Enacted

LD 1430	**An Act To Create Tax Equity among Renewable Energy Investments**	**PUBLIC 440**

Not Enacted

LD 77	**An Act To Increase the Homestead Property Tax Exemption to $50,000 for Persons 75 Years of Age and Older**	**ONTP**
LD 146	**An Act To Make the Assessment and Collection of Personal Property Taxes Optional for Municipalities**	**ONTP**
LD 163	**An Act Regarding Property Tax Relief for Veterans**	**CARRIED OVER**

LD 164	**An Act To Reduce Property Taxes for Maine Residents**	**CARRIED OVER**
LD 241	**An Act To Adjust the Personal Property Tax Exemption for Farm Machinery**	**CARRIED OVER**
LD 560	**An Act To Improve Access to Property Tax Exemptions for New Homeowners**	**CARRIED OVER**
LD 564	**An Act To Encourage the Installation of Solar Panels on Residential Property**	**CARRIED OVER**
LD 824	**An Act To Allow a Municipality To Opt Out of Collecting Personal Property and Business Equipment Taxes**	**ONTP**
LD 837	**An Act To Increase the Homestead Property Tax Exemption for Certain Persons Who Are at Least 75 Years of Age**	**ONTP**
LD 922	**An Act To Provide a Property Tax Exemption for Renewable Energy Fixtures**	**ONTP**
LD 1042	**An Act To Exempt Disabled Veterans from Property Taxes in Accordance with Their Disability Ratings**	**CARRIED OVER**
LD 1172	**An Act To Provide Direct Property Tax Relief to Homeowners by Increasing the Homestead Exemption**	**ONTP**
LD 1191	**An Act To Exempt Solar Energy Equipment from Property Tax**	**ONTP**
LD 1194	**An Act To Increase Property Tax Relief for Veterans**	**CARRIED OVER**
LD 1234	**An Act To Expand the Value of the Homestead Exemption to $25,000 and State Reimbursement to 70 Percent of Lost Property Tax Revenue**	**CARRIED OVER**
LD 1271	**An Act To Exempt Permanently Disabled Veterans from Payment of Property Tax**	**ONTP**
LD 1326	**An Act To Expand Eligibility for the Veterans' Property Tax Exemption**	**ONTP**
LD 1448	**An Act To Expand the Homestead Exemption for Disabled Veterans**	**ONTP**

Property Tax - General

Not Enacted

LD 448	**An Act Repealing Tax Lien Foreclosure Requirements**	**ONTP**

LD 451	**An Act To Repeal the Recently Enacted Changes to the Law Governing Tax Lien Foreclosure**	**CARRIED OVER**

Property Tax Relief Programs

Enacted

LD 62	**An Act To Enhance the Senior Volunteer Benefit Program**	**PUBLIC 36**
LD 811	**An Act To Provide Additional Flexibility in the Municipal Property Tax Assistance Programs for Seniors**	**PUBLIC 159**
LD 1713	**An Act To Return Funds to Maine Property Tax Payers**	**PUBLIC 448**

Not Enacted

LD 529	**An Act To Provide Property Tax Deferral for Senior Citizens and People with Physical Disabilities**	**ONTP**
LD 645	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Cap the Property Tax on the Primary Residence of Certain Residents Who Are 65 Years of Age or Older**	**ONTP**
LD 669	**An Act To Provide Housing Relief for Maine Families and Seniors**	**ONTP**
LD 682	**An Act To Provide Seniors and Certain Persons with Disabilities Assistance with Property Taxes through the Deferral of Those Taxes**	**CARRIED OVER**
LD 751	**An Act To Reinstate the State Property Tax Deferral Program for Maine's Senior Homeowners**	**ONTP**
LD 812	**An Act To Stabilize Property Taxes on Homesteads of Individuals Who Are 66 Years of Age or Older**	**ONTP**
LD 1145	**An Act To Improve the Law Authorizing Municipalities To Allow Low-income Seniors To Defer Payment of Municipal Property Taxes**	**ONTP**
LD 1242	**An Act To Reinstitute the State Property Tax Deferral Program for Seniors**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1443	**An Act To Enact the Senior Property Tax Reimbursement Act**	**ONTP**

Sales and Use Tax

Enacted

LD 1452	**An Act Regarding the Collection of the Sales and Use Tax by Marketplace Facilitators**	**PUBLIC 441**

Not Enacted

LD 43	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements**	**ONTP**
LD 65	**An Act To Allow Municipalities To Impose a Seasonal or Year-round Local Option Sales Tax**	**ONTP**
LD 156	**An Act To Allow Regional Service Center Municipalities To Assess an Additional One Percent Sales Tax for Infrastructure Costs**	**ONTP**
LD 609	**An Act To Provide Municipalities Additional Sales Tax Revenue from Lodging Sales**	**CARRIED OVER**
LD 839	**An Act To Increase Funding for Multimodal Transportation**	**Veto Sustained**
LD 1110	**An Act To Establish a Local Option for Sales Tax**	**ONTP**
LD 1254	**An Act To Authorize a Local Option Sales Tax on Meals and Lodging and Provide Funding To Treat Opioid Use Disorder**	**CARRIED OVER**
LD 1278	**RESOLUTION, Proposing an Amendment to the Constitution of Maine Requiring the State To Share Not Less Than 5 Percent of State Sales and Income Tax Revenue with Municipalities**	**ONTP**

Sales Tax Exemptions, Exclusions or Refunds

Enacted

LD 86	**An Act To Provide That Persons Who Produce Maple Syrup and Honey Commercially Are Eligible for the Sales Tax Refund and Exemption for Commercial Agricultural Production**	**PUBLIC 7 EMERGENCY**

Not Enacted

LD 22	**An Act To Exempt from Taxation Sales to Small Nonprofit Organizations**	**ONTP**
LD 124	**An Act To Exempt from Sales Tax Certain Watercraft Purchased by an Incorporated Nonprofit Transportation Company That Provides Transportation of Emergency Medical Services Patients from an Island to the Mainland**	**Died on Adjournment**

LD 286	**An Act To Provide a Sales Tax Exemption for Menstrual Products**	**CARRIED OVER**
LD 424	**An Act To Provide a Sales Tax Exemption for Baling Twine, Net and Wrapping for Hay**	**CARRIED OVER**
LD 660	**An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax**	**CARRIED OVER**
LD 709	**An Act To Exempt Certain Meals Provided to Food Service Employees from the Sales and Use Tax**	**CARRIED OVER**
LD 726	**An Act To Make Sales to Area Agencies on Aging Tax-exempt**	**CARRIED OVER**
LD 732	**An Act To Provide a Sales Tax Exemption for Nonprofit Career and Technical Student Organizations**	**CARRIED OVER**
LD 863	**An Act To Exempt Diapering Products from Sales Tax**	**CARRIED OVER**
LD 1238	**An Act To Exempt Certain Print Publications from Sales Tax**	**CARRIED OVER**
LD 1446	**An Act To Remove Sales and Use Taxation on Gold and Silver Coins**	**Majority (ONTP) Report**
LD 1597	**An Act To Provide a Sales Tax Exemption for Purchases Made by Nonprofit Youth Camps**	**HELD BY GOVENROR**
LD 1608	**An Act To Exempt Trailers Sold to Out-of-state Entities from Sales and Use Tax**	**CARRIED OVER**
LD 1718	**An Act To Exempt Purchases by Pet Food Pantries from Sales Tax**	**HELD BY GOVERNOR**
LD 1808	**An Act To Provide a Sales Tax Exemption for Certain Nonprofit Charitable Organizations**	**HELD BY GOVERNOR**

Tax Increment Financing

Enacted

LD 854	**An Act To Improve Tax Incentives for Broadband Service**	**PUBLIC 260**
LD 1122	**An Act To Expand Tax Increment Financing**	**PUBLIC 148**
LD 1585	**An Act To Allow the City of Augusta To Adjust the Definition of "Original Assessed Value" for the City of Augusta's Performance Food Group Municipal Tax Increment Financing District and To Validate the Assessment, Commitment and Collection of Property Taxes Dedicated for the District for**	**P & S 7 EMERGENCY**

the Fiscal Years 2018-19 and 2019-20

Not Enacted

LD 1123	**An Act Regarding Telecommunications Infrastructure Costs**	**ONTP**

Unorganized Territory

Enacted

LD 1643	**An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2019-20**	**PUBLIC 212 EMERGENCY**
LD 1739	**Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory**	**RESOLVE 68**

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STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TRANSPORTATION

August 2019

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LD 7 **Resolve, To Name a Bridge in the Town of Lincoln and the Town of Chester the Master Sergeant Gary Gordon Bridge** **RESOLVE 1**

Sponsor(s)	Committee Report	Amendments Adopted
HANINGTON S JAVNER K	OTP	

This resolve designates Bridge 3790, which crosses the Penobscot River between the Town of Lincoln and the Town of Chester, the Master Sergeant Gary Gordon Bridge.

Enacted Law Summary

Resolve 2019, chapter 1 designates Bridge 3790, which crosses the Penobscot River between the Town of Lincoln and the Town of Chester, the Master Sergeant Gary Gordon Bridge.

LD 10 **An Act To Provide That Inspections of New Motor Vehicles Are Valid for 2 Years** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill provides that a new motor vehicle that has had an inspection is not required to have another inspection until two years from the last day of the month in which it was initially registered. After this time period has passed, the motor vehicle is required to have an annual motor vehicle safety inspection.

LD 17 **Resolve, Designating a Portion of Route 1 in Downeast Maine the Hannah and Rebecca Weston Trail** **RESOLVE 2**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W	OTP	

This resolve directs the Department of Transportation to designate Route 1 from its intersection with Route 1A in the Town of Jonesboro to the southern entrance to the Jeremiah O'Brien Memorial Bridges in the Town of Machias the Hannah and Rebecca Weston Trail.

Enacted Law Summary

Resolve 2019, chapter 2 directs the Department of Transportation to designate Route 1 from its intersection with Route 1A in the Town of Jonesboro to the southern entrance to the Jeremiah O'Brien Memorial Bridges in the Town of Machias the Hannah and Rebecca Weston Trail.

LD 19 **An Act To Require Newly Purchased Public School Buses To Be Equipped with School Bus Crossing Arms** **PUBLIC 413 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREIGHT J MILLETT R	OTP-AM	H-190

This bill requires school buses to be equipped with a school bus crossing arm, which is a device requiring students to walk at least 10 feet in front of the school bus to cross the roadway.

Committee Amendment "A" (H-190)

This amendment, rather than requiring all school buses to be equipped with a school bus crossing arm, requires school buses of model year 2021 or newer to be equipped with a school bus crossing arm. This amendment also clarifies the definition of "school bus crossing arm" and sets the minimum and maximum length of a school bus crossing arm. This amendment also makes the bill an emergency, to take effect when approved.

Enacted Law Summary

Public Law 2019, chapter 413 requires school buses of model year 2021 or newer to be equipped with a school bus crossing arm. It also defines "school bus crossing arm" and sets the minimum and maximum length of a school bus crossing arm.

Public Law 2019, chapter 413 was enacted as an emergency measure effective June 20, 2019.

LD 32 **Resolve, Naming a Highway and Renaming a Bridge in the Town of Whiting** **RESOLVE 3**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W MOORE M	OTP	

This resolve requires the Department of Transportation to designate a portion of U.S. Route 1 in the Town of Whiting the Brigadier General John Crane Memorial Highway and to rename the New Crane Bridge in the Town of Whiting the Purple Heart Veterans Memorial Bridge.

Enacted Law Summary

Resolve 2019, chapter 3 requires the Department of Transportation to designate a portion of U.S. Route 1 in the Town of Whiting the Brigadier General John Crane Memorial Highway and to rename the New Crane Bridge in the Town of Whiting the Purple Heart Veterans Memorial Bridge.

LD 39 **Resolve, To Designate a Bridge in Waterville as the Specialist Wade A. Slack Memorial Bridge** **RESOLVE 5**

Sponsor(s)	Committee Report	Amendments Adopted
MADIGAN C CYRWAY S	OTP	

This resolve designates Bridge 1457 on Interstate 95, which crosses Main Street in the City of Waterville, the Specialist Wade A. Slack Memorial Bridge.

Enacted Law Summary

Resolve 2019, chapter 5 designates Bridge 1457 on Interstate 95, which crosses Main Street in the City of Waterville, the Specialist Wade A. Slack Memorial Bridge.

LD 49 **An Act Authorizing the Issuance on Request of Acquired Brain Injury Identification Cards** **PUBLIC 506**

Sponsor(s)	Committee Report	Amendments Adopted
ORDWAY L DIAMOND B	OTP-AM	H-519 S-360 DIAMOND B

This bill requires the Secretary of State, upon request, to issue a sticker to be placed on a person's driver's license or nondriver identification card to indicate that the person has a traumatic brain injury.

Committee Amendment "A" (H-519)

This amendment strikes and replaces the bill and:

1. Directs the Secretary of State to issue wallet-sized acquired brain injury identification cards to persons who voluntarily request a card;

2. Allows the Secretary of State to require documentation of an acquired brain injury;

3. Provides requirements for the application for and issuance of an acquired brain injury identification card; and

4. Allows the Secretary of State to determine by rule any additional information about acquired brain injury that must be placed on an acquired brain injury identification card.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-360)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 506:

1. Directs the Secretary of State to issue wallet-sized acquired brain injury identification cards to persons who voluntarily request a card;

2. Allows the Secretary of State to require documentation of an acquired brain injury;

3. Provides requirements for the application for and issuance of an acquired brain injury identification card; and

4. Allows the Secretary of State to determine by rule any additional information about acquired brain injury that must be placed on an acquired brain injury identification card.

LD 57 **An Act To Require the Maine Turnpike Authority To Accept E-Z Pass Payments of Any Amount by Telephone** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill directs the Maine Turnpike Authority to allow payment in any amount of electronically assessed or recorded tolls to be made by telephone.

LD 83 **An Act To Amend the Law Regarding Resale by a Motor Vehicle Dealer To Permit the Dealer To Use a Copy of a Certificate of Title** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DRINKWATER G		

This bill allows a dealer selling a motor vehicle to use a copy of the valid certificate of title instead of the original valid certificate of title.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 108 **An Act To Protect Historic Places and Structures on the Federal Aid Highway System** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HANLEY J DOW D	ONTP	

This bill requires the Department of Transportation to comply with the National Historic Preservation Act when performing construction or maintenance on a federal aid highway that involves or affects a structure or place listed on the National Register of Historic Places.

LD 117 **An Act To Exempt Motor Vehicles Less Than 5 Years Old from Inspection** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill provides that a new motor vehicle that has had an inspection is not required to have another inspection until five years from the last day of the month in which it was initially registered. After this time period has passed, the motor vehicle is required to have an annual motor vehicle safety inspection.

LD 120 **An Act To Rebrand Maine's License Plate Slogan from "Vacationland" to "Staycationland"** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill changes the slogan on motor vehicle license plates issued by the State from "Vacationland" to "Staycationland."

LD 157 **An Act To Amend the Laws Governing Car Seats** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CLAXTON N	ONTP	

This bill amends the laws governing the required use of child safety restraints in motor vehicles by changing the weight and age limits for the different types of restraints.

LD 165 **An Act To Prohibit the Use of Handheld Phones and Devices While Driving** **PUBLIC 486**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B PERKINS M	OTP-AM	S-317

This bill repeals the provision of law that prohibits a person who has been issued a learner's permit from operating a motor vehicle while using a handheld electronic device or mobile telephone. It repeals the section of law that prohibits minors from operating a motor vehicle while using a handheld electronic device or mobile telephone and also repeals the section of law that prohibits any person from operating a motor vehicle while engaging in text messaging.

The bill incorporates the definition of "mobile telephone" into the definition of "handheld electronic device." It excludes text messaging from the definition of "using" to reflect the different penalties for using a handheld electronic device and for text messaging while operating a motor vehicle.

The bill expands the prohibition on minors and a person who has been issued a learner's permit operating a motor vehicle while using a handheld electronic device to prohibit all persons operating a motor vehicle from using a handheld electronic device.

The bill includes exceptions to the prohibition against using a handheld electronic device while operating a motor vehicle that allow for hands-free operation of the device and for using a handheld electronic device to communicate with law enforcement or emergency services personnel under emergency circumstances. The exceptions do not apply to text messaging.

The bill provides that the penalty for a first offense of the prohibition against using a handheld electronic device while operating a motor vehicle is $75 and the penalty for a second or subsequent offense within a three-year period is $150.

Committee Amendment "A" (S-317)

This amendment makes the following changes to the bill.

1. It creates a fund within the Department of Transportation for fine revenue collected in the enforcement of the prohibition on the use of handheld electronic devices while operating a motor vehicle on a public way.

2. It makes definitions uniform across the Maine Revised Statutes, Title 29-A for restrictions on the use of handheld electronic devices and mobile telephones and on texting by drivers, drivers operating with an intermediate license and drivers operating with a learner's permit.

3. It clarifies that there is no exception for using a handheld electronic device or mobile telephone while a motor vehicle is stopped in traffic, but does permit use when a car is pulled over in a safe location.

4. It incorporates exceptions for radios, hands-free features, medical devices, ignition interlock devices, which are part of the operating equipment of the motor vehicle, and electronic logging devices and other equipment permitted under Federal Motor Carrier Safety Administration regulations.

5. It creates an exception for contacting emergency services personnel in emergency situations.

6. It defines and makes an exception for the use of handheld electronic devices and mobile telephones in hands-free mode for certain drivers.

7. It adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 486 prohibits the operator of a motor vehicle from using a handheld electronic device and does the following.

1. It creates a fund within the Department of Transportation for fine revenue collected in the enforcement of the prohibition on the use of handheld electronic devices while operating a motor vehicle on a public way.

2. It makes definitions uniform across the Maine Revised Statutes, Title 29-A for restrictions on the use of handheld electronic devices and mobile telephones and on texting by drivers, drivers operating with an intermediate license and drivers operating with a learner's permit.

3. It clarifies that there is no exception for using a handheld electronic device or mobile telephone while a motor vehicle is stopped in traffic, but does permit use when a car is pulled over in a safe location.

4. It incorporates exceptions for radios, hands-free features, medical devices, ignition interlock devices, which are part of the operating equipment of the motor vehicle, and electronic logging devices and other equipment permitted under Federal Motor Carrier Safety Administration regulations.

5. It creates an exception for contacting emergency services personnel in emergency situations.

6. It defines and makes an exception for the use of handheld electronic devices and mobile telephones in hands-free mode for certain drivers.

7. It allows fine revenue collected in enforcement of the handheld elctronic device prohibition to be used to fund a temporary clerk position within the judicial branch.

LD 166 **An Act To Protect Schoolchildren by Providing Additional Enforcement and Prevention Options for Unlawful Passing of a School Bus** **PUBLIC 318**

Sponsor(s)	Committee Report	Amendments Adopted
WOODSOME D	OTP-AM	S-207

This bill increases the penalty for overtaking a school bus when the bus has stopped with its red lights flashing from a $250 minimum fine to a $500 minimum fine for the first offense and increases the driver's license suspension from 30 days to 60 days for a 2nd offense.

Committee Amendment "A" (S-207)

This amendment replaces the bill and changes the title. Instead of increasing the penalty for the illegal passing of a school bus as in the bill, the amendment allows the State or a municipality to use a traffic surveillance camera mounted on a school bus to prove, enforce or open an investigation into a violation of illegally passing a school bus. The amendment provides that information recorded by a traffic surveillance camera mounted on a school bus is confidential and may be used only to prove, enforce or open an investigation into a violation and may not be retained for more than 30 days unless it is used to open an investigation. It also clarifies that the penalty provision in statute regarding overtaking and passing school buses applies only to the passing or overtaking of a school bus. The amendment also allows school buses to be equipped with extended stop arms that when activated extend 3 to 6 feet outward from the left side of a school bus.

Enacted Law Summary

Public Law 2019, chapter 318 allows the State or a municipality to use a traffic surveillance camera mounted on a school bus to prove, enforce or open an investigation into a violation of illegally passing a school bus. It provides that information recorded by a traffic surveillance camera mounted on a school bus is confidential and may be used only to prove, enforce or open an investigation into a violation and may not be retained for more than 30 days unless it is used to open an investigation. It clarifies that the penalty provision in statute regarding overtaking and passing school buses applies only to the passing or overtaking of a school bus. It also allows school buses to be equipped with extended stop arms that when activated extend 3 to 6 feet outward from the left side of a school bus.

LD 180 **An Act To Allow for the Regulation of Transportation Network Companies at Airports by Certain Municipalities** **PUBLIC 78 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH D	OTP-AM	H-124

This bill allows a municipality to adopt an ordinance governing the operations of a transportation network company at an airport located within that municipality.

Committee Amendment "A" (H-124)

This amendment, instead of giving municipalities broad authority to adopt an ordinance governing the operations of a transportation network company at an airport, specifies that a municipality or other political subdivision operating a public airport that receives scheduled passenger aircraft service and that had more than 20,000 passenger boardings in the previous year may in a manner consistent with the airport's regulation of other prearranged for-hire transportation services charge a reasonable fee for each trip to pick up a rider at the airport made by a driver for a transportation network company and regulate the parking and traffic flow of transportation network company drivers at the airport.

Enacted Law Summary

Public Law 2019, chapter 78 provides that a municipality or other political subdivision operating a public airport that receives scheduled passenger aircraft service and that had more than 20,000 passenger boardings in the previous year may in a manner consistent with the airport's regulation of other prearranged for-hire transportation services charge a reasonable fee for each trip to pick up a rider at the airport made by a driver for a transportation network company and regulate the parking and traffic flow of transportation network company drivers at the airport.

Public Law 2019, chapter 78 was enacted as an emergency measure effective May 8, 2019.

LD 198 **An Act To Require That Nonmotorized Carriages Be Equipped with Reflective Tape and Lights** **PUBLIC 170**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D CARPENTER M	OTP-AM	H-243

This bill requires a horse-drawn carriage operated during nighttime to be equipped with reflective tape on all sides, a reflective triangle on the rear and a light that is visible outside of the carriage to the front and the rear.

Committee Amendment "A" (H-243)

This amendment expands the scope of the bill to apply to animal-drawn vehicles instead of just horse-drawn carriages. The amendment requires a light to be attached to the left side of the vehicle that displays a red light to the rear and white light to the front; specifies the placement and type of reflective tape required on all sides of the vehicle; and removes the requirement for a reflective triangle to be placed on the rear of the vehicle. The amendment also exempts animal-drawn vehicles from the standard red rear reflector requirement.

Enacted Law Summary

Public Law 2019, chapter 170 requires animal-drawn vehicles to be equipped with a light attached to the left side of the vehicle that displays a red light to the rear and white light to the front. It specifies the placement and type of reflective tape required on all sides of the vehicle. It also removes the requirement for a reflective triangle to be placed on the rear of an animal-drawn vehicle and exempts animal-drawn vehicles from the standard red rear reflector requirement.

LD 200 **Resolve, To Name the Bridge on Main Street in the Town of Orono the Brandon M. Silk Memorial Bridge** **RESOLVE 4**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING R DILL J	OTP	

This resolve requires the Department of Transportation to rename the Ferry Hill Bridge in the Town of Orono the Brandon M. Silk Memorial Bridge.

Enacted Law Summary

Resolve 2019, chapter 4 requires the Department of Transportation to rename the Ferry Hill Bridge in the Town of Orono the Brandon M. Silk Memorial Bridge.

LD 203 **Resolve, To Add a Safety Fence to the Penobscot Narrows Bridge** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HUTCHINS S	ONTP	

This resolve directs the Department of Transportation to construct and maintain pedestrian barrier fences on the Penobscot Narrows Bridge for the purpose of suicide prevention.

LD 207 **Resolve, To Rename the Stillwater Bridges in Old Town the Llewellyn Estes Bridge** **RESOLVE 10**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY M DILL J	OTP	

This resolve requires the Department of Transportation to rename Stillwater Bridge #1 and Stillwater Bridge #2 in the City of Old Town the Llewellyn Estes Bridge.

Enacted Law Summary

Resolve 2019, chapter 10 requires the Department of Transportation to rename Stillwater Bridge #1 and Stillwater Bridge #2 in the City of Old Town the Llewellyn Estes Bridge.

LD 213 **An Act To Require Snow Tires or All-weather Tires on Automobiles from October through April** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D JACKSON T		

This bill requires automobiles to be equipped with snow tires or all-weather tires from the second day of October to the last day of April and requires the Chief of the State Police within the Department of Public Safety to adopt rules to define "snow tires" and "all-weather tires."

LD 244 **Resolve, To Rename the Stinson Bridge the Woodsome Bridge** **RESOLVE 7**

Sponsor(s)	Committee Report	Amendments Adopted
WOODSOME D	OTP-AM	S-2

This resolve requires the Department of Transportation to rename the Stinson Bridge in the Town of Waterboro and the Town of Limerick the Woodsome-Carroll Bridge.

Committee Amendment "A" (S-2)

This amendment requires the Department of Transportation to rename the Stinson Bridge in the Town of Waterboro and the Town of Limerick the Woodsome Bridge.

Enacted Law Summary

Resolve 2019, chapter 7 requires the Department of Transportation to rename the Stinson Bridge in the Town of Waterboro and the Town of Limerick the Woodsome Bridge.

LD 261 **An Act To Restrict the Authority for Posting of Roads** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK R HALL R	ONTP	

This bill requires publicly available written justification for imposing restrictions on a public way for more than six weeks, prohibits the imposition of size and weight restrictions for vehicles on a public way when the ambient air temperature is below 31 degrees Fahrenheit and protects the ability of a commercial entity to operate its vehicles on the public way where it is headquartered or where it is conducting its business activities.

LD 270 **An Act To Eliminate Certain Motor Vehicle Inspections in the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D FAULKINGHAM B	ONTP	

This bill repeals statutory provisions requiring inspections for motor vehicles registered in the State, except that the provisions regarding inspection of commercial vehicles, trailers and semitrailers under the Maine Revised Statutes, Title 29-A, section 1753; inspection of fire trucks under Title 29-A, section 1755; and inspection by dealers and transporters under Title 29-A, section 1754 are not repealed.

LD 280 **An Act To Improve Public Safety by Restricting the Use of Distracting Electronic Devices While Operating a Motor Vehicle** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CLAXTON N	ONTP	

This bill adds a prohibition on the use of a portable electronic device such as a video device or a global positioning system device to the prohibition on text messaging while operating a motor vehicle.

LD 323 **An Act To Set the Minimum Penalty for Littering on State Highways at $1,000** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill sets the minimum penalty for littering on state highways at $1,000.

LD 331 **An Act To Prohibit the Operation of Large Commercial Vessels in the Waters of Southern Mount Desert Island** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HUBBELL B BELLOWS S	ONTP	

This bill prohibits the operation, mooring or anchoring of commercial vessels over 200 feet in length or with the capacity to carry more than 100 passengers in the waters of southern Mount Desert Island.

LD 344 **An Act To Increase the Penalties for Illegally Passing a School Bus** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCDONALD G MOORE M	ONTP	

This bill increases the penalties for passing a stopped school bus with its red lights flashing. The new penalties are:

1. A $500 fine and a suspension of a driver's license for not more than 30 days for the first offense; and

2. A fine of not less than $1,000 and a suspension of a driver's license for not less than 30 days for a second or subsequent offense occurring within five years of the first offense.

LD 350 **An Act To Exempt School Buses from Snow Tire Restrictions** **PUBLIC 31**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T JACKSON T	OTP-AM	H-24

This bill exempts school buses operated by Head Start programs from the date restrictions on the use of studded snow tires.

Committee Amendment "A" (H-24)

This amendment exempts all school buses from the date restrictions on the use of studded snow tires, instead of creating a specific exemption for school buses operated by Head Start programs as in the bill. This amendment also changes the title to reflect the contents of the bill.

Enacted Law Summary

Public Law 2019, chapter 31 exempts all school buses from the date restrictions on the use of studded snow tires.

LD 380 **An Act To Revise the Calculation of Tolls Established for the Maine State Ferry Service** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DOUDERA V HERBIG E		

This bill requires the Department of Transportation, by rule, to establish ferry tolls for each route of travel that are based upon the cost of service for vehicles, freight and passengers, and allows the department to provide discounted tolls for frequent usage of the Maine State Ferry Service. This bill also requires that the Marine Highway account must fund 100% of the capital costs and no more than 75% of the operating costs of the Maine State Ferry Service.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 389 **An Act To Require Biennial State Motor Vehicle Inspections** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill changes noncommercial automobile inspection requirements from an annual inspection to a biennial inspection.

LD 422 **Resolve, Directing the Department of Transportation To Increase the Number of Signs on the Mt. Katahdin Trail** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
HIGGINS N		

This resolve requires the Department of Transportation to develop a plan to increase the number of directional and identification signs on the Mt. Katahdin Trail and to submit the plan to the Joint Standing Committee on Transportation by January 1, 2020.

LD 436 **Resolve, Directing the Secretary of State To Review Standards for Vision Tests** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE J MORRIS J	ONTP	

This resolve requires the Secretary of State to review the standards for vision tests under the laws governing driver's licenses and to submit a report to the Joint Standing Committee on Transportation.

LD 458 **An Act To Require Motorists To Yield to Transit Buses** **PUBLIC 194**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B	OTP-AM	S-129

This bill requires an operator of a vehicle to yield the right-of-way to a transit bus traveling in the same direction if the transit bus has signaled and is reentering the traffic flow from a bus stop or shoulder of the roadway.

Committee Amendment "A" (S-129)

This amendment strikes and replaces the bill. The amendment requires that the operator of a vehicle on a public way that has a speed limit of 35 miles per hour or less must yield the right-of-way to a transit bus that has an illuminated yield sign on the left side of the rear of the bus and the bus driver has activated a turn signal to reenter the traffic flow from a bus stop or shoulder on the roadway. The amendment also clarifies the definition of "transit bus."

Enacted Law Summary

Public Law 2019, chapter 194 requires that the operator of a vehicle on a public way that has a speed limit of 35 miles per hour or less must yield the right-of-way to a transit bus that has an illuminated yield sign on the left side of the rear of the bus and the bus driver has activated a turn signal to reenter the traffic flow from a bus stop or shoulder on the roadway.

LD 466 **An Act To Create a Diesel Fuel Tax Differential** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TEPLER D CHIPMAN B	ONTP	

This bill imposes an additional 5¢ per gallon fuel tax on diesel fuel and requires that revenue from the tax be used only for construction, reconstruction, maintenance and repair of public highways and bridges. The additional tax is repealed on November 1, 2022. The Commissioner of Transportation is required to submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters by March 1, 2022 identifying the amount of revenue collected and the purposes for which the revenue was or will be used. The committee is authorized to submit legislation to the Second Regular Session of the 130th Legislature to retain, repeal or amend provisions relating to the diesel fuel tax differential.

LD 478 **An Act To Allow All-terrain Vehicles To Be Used on a Public Way** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

This bill, beginning in 2020, allows the operation of an all-terrain vehicle, or ATV, on a public way as long as the ATV is registered and meets specified safety equipment requirements and the operator is licensed and has insurance. This bill establishes an annual registration fee of $33, the same as for ATVs under current law. The bill does not affect the operation of ATVs off of public ways.

This bill prohibits the operation of an ATV on a public way with a posted speed limit of more than 50 miles per hour.

The Department of Transportation may adopt rules or a municipality or county may adopt an ordinance to restrict or prohibit the operation of an ATV on a way if the department, county or municipality determines that the prohibition or restriction is necessary in the interest of public safety.

LD 487 **Resolve, Directing the Department of Transportation To Study the Corner of Smithwheel Road and Ocean Park Road and the Intersection of Saco Avenue, Temple Street and Old Orchard Road in Old Orchard Beach** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J GRAMLICH L	ONTP	

This resolve directs the Department of Transportation, in consultation with the Town of Old Orchard Beach, to study the corner of Smithwheel Road and Ocean Park Road, which connects to the I-195 spur, and the intersection of State Route 5, which is also known as Saco Avenue, with Temple Avenue and Old Orchard Road and determine whether a roundabout or an alternative layout is needed.

LD 491 **An Act To Regulate the Brightness of Headlights** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the current law to reduce the maximum candlepower of a motor vehicle headlight to increase the safety for an oncoming motor vehicle.

LD 526 **An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S	ONTP	

This bill requires vehicles propelled or drawn by a horse and operated at night to have a rear reflector of a specific size and color.

LD 546 **An Act To Enhance Highway Safety by Strengthening the So-called Move Over Law** **PUBLIC 254**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B	OTP-AM	S-98

This bill increases from $250 to $350 the minimum fine for passing a stationary authorized emergency vehicle using an emergency light or a stationary public service vehicle using its authorized lights and failing to pass in a lane that is not adjacent to the stationary vehicle or, if passing in a nonadjacent lane would be impossible or unsafe, failing to pass at a careful and prudent speed.

Committee Amendment "A" (S-98)

This amendment increases the minimum fine from $250 to $275 for passing a stationary authorized emergency vehicle using an emergency light or a stationary public service vehicle using its authorized lights and failing to pass

in a lane that is not adjacent to the stationary vehicle or, if passing in a nonadjacent lane would be impossible or unsafe, failing to pass at a careful and prudent speed.

Enacted Law Summary

Public Law 2019, chapter 254 increases the minimum fine from $250 to $275 for passing a stationary authorized emergency vehicle using an emergency light or a stationary public service vehicle using its authorized lights and failing to pass in a lane that is not adjacent to the stationary vehicle or, if passing in a nonadjacent lane would be impossible or unsafe, failing to pass at a careful and prudent speed.

LD 571 **Resolve, Directing the Department of Transportation To Initiate a Service Development Plan for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B CLAXTON N		

This resolve directs the Department of Transportation to initiate a service development plan for commuter and passenger train service between Portland and the Lewiston and Auburn area. The plan must indicate the locations of railway stations in towns along the corridor route and include an environmental impact statement for each station site. It directs the department to submit a progress report to the Joint Standing Committee on Transportation by January 15, 2020.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 586 **An Act Regarding the Department of Transportation's Use of Sediment Erosion Control Systems** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL D FOLEY R	ONTP	

This bill requires the Department of Transportation to specify whether a biodegradable or nonbiodegradable sediment erosion control system will be used for a project by the department and requires that nonbiodegradable sediment erosion control systems be removed with 90 days of a project's completion.

LD 597 **Resolve, To Establish a Pilot Project Authorizing the Use of Traffic Surveillance Cameras on Castine Road in Orland** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ROSEN K CAMPBELL D	ONTP	

This resolve directs the Department of Transportation to establish a pilot project allowing the use of traffic surveillance cameras to prove or enforce a violation of the Maine Revised Statutes, Title 29-A on Castine Road in Orland and requires the department to submit a report evaluating the results of the pilot project to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2021.

LD 599 **An Act To Ensure Fair Access and Pricing for Residents Who Use the Maine State Ferry Service** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG E DOUDERA V		

This bill requires that state support to the Marine Highway account must fund 100% of the capital and operating costs of the Maine State Ferry Service. It also requires the Department of Transportation to establish, by rule, ferry tolls separately for each route of travel and to adopt no later than November 1, 2019 the toll rates that were in effect on May 20, 2018.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 656 **An Act To Increase the Penalty for Passing a School Bus with Its Red Lights Flashing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP	

This bill increases the penalties for passing a stopped school bus with its red lights flashing. The new penalties are:

1. The assessment of six demerit points on a driver's license;

2. A fine of $2,000; and

3. A term of imprisonment of 90 days.

LD 668 **Resolve, Directing the Department of Transportation To Convene a Work Group To Study Improving Traffic Safety for Color-blind Drivers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ARATA A	ONTP	

This resolve directs the Department of Transportation to convene a work group of interested parties and persons with expertise in traffic light systems and technology to study requiring new traffic lights to accommodate color-blind drivers. It requires the study to include an analysis of the effectiveness of the available technology and its costs. The department is directed to submit a report on its study, including any suggested legislation, to the Joint Standing Committee on Transportation by December 4, 2019. The joint standing committee is authorized to report out a bill related to the report to the Second Regular Session of the 129th Legislature.

LD 689 **An Act Regarding Temporary Signs Related to an Event That Are Placed in the Public Right-of-way** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B		

This bill limits the placement of temporary signs related to an event in the public right-of-way by prohibiting their placement more than six weeks before the event.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 704 **An Act To Clarify the Laws Regarding Driver's License Suspensions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER J ARATA A	ONTP	

This bill applies to motor vehicle offenses the definition of "criminal negligence" and the use of causation as an element of an offense as used in the Maine Criminal Code. This bill also changes the standard for minimum suspension for negligent operation of a motor vehicle causing the death of another person from "negligently" to "with criminal negligence" and removes the provision requiring the Secretary of State to notify any family of the victim or to consider written or oral statements from the family prior to the determination and issuance of the suspension.

LD 707 **An Act To Require the Clearing of Vegetation along Roads** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MARTIN J	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill would require the Department of Transportation to clear from the sides of roads vegetation that poses a risk to drivers.

LD 716 **An Act To Increase Railroad Freight Safety** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
RYKERSON D	ONTP OTP	

This bill requires a railroad company to ensure that there are at least two employees on a freight train traveling on a railroad line within the State, except for a freight train traveling for hostler service. It provides that a railroad company that violates this provision is subject to a fine of not more than $500 for each violation.

LD 740 **An Act To Include Bucksport and the Penobscot River Basin in the Department of Transportation's Cargo Port Strategy** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL D ROSEN K	ONTP	

This bill directs the Department of Transportation to develop and implement a strategy for cargo port development that includes Bucksport and the Penobscot River Basin.

LD 778 **An Act To Create the Fund for Municipalities To Improve Pedestrian Safety** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N BRYANT M		

This bill establishes the Fund for Municipalities To Improve Pedestrian Safety as a program account in the Highway Fund within the Department of Transportation. The bill provides that the fund must be used for pedestrian safety improvements, such as lights, paint, signs, speed bumps and reconstruction of intersections. The bill also provides that a municipality or a group of municipalities may apply for funding from the fund. Up to 80% of project costs for pedestrian safety improvements may be financed from the fund with the remainder of the costs provided by the municipality or group of municipalities, except that up to 100% of proposed project costs for pedestrian safety improvements may be financed from the fund if the project is located within an area identified by the Department of Transportation as a dangerous intersection based on pedestrian crash data. The bill also requires the department to notify municipalities of the required biennial report and pedestrian crash data. Finally, the bill provides that the Fund for Municipalities To Improve Pedestrian Safety receives revenue from uncommitted balances in the Multimodal Transportation Fund and other funds from any public or private source.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 783 **Resolve, To Require an Independent Analysis of the Department of Transportation's I-395/Route 9 Connector Project** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ROSEN K	ONTP	

This resolve directs the Legislature, through the Joint Standing Committee on Transportation, to contract with a nongovernmental entity to perform an independent analysis of the Department of Transportation's I-395/Route 9 Connector Project and appropriates $25,000 from the General Fund to fund the contract. The nongovernmental entity may not have a direct commercial interest in the I-395/Route 9 Connector Project and must provide a report of its analysis to the Joint Standing Committee on Transportation no later than April 19, 2019. This resolve also suspends the project until the independent analysis is complete and provides the Joint Standing Committee on Transportation with the authority to make a determination about whether the project may continue.

LD 823 **An Act To Exempt Vehicles That Are 20 Years Old or Older from Titling Requirements When the Vehicles Are Recycled, Salvaged or Scrapped** **PUBLIC 141**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M JACKSON T	OTP-AM	H-191

This bill amends the law exempting motor vehicles from certificate of title or certificate of salvage requirements to exempt automobiles and all over-the-road commercial vehicles that are more than 15 years old, unless the Secretary of State determines it is in the best interest of the State and an applicant for certificate of title to issue a title to a

vehicle more than 15 years old.

Committee Amendment "A" (H-191)

This amendment strikes and replaces the bill. The amendment, rather than exempting all vehicles more than 15 years old from titling requirements, as in the original bill, allows a vehicle that is at least 20 years old according to its model year to be recycled, salvaged or scrapped without a certificate of title.

Enacted Law Summary

Public Law 2019, chapter 141 allows a vehicle that is at least 20 years old according to its model year to be recycled, salvaged or scrapped without a certificate of title.

LD 826 **An Act Regarding Motor Vehicle Registration Plate Numbers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PICKETT R KEIM L	ONTP	

This bill provides that the $15 fee imposed to retain a motor vehicle registration number in a year in which new registration plates are issued does not apply for the retention of the registration number of a special veterans registration plate or a special disability registration plate for veterans.

LD 827 **An Act Regarding the Placement of Campaign Signs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DILLINGHAM K TIMBERLAKE J	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to allow a business to move a campaign sign that is placed directly in front of a storefront.

LD 844 **An Act To Prohibit Driverless Commercial Vehicles** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HUTCHINS S	ONTP	

This bill prohibits the operation of a commercial motor vehicle that does not have a driver in the vehicle.

LD 850 **Resolve, Directing the Department of Transportation To Erect Signs on Interstate 95 in Island Falls** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY S ROSEN K	ONTP	

This resolve directs the Department of Transportation to place signs directing motorists to the Town of Island Falls on Interstate 95 on the northbound and southbound lanes near the exit closest to the town.

LD 851 **Resolve, To Effect Economies of Scale in Maine's Transportation Funding** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A	ONTP	

This resolve directs the Department of Transportation and the Maine Turnpike Authority to study their holdings and operations and propose reorganizations effecting efficiencies in both the department and the authority leading to economies of scale within the State's transportation funding regime. The department and the authority are directed to report to the Joint Standing Committee on Transportation the results of their study and any suggested legislation by January 15, 2020. The joint standing committee is authorized to report out a bill regarding the report to the Second Regular Session of the 129th Legislature.

LD 917 **An Act Increasing Municipal Agent Fees for Motor Vehicle Registrations** **PUBLIC 255**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK G FARNSWORTH D	OTP-AM	S-70 H-279 MCLEAN A

This bill allows municipal agents to charge higher service fees for registrations for motor vehicles, from $3 to $5 for renewals and from $4 to $6 for new registrations. It also allows municipal agents to charge higher service fees for registrations for all-terrain vehicles, snowmobiles and watercraft, from $1 to $3 for renewals and from $2 to $5 for new registrations.

Committee Amendment "A" (S-70)

This amendment allows, but does not require, municipal agents to charge a service fee for registration of a motor vehicle, up to $5 for a renewal and up to $6 for a new registration. It also allows, but does not require, municipal agents to charge a service fee for registration of an all-terrain vehicle, snowmobile or watercraft, up to $3 for a renewal and up to $5 for a new registration.

House Amendment "A" To Committee Amendment "A" (H-279)

This amendment strikes the provisions in the bill that allow an increase of municipal agent fees for watercraft, snowmobile and all-terrain vehicle registrations.

Enacted Law Summary

Public Law 2019, chapter 255 allows, but does not require, municipal agents to charge a service fee for registration of a motor vehicle, up to $5 for a renewal and up to $6 for a new registration.

LD 938 **An Act To Provide for Sustainable Transportation in Maine** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide a means of sustainable transportation funding for the State.

LD 945 **Resolve, To Establish the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems** **RESOLVE 97 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN T DIAMOND B	OTP-AM	H-557 S-353 DIAMOND B

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a blue ribbon commission to study and recommend additional funding options to adequately fund the State's transportation infrastructure maintenance program.

Committee Amendment "A" (H-557)

This amendment replaces the bill with a resolve that establishes the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems. The commission has 15 members. It is required to report on its findings to the Joint Standing Committee on Transportation by January 3, 2020.

Senate Amendment "A" To Committee Amendment "A" (S-353)

This amendment changes the report date in order to conform with Joint Rule 353.

Enacted Law Summary

Resolve 2019, chapter 97 establishes the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems. The commission has 15 members. It is required to report on its findings to the Joint Standing Committee on Transportation by December 4, 2019.

Resolve 2019, chapter 97 was finally passed as an emergency measure effective June 26, 2019.

LD 990 **An Act To Improve Transportation in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to make specific changes to the law to improve transportation infrastructure and modes in this State.

LD 992 **Resolve, To Extend the Down East Sunrise Trail from Ayers Junction to Calais** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MOORE M PERRY A		

This resolve directs the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to develop a fully off-road trail corridor linking the East Coast Greenway's northern terminus at the Ferry Point International Bridge in Calais with the Down East Sunrise Trail's eastern terminus at Ayers Junction.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1002 **An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021** **PUBLIC 415 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A DIAMOND B	OTP-AM	H-624

This bill is a concept draft pursuant to Joint Rule 208. This bill as emergency legislation proposes to make unified appropriations and allocations for the expenditures of State Government, Highway Fund and other funds and change certain provisions of the law necessary to the proper operations of State Government for the fiscal years ending June 30, 2019, June 30, 2020 and June 30, 2021, as submitted by the Governor pursuant to the Maine Revised Statutes, Title 5. The documents submitted by the Governor may be found here: https://legislature.maine.gov/ros/9634.

Committee Amendment "A" (H-624)

This amendment accomplishes the following.

PART A

This Part makes allocations of funds for the fiscal years ending June 30, 2020 and June 30, 2021.

PART B

This Part recognizes an increase in the attrition rate for the 2020-2021 biennium from 1.6% to 5% for judicial branch and executive branch departments and agencies.

PART C

This Part requires the State Controller to carry forward any unexpended balances in the Personal Services and All Other line categories in the Department of Secretary of State, Administration - Motor Vehicles program, after all financial commitments for salary, benefits and other obligations and budgetary adjustments have been made, at the

end of fiscal year 2018-19 to fiscal year 2019-20 and at the end of fiscal year 2019-20 to fiscal year 2020-21, to the All Other line category in the Department of Secretary of State, Administration - Motor Vehicles program to be used for the procurement and implementation of an automated driver's license testing system.

PART D

This Part allows the Commissioner of Transportation to use funds in the Multimodal Transportation Fund to make loans to counties, municipalities, state agencies and quasi-state government agencies for multimodal forms of transportation.

PART E

This Part allows the Maine Municipal Bond Bank to issue up to $75,000,000 of GARVEE bonds for highway and bridge needs.

PART F

This Part requires the State Controller to transfer amounts exceeding $100,000 from the unallocated balance in the Highway Fund, after all commitments have been met, to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

PART G

This Part authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balances available at the end fiscal years 2019-20 and 2020-21 to the Department of Transportation, Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

PART H

This Part requires the State Controller to transfer $6,345,967 in fiscal year 2019-20 and $6,404,253 in fiscal year 2020-21 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

PART I

This Part allows TransCap Trust Fund nonbond funds to be used for capital projects with an anticipated useful life of 5 years or more.

PART J

This Part repeals the section of law that excludes the Marine Highway account within the Highway Fund from the Local Road Assistance Program calculation.

PART K

This Part provides allocations to increase by 5% the base salary of one Public Service Executive I position and one Public Service Manager II position within the Department of the Secretary of State, Bureau of Motor Vehicles. This Part also requires the Department of Administrative and Financial Services, Bureau of Human Resources to make a corresponding change to the bureau's rules governing compensation.

Enacted Law Summary

Public Law 2019, chapter 415 does the following:

PART A

This Part makes allocations of funds for the fiscal years ending June 30, 2020 and June 30, 2021.

PART B

This Part recognizes an increase in the attrition rate for the 2020-2021 biennium from 1.6% to 5% for judicial branch and executive branch departments and agencies.

PART C

This Part requires the State Controller to carry forward any unexpended balances in the Personal Services and All Other line categories in the Department of Secretary of State, Administration - Motor Vehicles program, after all financial commitments for salary, benefits and other obligations and budgetary adjustments have been made, at the end of fiscal year 2018-19 to fiscal year 2019-20 and at the end of fiscal year 2019-20 to fiscal year 2020-21, to the All Other line category in the Department of Secretary of State, Administration - Motor Vehicles program to be used for the procurement and implementation of an automated driver's license testing system.

PART D

This Part allows the Commissioner of Transportation to use funds in the Multimodal Transportation Fund to make loans to counties, municipalities, state agencies and quasi-state government agencies for multimodal forms of transportation.

PART E

This Part allows the Maine Municipal Bond Bank to issue up to $75,000,000 of GARVEE bonds for highway and bridge needs.

PART F

This Part requires the State Controller to transfer amounts exceeding $100,000 from the unallocated balance in the Highway Fund, after all commitments have been met, to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

PART G

This Part authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balances available at the end fiscal years 2019-20 and 2020-21 to the Department of Transportation, Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

PART H

This Part requires the State Controller to transfer $6,345,967 in fiscal year 2019-20 and $6,404,253 in fiscal year 2020-21 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

PART I

This Part allows TransCap Trust Fund nonbond funds to be used for capital projects with an anticipated useful life of 5 years or more.

PART J

This Part repeals the section of law that excludes the Marine Highway account within the Highway Fund from the Local Road Assistance Program calculation.

PART K

This Part provides allocations to increase by 5% the base salary of one Public Service Executive I position and one Public Service Manager II position within the Department of the Secretary of State, Bureau of Motor Vehicles. This Part also requires the Department of Administrative and Financial Services, Bureau of Human Resources to make a corresponding change to the bureau's rules governing compensation.

Public Law 2019, chapter 415 was enacted as an emergency measure effective June 20, 2019.

LD 1034 **An Act To Provide Revenue To Fix and Rebuild Maine's Transportation Infrastructure** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A		

This bill does the following for the purpose of increasing revenue to the Highway Fund and for other transportation purposes.

1. It increases certain fees charged by the Secretary of State for driver's license examinations, temporary license plates, nondriver identification cards, duplicate registrations, titles, driver's licenses, nondriver identification cards and transfers of registrations.

2. It increases the sales tax on the short-term rental of automobiles and certain pickup trucks and vans from 10% to 12%.

3. It requires 5% of the sales tax imposed on transportation-related items, such as motor vehicles and products for the repair and maintenance of motor vehicles, such as motor oil, batteries and tires, to be transferred to the Highway Fund on a monthly basis.

4. Beginning October 1, 2019, it increases the tax imposed on gasoline to 36.5¢ per gallon and the tax imposed on special fuel to 37.7¢ per gallon.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1075 **An Act To Allow a Wrecker To Transport the Number of Vehicles Authorized by Manufacturer Specifications for the Wrecker** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCREA D DOW D	ONTP	

Current law provides that "wrecker" does not include a vehicle designed to carry or tow more than two vehicles on its own body. This bill strikes that language and provides that a wrecker may not carry or tow more vehicles than allowed by the manufacturer specifications for that wrecker.

LD 1084 **An Act Regarding the Operation of Pedal-powered Tour Vehicles** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN H SYLVESTER M		

This bill defines "pedal-powered tour vehicle" and permits such vehicles to be used on public ways. The bill provides that a municipality may restrict the operation of a pedal-powered tour vehicle on a public way within the municipality only by requiring evidence of liability insurance and compliance with equipment standards and traffic restrictions established by the municipality.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1141 **Resolve, Directing the Department of Transportation To Construct the Merrymeeting Trail from Topsham to Gardiner** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
WARREN C VITELLI E		

This resolve directs the Department of Transportation to construct a recreational trail, to be known as the Merrymeeting Trail, along the existing railroad corridor owned by the department from the Town of Topsham to the City of Gardiner.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1157 **An Act To Fix Maine's Roads and Bridges by Establishing a Seasonal Gasoline Tax Adjustment** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A	ONTP	

This bill adjusts the tax imposed on gasoline on a seasonal basis, so that the tax is 27¢ per gallon from November 1st to May 31st and 37¢ per gallon from June 1st to October 31st annually. The current tax rate on gasoline is 30¢ per gallon. This bill also repeals the requirement that an inventory tax be paid on gasoline on hand whenever there is an increase in the tax.

LD 1165 **An Act To Support the Operation of Fixed-wing Air Medical Transport in Northern Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MCCREA D	ONTP	

This bill provides funding to the Northern Light A.R. Gould Hospital in Presque Isle to fund and support the operation of a fixed-wing aircraft out of Caribou.

LD 1166 **An Act To Require Public Transit To Be Accessible to Blind or Visually Impaired Riders** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B	ONTP	

This bill requires that all state and municipal vehicles that operate on a fixed route system for the purpose of public transportation must be equipped with an automated announcement system that delivers audible messages to passengers regarding transit route, current and next stop and destination of the vehicle. The bill provides an exemption for vehicles that cannot reasonably be equipped with an automated announcement system.

LD 1189 **An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2020** **P & S 9**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-377

This bill makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2020 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (H-377)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2019, chapter 9 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2020 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 1195 **An Act To Encourage the Removal of Campaign Signs from the Public Right-of-way** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WOODSOME D	ONTP	

This bill requires that a temporary sign, which includes a campaign sign, placed within the public right-of-way that advertises or announces an event must be removed from the right-of-way within four weeks after the event and, if the sign is not removed within that four-week period, the municipality in which the sign is located may remove the sign and assess the individual, entity or organization that placed the sign a fee of $10.

LD 1222 **An Act Regarding Electric Bicycles** **PUBLIC 349**

Sponsor(s)	Committee Report	Amendments Adopted
RYKERSON D GRATWICK G	OTP-AM	H-511

This bill defines and regulates the use of electric bicycles, which are bicycles with a motor and which fall into one of 3 classes, depending on the top speed attainable and whether the operator needs to pedal while the motor is propelling the electric bicycle. The bill provides that an operator of an electric bicycle has generally the same rights and obligations as the operator of a bicycle, except that the use of an electric bicycle on bicycle paths and bikeways may be restricted by the entity having jurisdiction over the bicycle path or bikeway. An electric bicycle is considered a vehicle for purposes of the State's so-called open container law and, as with bicycles, any person under 16 years of age who is operating or riding as a passenger on an electric bicycle must wear a helmet.

Committee Amendment "A" (H-511)

This amendment makes minor technical edits to the bill, including to the definitions of Class 1, Class 2 and Class 3 electric bicycles, and clarifies the label requirement to apply only to a manufacturer, distributor or seller in the State. The amendment also makes changes to the age restrictions in the bill.

Enacted Law Summary

Public Law 2019, chapter 349 defines and regulates the use of electric bicycles, which are bicycles with a motor and which fall into one of 3 classes, depending on the top speed attainable and whether the operator needs to pedal while the motor is propelling the electric bicycle. It provides that an operator of an electric bicycle has generally the same rights and obligations as the operator of a bicycle, except that the use of an electric bicycle on bicycle paths and bikeways may be restricted by the entity having jurisdiction over the bicycle path or bikeway. The operator of an electric bicycle is subject to the State's so-called open container law and, as with bicycles, any person under 16 years of age who is operating or riding as a passenger on an electric bicycle must wear a helmet.

LD 1223 **Resolve, Directing the Department of Transportation To Incorporate Transportation Demand Management Strategies in Its Rules Pertaining to Traffic Movement Permits** **RESOLVE 89**

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V	OTP-AM	H-454

This bill amends the requirements for a traffic movement permit for a project by requiring the Department of Transportation to require all reasonable traffic mitigation measures that could avoid the expansion of a roadway. This bill requires an analysis of all modes of transportation affected by the project and a design to ensure that the project does not promote one mode of transportation in a way that negatively impacts another. This bill also requires the department to include within the scope of impact evaluation an analysis estimating the amount of vehicle, pedestrian, bicycle, transit and trail use that could be generated by the project.

Committee Amendment "A" (H-454)

This amendment strikes and replaces the bill with a resolve requiring the Commissioner of Transportation to form a stakeholder group to review the Department of Transportation's rules pertaining to the traffic movement permit process. The commissioner is required to submit major substantive rules amending the traffic movement permit process adopted pursuant to the Maine Revised Statutes, Title 23, section 704-A, based on the findings and recommendations of the stakeholder group, no later than February 1, 2020. This amendment also allows the Joint Standing Committee on Transportation to introduce a bill related to the traffic movement permit process during the Second Regular Session of the 129th Legislature.

Enacted Law Summary

Resolve 2019, chapter 89 requires the Commissioner of Transportation to form a stakeholder group to review the Department of Transportation's rules pertaining to the traffic movement permit process. The commissioner is required to submit major substantive rules amending the traffic movement permit process adopted pursuant to the Maine Revised Statutes, Title 23, section 704-A, based on the findings and recommendations of the stakeholder group, no later than February 1, 2020. This law also allows the Joint Standing Committee on Transportation to introduce a bill related to the traffic movement permit process during the Second Regular Session of the 129th Legislature.

LD 1257 **An Act To Prepare Maine for a Low-carbon Transportation Future** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M MIRAMANT D	ONTP	

This bill authorizes the Secretary of State to require the owner of an electric vehicle to pay an electric vehicle registration surcharge of $25 per year when at least 3,000 electric vehicles are annually registered in the State. The amount of the surcharge increases to $50 per year when at least 10,000 electric vehicles are annually registered in the State. The municipality that collects the annual electric vehicle registration surcharge is required to expend no less than 50% of the surcharge to construct or modify public infrastructure that facilitates the charging of electric vehicles for use by the general public or for other purposes that encourage or support the purchase and use by the general public of electric vehicles.

The bill also directs the Governor's Energy Office to convene an electric vehicle task force, which is charged with reviewing a number of matters relating to electric vehicles and electric vehicle infrastructure. The director of the office is required to report by February 15, 2020 to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation regarding any recommendations of the task force, including proposed legislation. After reviewing the report, the committees may report out legislation to the Second Regular Session of the 129th Legislature.

The bill also directs the Commissioner of Transportation to take a number of actions regarding short-term and long-term planning for road infrastructure and highway funding, including a review of potential new vehicle or road use fees. The commissioner is directed to report by February 15, 2021 to the joint standing committees of the Legislature having jurisdiction over energy, utilities and technology matters and transportation matters regarding those actions and including any findings and recommendations and proposed legislation necessary to implement those recommendations. After reviewing the report, the committees may report out legislation to the First Regular Session of the 130th Legislature.

LD 1258 **An Act To Increase Access to Transportation for Workforce and Other Essential Transportation Needs** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B CHIPMAN B	OTP-AM	H-453

This bill requires the quinquennial locally coordinated plan for regional transit submitted by each regional public transportation agency to focus on meeting workforce needs.

This bill also provides funding to the Department of Transportation to support and expand local volunteer driver networks; to create a pilot purchase of service program in a selected region of the State to provide senior citizens and persons with disabilities vouchers to purchase their own transportation services; and for regional transportation providers throughout the State, split evenly between rural and urban areas, to expand their services, including addressing regional workforce needs.

Committee Amendment "A" (H-453)

This amendment provides funding to the Department of Transportation from the General Fund instead of the Highway Fund to support and expand local volunteer driver networks and for regional transportation providers through the State to expand their services. Resources must be distributed evenly between urban and rural areas.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1266 **An Act To Create Transportation Corridor Districts for the Purpose of Funding Transportation and Transit Services** **PUBLIC 242**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B BRYANT M	OTP	

This bill provides for the formation of transportation corridor districts within the current law relating to transit districts and regional transportation corporations. The bill provides that a municipality may, by itself or in cooperation with one or more other municipalities, form a transportation corridor district for the purposes of providing an environment to fund public transportation and serve accessibility needs, including passenger rail, ferry, bus, bicycle and pedestrian facilities and routes, and promoting economic development at transportation station areas and in downtown areas.

The bill requires a municipality or group of municipalities to select the borders of the transportation corridor district. The bill requires that the formation of a transportation corridor district be approved by voter referendum in each participating municipality. The bill authorizes a district's board of directors, with approval from all municipalities in the district, to change the borders of the district. The bill also provides that a transportation corridor district, if approved by voter referendum in each municipality participating in the district, may borrow money temporarily and issue its negotiable notes for that money and issue securities of the district.

Enacted Law Summary

Public Law 2019, chapter 242 provides for the formation of transportation corridor districts within the current law relating to transit districts and regional transportation corporations. It provides that a municipality may, by itself or in cooperation with one or more other municipalities, form a transportation corridor district for the purposes of providing an environment to fund public transportation and serve accessibility needs, including passenger rail, ferry,

bus, bicycle and pedestrian facilities and routes, and promoting economic development at transportation station areas and in downtown areas.

The law requires a municipality or group of municipalities to select the borders of the transportation corridor district. It requires that the formation of a transportation corridor district be approved by voter referendum in each participating municipality. The law authorizes a district's board of directors, with approval from all municipalities in the district, to change the borders of the district. It also provides that a transportation corridor district, if approved by voter referendum in each municipality participating in the district, may borrow money temporarily and issue its negotiable notes for that money and issue securities of the district.

LD 1269 **An Act To Update the Laws Governing Child Safety Seats and Seat Belts** **PUBLIC 299**

Sponsor(s)	Committee Report	Amendments Adopted
CYRWAY S NADEAU C	OTP-AM	S-217

This bill amends the laws governing the use of seat belts and child restraint systems in motor vehicles. It defines several types of child restraint systems and establishes requirements for the use of child restraint systems based on a child's age, height and weight. It increases the fines for violations of the law. It repeals a provision in current law making the nonuse of seat belts or the failure to secure a child not admissible in evidence in a civil or criminal trial involving a motor vehicle accident.

Committee Amendment "A" (S-217)

This amendment makes the following changes to the bill.

1. It defines "convertible child restraint system" and allows a child under 2 years of age properly secured in a convertible child restraint system to ride in a forward-facing position if the child exceeds the manufacturer recommended weight limit for a rear-facing position.

2. It retains fines for the violation of seat belt laws at current statutory levels.

3. It removes the changes in the bill regarding the inadmissibility of evidence for failure to properly secure a child.

Enacted Law Summary

Public Law 2019, chapter 299 amends the laws governing the use of seat belts and child restraint systems in motor vehicles. It defines several types of child restraint systems and establishes requirements for the use of child restraint systems based on a child's age, height and weight.

LD 1310 **An Act To Address the Shortage of Department of Transportation Snowplow Drivers and Other Transportation Workers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D BRYANT M		

This bill addresses the shortage of snowplow drivers and other transportation workers in the Department of Transportation by:

1. Establishing five new Transportation Crew Supervisor positions; and

2. Increasing the rate of pay for certain positions in the Department of Transportation by $2 per hour.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1329 **An Act To Allow Temporary Roadside Memorials for Deceased Victims of Traffic Accidents** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FOLEY R	ONTP	

This bill allows, for a period not to exceed 180 days, the placement of a roadside memorial on a public way marking the site of the death of a person and provides penalties for tampering with or the unauthorized removal of a roadside memorial.

LD 1330 **An Act To Ensure Pedestrian Safety in Roundabouts** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J		

This bill requires the Department of Transportation to install whenever practicable a crosswalk at a high-use roundabout on a state highway at least 150 feet from the edge of the roundabout.

LD 1335 **An Act To Require the Department of Transportation To Place Official Business Directional Signs at Certain Intersections** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
PEBWORTH S		

This bill directs the Department of Transportation to place three official business directional signs directing persons to a retail establishment engaged in the business of selling ice cream in the Town of Surry.

LD 1367 **An Act To Preserve and Protect the State's Rail Corridors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B DIAMOND B	ONTP	

This bill directs the Department of Transportation to preserve and protect the rail corridors of the State for future railroad use and maintain all rail corridors in a condition that allows for their resuming railroad service.

The bill prohibits a rail corridor from being converted into or operated as a trail, used as a pathway or space for

walking or biking, used for any other form of nonmotorized travel or recreation or used as a bus line without first being evaluated for passenger railroad service.

LD 1390 **An Act To Fund Saco Area Traffic Improvements** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J O'NEIL M		

This bill, based on the recommendations of the study conducted jointly by the Department of Transportation, the Maine Turnpike Authority and the City of Saco, provides 40% of the estimated cost of the construction of a new exit and spur from the Maine Turnpike to serve communities near Exit 36 of the Maine Turnpike, such as Saco, Old Orchard Beach and Hollis. The recommendation of the study was for the cost to be split as follows: 40% to be provided by the Department of Transportation; 40% to be provided by the Maine Turnpike Authority; and 20% to be provided by the City of Saco.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1435 **Resolve, Directing the Joint Standing Committee on Transportation To Study Transportation Funding Reform** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A		

This resolve directs the Joint Standing Committee on Transportation to study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability in a manner that allows the State to responsibly provide a safe and reliable transportation system. The committee is authorized to meet for this purpose up to four times when the Legislature is not in session, and the committee's report must be submitted by December 4, 2019. The committee may submit legislation to the Second Regular Session of the 129th Legislature relating to the subject matter of the report.

LD 1471 **Resolve, To Name the Route 7 Bridge in Corinna in Honor of PFC Paul Earl Sudsbury** **RESOLVE 38**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS P COSTAIN D	OTP	

This resolve requires the Department of Transportation to rename the Corinna Bridge in the Town of Corinna the PFC Paul Earl Sudsbury Bridge.

Enacted Law Summary

Resolve 2019, chapter 38 requires the Department of Transportation to rename the Corinna Bridge in the Town of Corinna the PFC Paul Earl Sudsbury Bridge.

LD 1473 **An Act To Provide Consistency in the Laws Governing Culvert Replacement** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	ONTP	

This bill makes the cost of replacing a culvert the expense of the abutter.

LD 1487 **An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees** **PUBLIC 390**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU J TIMBERLAKE J	OTP-AM	H-444

This bill exempts a person possessing or applying for a registration certificate and a set of gold star family registration plates from the annual motor vehicle registration fee.

Committee Amendment "A" (H-444)

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 390 exempts a person possessing or applying for a registration certificate and a set of gold star family registration plates from the annual motor vehicle registration fee.

LD 1498 **An Act To Provide Equity for Commercial Vehicles on Roads and Bridges in Maine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MCLEAN A		

This bill repeals the law that allows certain vehicles at weight limits higher than those in this State to travel from the United States-Canada border to certain points in this State. It allows a combination vehicle consisting of a 3-axle truck tractor with a tri-axle semitrailer to be operated with a maximum gross vehicle weight of 108,900 pounds, and a combination vehicle consisting of a 3-axle truck tractor with a semitrailer-semitrailer combination configured as a B-train double with 8 axles total to be operated with a gross vehicle weight of 137,700 pounds.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1513 **An Act To Amend the Date by Which an Applicant for Funds under the Local Road Assistance Program Must Provide Certification to the Department of Transportation** **PUBLIC 173**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A DIAMOND B	OTP	

This bill changes from August 1st to November 1st the annual date by which an applicant for funds under the Local Road Assistance Program must provide certification to the Department of Transportation.

Enacted Law Summary

Public Law 2019, chapter 173 changes from August 1st to November 1st the annual date by which an applicant for funds under the Local Road Assistance Program must provide certification to the Department of Transportation.

LD 1527 **An Act To Require That Certain Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WOODSOME D MASTRACCIO A	ONTP	

This bill prohibits the operation of a motor vehicle at a speed of 40 miles per hour or more on a public way with a load of solid precipitation on the motor vehicle. Failure to clear a motor vehicle is a traffic infraction subject to a $250 fine for a first offense and $500 for a second or subsequent offense. It exempts commercial trucks from the provision.

LD 1528 **An Act To Amend the Laws Regarding Motor Vehicle Fees** **PUBLIC 352**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B	OTP-AM	S-164

This bill:

1. Increases the one-time fee for an out-of-rotation registration plate and for a reserved registration number from $15 to $25, the same as for a vanity registration plate fee;

2. Increases the registration transfer fee for a trailer under 2,000 pounds from $5 to $8, making the fee the same as for other registration transfers;

3. Increases the motorcycle rider education school and instructor license fees to match fees for other business licenses issued by the Department of the Secretary of State, Bureau of Motor Vehicles, such as certain dealer licenses;

4. Increases driver education school and instructor license fees to match other business license fees;

5. Increases the fee for a duplicate registration certificate from $2 to $5; and

6. Reduces the driver's license fees for persons 65 years of age and over by $1 to provide equity in the fees assessed on driver's licenses issued to this demographic.

Committee Amendment "A" (S-164)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 352 does the following:

1. Increases the one-time fee for an out-of-rotation registration plate and for a reserved registration number from $15 to $25, the same as for a vanity registration plate fee;

2. Increases the registration transfer fee for a trailer under 2,000 pounds from $5 to $8, making the fee the same as for other registration transfers;

3. Increases the motorcycle rider education school and instructor license fees to match fees for other business licenses issued by the Department of the Secretary of State, Bureau of Motor Vehicles, such as certain dealer licenses;

4. Increases driver education school and instructor license fees to match other business license fees;

5. Increases the fee for a duplicate registration certificate from $2 to $5; and

6. Reduces the driver's license fees for persons 65 years of age and over by $1 to provide equity in the fees assessed on driver's licenses issued to this demographic.

LD 1533 **An Act To Eliminate Registration Plate Decals** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A		

This bill eliminates the requirement that the Secretary of State must issue annual registration plates or decals.

It repeals language setting the price for replacement decals for plates at 50¢ each.

It repeals a provision that makes it a Class E crime to attach or display on a vehicle registration plate a decal issued for another vehicle.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1555 **An Act To Improve Highway Maintenance Safety** **PUBLIC 327**

Sponsor(s)	Committee Report	Amendments Adopted
DIAMOND B MCLEAN A	OTP-AM	S-206

This bill amends current law to allow vehicles engaged in highway maintenance or in emergency rescue operations by emergency management and public safety agencies and public service vehicles to be equipped with auxiliary lights that emit a combination of amber and white lights or any shade between amber and white. It also allows the use of green lighting for any highway maintenance vehicle that is operating under the direction of the Department of Transportation or the Maine Turnpike Authority.

This bill also amends current law to allow the Maine Turnpike Authority to remove a vehicle from the Maine Turnpike if it is improperly parked, abandoned or interfering with snow removal in the same manner that the Department of Transportation may remove such a vehicle on a road under its jurisdiction. It also clarifies that a third-party agent such as an independent contractor working for the Department of Transportation or the Maine Turnpike Authority is entitled to the same immunity from liability for these removals as employees of the department or authority.

Committee Amendment "A" (S-206)

This amendment clarifies that a municipal public works vehicle or vehicle operating under direction of the Department of Transportation or the Maine Turnpike Authority may be equipped with green, white or amber auxiliary lights, which may be located on the front, rear or sides of the vehicle and may flash, oscillate, strobe or blink. This amendment also makes minor technical changes to section 2 of the bill.

Enacted Law Summary

Public Law 2019, chapter 327 amends current law to allow vehicles engaged in highway maintenance or in emergency rescue operations by emergency management and public safety agencies and public service vehicles to be equipped with auxiliary lights that emit a combination of amber and white lights or any shade between amber and white. It also allows the use of green lighting for any highway maintenance vehicle that is operating under the direction of the Department of Transportation or the Maine Turnpike Authority.

This law also amends current law to allow the Maine Turnpike Authority to remove a vehicle from the Maine Turnpike if it is improperly parked, abandoned or interfering with snow removal in the same manner that the Department of Transportation may remove such a vehicle on a road under its jurisdiction. It also clarifies that a third-party agent such as an independent contractor working for the Department of Transportation or the Maine Turnpike Authority is entitled to the same immunity from liability for these removals as employees of the department or authority.

LD 1576 **An Act To Improve the Department of Corrections' Response to Emergency Situations by Amending Provisions Related to Vehicles Operated by Certain Department Employees** **PUBLIC 319**

Sponsor(s)	Committee Report	Amendments Adopted
PICKETT R DESCHAMBAULT S	OTP-AM	H-455

This bill amends the definition of "authorized emergency vehicle" in the motor vehicle laws to include a Department of Corrections vehicle operated by an investigative officer or other employee of the department who is certified by the Board of Trustees of the Maine Criminal Justice Academy as a law enforcement officer.

Committee Amendment "A" (H-455)

This amendment expands the definition of an authorized emergency vehicle to include a Department of Corrections vehicle operated by a person certified by the Board of Trustees of the Maine Criminal Justice Academy as a law enforcement officer and allows a person certified by the Board of Trustees of the Maine Criminal Justice Academy as a law enforcement officer who is operating a Department of Corrections vehicle to exceed the maximum speed

limits as long as life or property is not endangered.

Enacted Law Summary

Public Law 2019, chapter 319 expands the definition of an authorized emergency vehicle to include a Department of Corrections vehicle operated by a person certified by the Board of Trustees of the Maine Criminal Justice Academy as a law enforcement officer and allows a person certified by the Board of Trustees of the Maine Criminal Justice Academy as a law enforcement officer who is operating a Department of Corrections vehicle to exceed the maximum speed limits as long as life or property is not endangered.

LD 1578 **An Act To Improve Administration of the Maine Aeronautical Advisory Board and the Public Transit Advisory Council** **PUBLIC 211 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B FARRIN B	OTP	

This bill changes the membership of the Maine Aeronautical Advisory Board and provides for staggered terms. It provides that the Commissioner of Transportation serves as a nonvoting secretary and clerk of the board and authorizes the board to adopt bylaws.

The bill authorizes the Commissioner of Transportation to designate as voting members of the Public Transit Advisory Council those persons the commissioner is required to invite to participate in council meetings. It provides for staggered terms, requires the council to meet at least once per year and authorizes the council to adopt bylaws. It also changes the reporting requirements for the council.

Enacted Law Summary

Public Law 2019, chapter 211 changes the membership of the Maine Aeronautical Advisory Board and provides for staggered terms. It provides that the Commissioner of Transportation serves as a nonvoting secretary and clerk of the board and authorizes the board to adopt bylaws.

The law authorizes the Commissioner of Transportation to designate as voting members of the Public Transit Advisory Council those persons the commissioner is required to invite to participate in council meetings. It provides for staggered terms, requires the council to meet at least once per year and authorizes the council to adopt bylaws. It also changes the reporting requirements for the council.

Public Law 2019, chapter 211 was enacted as an emergency measure effective June 6, 2019.

LD 1627 **An Act To Authorize the Use of Autocycles** **PUBLIC 345**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M MIRAMANT D	OTP-AM	H-487

This bill defines an autocycle as a three-wheeled motorcycle that has a steering wheel or handlebars, floor pedals for automotive-style controls and seating that does not require the operator to straddle or sit astride a seat and establishes provisions for registration and operator licensing.

Committee Amendment "A" (H-487)

This amendment clarifies that an autocycle is subject to the general motorcycle inspection standards, except those that do not apply to the design of the vehicle, and any other inspection standards set by the Chief of the State Police.

This amendment also clarifies that an autocycle may not be operated abreast with any motor vehicle within the same lane.

Enacted Law Summary

Public Law 2019, chapter 345 defines an autocycle as a three-wheeled motorcycle that has a steering wheel or handlebars, floor pedals for automotive-style controls and seating that does not require the operator to straddle or sit astride a seat and establishes provisions for registration and operator licensing.

LD 1682 **An Act To Amend the Laws Governing the Removal of Unlawful Signs** **PUBLIC 228**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A DIAMOND B	OTP	

This bill further restricts the placement of categorical signs by prohibiting their erection on trees, in control-of-access areas, within medians less than 6 feet in width and on islands within a rotary. The bill reduces the number of days the owner of a sign erected in violation of the law has to remove the sign from 30 days to 14 days after notice and clarifies that the notice may be sent by the agency having control of the public way in which the sign has been erected.

The bill requires the Department of Transportation to remove any sign that has been placed in violation of the law if the public right-of-way is a state or state aid highway that is not within an urban compact municipality; the department may remove any sign on a public right-of-way for public safety purposes. A municipality may remove any sign that has been placed in violation of the law on a town way or state or state aid highway that is in an urban compact municipality within that municipality's jurisdiction.

Enacted Law Summary

Public Law 2019, chapter 228 restricts the placement of categorical signs by prohibiting their erection on trees, in control-of-access areas, within medians less than 6 feet in width and on islands within a rotary. It reduces the number of days the owner of a sign erected in violation of the law has to remove the sign from 30 days to 14 days after notice and clarifies that the notice may be sent by the agency having control of the public way in which the sign has been erected.

The law requires the Department of Transportation to remove any sign that has been placed in violation of the law if the public right-of-way is a state or state aid highway that is not within an urban compact municipality; the department may remove any sign on a public right-of-way for public safety purposes. A municipality may remove any sign that has been placed in violation of the law on a town way or state or state aid highway that is in an urban compact municipality within that municipality's jurisdiction.

LD 1710 **An Act To Enact the Automated Driving Safety Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A	ONTP	

This bill establishes the Automated Driving Safety Act, which provides standards for the registration of automated vehicles, the licensure of automated vehicle operators and the liability of the operators and providers of automated vehicles, including:

1. Defining a provider for an automated vehicle as an individual, organization or joint enterprise that controls an automated driving system of an automated vehicle for testing or deployment of the automated vehicle on a public way;

2. Requiring the Secretary of State to record on the automated vehicle's registration that the vehicle is an automated vehicle and the identity of the provider for the automated vehicle;

3. Requiring the Secretary of State to terminate the registration or refuse to register or renew a registration of an automated vehicle that has been modified or has had its automated driving system modified or that the Secretary of State determines is unsafe or unfit for operation on a public way;

4. Providing that the automated vehicle has two operators, an individual operator when the automated driving system is not engaged and the provider as the operator when the automated driving system is engaged, and, under most instances, that the applicable operator is responsible for the proper operation of the automated vehicle and is liable for an infraction, offense or negligence resulting in bodily injury, death or property damage; and

5. Requiring, if an automated vehicle is involved in an accident while the automated driving system is engaged, that pursuant to the provisions of law regarding motor vehicle accident reports, the automated vehicle not be moved and that the provider immediately contact the applicable law enforcement agency, inform the law enforcement agency that the automated driving system was engaged at the time of the accident and transmit electronically or by the fastest means available the financial responsibility information required for the vehicle.

LD 1714 **Resolve, Directing the Secretary of State To Enter into a Reciprocal Agreement between the State and Taiwan Regarding Driver's Licenses** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T KEIM L		

This resolve directs the Secretary of State to begin negotiations toward the development of a reciprocal agreement between the Department of the Secretary of State, Bureau of Motor Vehicles and Taiwan for reciprocity, beginning January 1, 2021, in issuing driver's licenses to residents of this State who reside in Taiwan and to Taiwanese citizens who reside in this State.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1769 **An Act To Make Various Changes to the Motor Vehicle Laws** **PUBLIC 335**

Sponsor(s)	Committee Report	Amendments Adopted
MCLEAN A	OTP-AM	H-515

This bill amends the motor vehicle laws in the following ways.

1. It amends the law governing motor vehicle frame end heights to increase dimensions for current weight ranges of vehicles. It also adds vehicles from 11,501 pounds to 13,000 pounds, which may have frame end heights of 32 inches in the front and 34 inches in the rear.

2. It establishes that a vehicle owned by the Department of Public Safety may be equipped with blue emergency lighting and a siren, but neither the lighting nor the siren may be displayed or used except when the vehicle is being

operated by a law enforcement officer.

3. It establishes that a person may not operate, or cause to have operated, a diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under 18,000 pounds that emits visible smoke on a public way or parking area because of a permanent or temporary alteration to the air pollution control system of the motor vehicle. Emitting visible smoke by using such an alteration is commonly referred to as "rolling coal."

4. It excludes the use of electronic logging devices from the definition of "text messaging" in the law that governs text messaging while operating a motor vehicle.

5. It establishes that the law governing motor vehicle heights and widths does not apply to snowplows and equipment mounted on a vehicle traveling from one work location to another work location during a snow event, or traveling from the point of purchase to a storage location, as long as the vehicle does not exceed 108 inches in total width. The term "snow event" is defined as the period beginning 48 hours before a predicted snowstorm and ending 48 hours after the snowstorm.

Committee Amendment "A" (H-515)

This amendment makes the following changes to the bill.

1. It defines "heavy duty recovery vehicle."

2. It adds heavy duty recovery vehicles to the list of vehicles allowed to be issued long-term permits for overweight operation issued by the Secretary of State.

3. It removes the section of the bill that amends the definition of "text messaging."

4. It removes a cross-reference to the definition of "law enforcement officer."

5. It modifies the definition of "snow event."

Enacted Law Summary

Public Law 2019, chapter 335 amends the motor vehicle laws in the following ways.

1. It amends the law governing motor vehicle frame end heights to increase dimensions for current weight ranges of vehicles. It also adds vehicles from 11,501 pounds to 13,000 pounds, which may have frame end heights of 32 inches in the front and 34 inches in the rear.

2. It establishes that a vehicle owned by the Department of Public Safety may be equipped with blue emergency lighting and a siren, but neither the lighting nor the siren may be displayed or used except when the vehicle is being operated by a law enforcement officer.

3. It establishes that a person may not operate, or cause to have operated, a diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under 18,000 pounds that emits visible smoke on a public way or parking area because of a permanent or temporary alteration to the air pollution control system of the motor vehicle. Emitting visible smoke by using such an alteration is commonly referred to as "rolling coal."

4. It establishes that the law governing motor vehicle heights and widths does not apply to snowplows and equipment mounted on a vehicle traveling from one work location to another work location during a snow event, or traveling from the point of purchase to a storage location, as long as the vehicle does not exceed 108 inches in total width. The term "snow event" is defined as the period beginning 48 hours before a snowstorm and ending 48 hours after the snowstorm.

5. It defines "heavy duty recovery vehicle."

6. It adds heavy duty recovery vehicles to the list of vehicles allowed to be issued long-term permits by the Secretary of State for overweight operation.

LD 1782 **An Act To Amend the Motorcycle Rider Education and Driver Education Laws** **PUBLIC 337**

Sponsor(s)	Committee Report	Amendments Adopted
WHITE B DIAMOND B	OTP-AM	H-510

This bill amends the motorcycle rider education laws to clarify that a person who completes a motorcycle rider education course approved by the Secretary of State on a two-wheel motorcycle may operate a two-wheel or three-wheel motorcycle and that a person who completes a motorcycle rider education course approved by the Secretary of State on a three-wheel motorcycle may only operate a three-wheel motorcycle. A person who holds a motorcycle learner's permit and who completes a motorcycle road test administered by the Secretary of State on a three-wheel motorcycle is also restricted to the operation of a three-wheel motorcycle. The bill requires motorcycle rider education schools to be licensed, submit to inspections and establish a place of business.

The bill also amends the driver education program laws to require that the two instructors who serve on the Secretary of State's Technical Review Panel be licensed in the curriculum and training being reviewed. The bill removes the authorization for the State to bring an action in Superior Court to enjoin a person from violating the driver education laws, as the penalties under those laws are administered by the District Courts.

Committee Amendment "A" (H-510)

This amendment makes the following changes to the bill.

1. It clarifies the motorcycle rider education course provisions.

2. It clarifies that a motorcycle rider education school must continually comply with the requirements to obtain or renew a motorcycle rider education school license.

3. It clarifies which records must be retained by a motorcycle rider education school for five years.

4. It clarifies the penalty provisions contained in the bill and makes failure to comply with motorcycle rider education instructor standards and requirements a traffic infraction.

Enacted Law Summary

Public Law 2019, chapter 337 amends the motorcycle rider education laws to clarify that a person who completes a motorcycle rider education course approved by the Secretary of State on a two-wheel motorcycle may operate a two-wheel or three-wheel motorcycle and that a person who completes a motorcycle rider education course approved by the Secretary of State on a three-wheel motorcycle may only operate a three-wheel motorcycle. A person who holds a motorcycle learner's permit and who completes a motorcycle road test administered by the Secretary of State on a three-wheel motorcycle is also restricted to the operation of a three-wheel motorcycle. It requires motorcycle rider education schools to be licensed, submit to inspections and establish a place of business.

The law also amends the driver education program laws to require that the two instructors who serve on the Secretary of State's Technical Review Panel be licensed in the curriculum and training being reviewed. The bill removes the authorization for the State to bring an action in Superior Court to enjoin a person from violating the driver education laws, as the penalties under those laws are administered by the District Courts.

LD 1783 An Act To Amend the Motor Vehicle Laws **PUBLIC 397**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M DIAMOND B	OTP-AM	H-588

This bill is the Department of the Secretary of State, Bureau of Motor Vehicles' omnibus bill. The bureau is recommending several changes to the motor vehicle laws to facilitate program administration and to bring administrative fees more in line with actual costs.

It amends the enforcement provision governing dealers, transporters and automobile graveyards to change investigators to motor vehicle detectives to match the current job title.

It replaces the requirement that an applicant for an original motor vehicle registration submit a dealer's certificate with the requirement that the applicant submit a properly completed bill of sale. It replaces the requirement that a municipal official retain from the use taxes collected a fee of $1.25 for each vehicle with a requirement that the Secretary of State be reimbursed by the State Tax Assessor $1.25 per use tax certificate processed. It requires registration certificates to be forwarded to the Secretary of State as well as the State Tax Assessor.

It amends the law allowing the Secretary of State to refuse to issue or to recall a vanity plate having language that encourages violence or may result in an act of violence or other unlawful activity to remove express language stating that it is the Secretary of State who makes the finding regarding the language.

It repeals the requirement that the Commissioner of Inland Fisheries and Wildlife submit a new sportsman registration plate design every six years.

It repeals the trailer transit plate provision from the law regarding temporary registration plates and enacts the language of the provision in the law regarding special dealer licenses and plates. It makes a violation of that provision a traffic infraction and specifies a trailer transit plate expires annually at the end of March.

It removes the 10-year authorization period for recognition license plates.

It reduces the minimum number of registrations required for eligibility for the 25-year permanent registration program for semitrailers from 30,000 to 20,000.

It repeals the moratorium on commemorative veteran decals, which ran from October 1, 2009 to October 1, 2014.

It clarifies that International Registration Plan credentials may be presented in electronic format.

It changes the retention period for information pertaining to a scrapped vehicle from one year to five years to bring it into compliance with the record requirements for salvage vehicle recyclers. It adds an accuracy requirement to allow for a penalty for recyclers who incorrectly record information for scrapped vehicles of model years 1995 to 1999 and makes a violation a traffic infraction.

It amends the Maine Revised Statutes, Title 29-A, section 667, regarding salvage vehicles, to change the reporting requirements due date in the provisions regarding surrender and cancellation of a certificate of title or certificate of salvage from "immediately" to within 30 days. It adds scrap processors to the list of persons to whom an owner must have transferred a vehicle for which a certificate of salvage has not been issued in order for that vehicle to be deemed declared by the owner to be a salvage vehicle. It also allows a salvage dealer, recycler or scrap processor to retain possession of a certificate of salvage until the recycler scraps or dismantles the vehicle and requires that 30

days after the scrapping or dismantling of the vehicle the certificate of title or certificate of salvage must be delivered to the Secretary of State for cancellation. It repeals the current requirement regarding the surrender of the certificate of title or certificate of salvage.

It requires a salvage dealer, recycler or scrap processor to obtain the vehicle seller's name and address from a government-issued photograph identification document or credential.

It requires a licensed mobile crusher to maintain an operator log for each of its locations, which must include the make, model, model year and vehicle identification number of each vehicle crushed and the date of the action.

It adds the requirement for recyclers to use the National Motor Vehicle Title Information System as required by federal law and regulation.

It provides for the issuance of a commercial learner's permit for one year.

It provides a motorcycle driver education instructor a hearing pursuant to Title 29-A, chapter 23, subchapter 2, article 3 when refused an instructor's license or the instructor's license is suspended or revoked.

It allows the Secretary of State to suspend, revoke or refuse to issue or renew a driver education school or instructor license or deny a driver education program certificate of completion for just cause or for noncompliance with statutory or regulatory requirements.

It provides that a driver's license or nondriver identification card of a person under 21 years of age must bear a distinctive layout or marking rather than a distinctive color code.

It eliminates the sticker designation for a deaf or hard-of-hearing person and replaces it with a distinctive marker or code on the person's driver's license or nondriver identification card.

It clarifies that when any change is made to a driver's license, nondriver identification card, registration certificate or learner's permit that requires that an updated credential be issued, it is considered a duplicate for processing purposes.

It includes vehicles of the Attorney General's office and the Secretary of State's office in the definition of "police vehicle" in the law governing emergency and auxiliary lights.

It removes the requirement that the Secretary of State report annually to the joint standing committee of the Legislature having jurisdiction over transportation matters on the federal Systematic Alien Verification for Entitlements Program.

Committee Amendment "A" (H-588)

This amendment removes the section of the bill dealing with the suspension and revocation of instructors' licenses. This amendment defines "life support transport vehicle," adds those vehicles to the list of authorized emergency vehicles, adds restrictions on their use of emergency lights and sirens and authorizes the Commissioner of Transportation to adopt rules concerning those vehicles. This amendment requires that a person issued temporary registration plates maintain a written record on a form prescribed by the Secretary of State and submit that form upon renewal of a dealer license.

Enacted Law Summary

Public Law 2019, chapter 397 does the following.

It amends the enforcement provision governing dealers, transporters and automobile graveyards to change investigators to motor vehicle detectives to match the current job title.

It replaces the requirement that an applicant for an original motor vehicle registration submit a dealer's certificate with the requirement that the applicant submit a properly completed bill of sale. It replaces the requirement that a municipal official retain from the use taxes collected a fee of $1.25 for each vehicle with a requirement that the Secretary of State be reimbursed by the State Tax Assessor $1.25 per use tax certificate processed.

It amends the law allowing the Secretary of State to refuse to issue or to recall a vanity plate having language that encourages violence or may result in an act of violence or other unlawful activity to remove express language stating that it is the Secretary of State who makes the finding regarding the language.

It repeals the requirement that the Commissioner of Inland Fisheries and Wildlife submit a new sportsman registration plate design every six years.

It repeals the trailer transit plate provision from the law regarding temporary registration plates and enacts the language of the provision in the law regarding special dealer licenses and plates. It makes a violation of that provision a traffic infraction and specifies a trailer transit plate expires annually at the end of March.

It removes the 10-year authorization period for recognition license plates.

It reduces the minimum number of registrations required for eligibility for the 25-year permanent registration program for semitrailers from 30,000 to 20,000.

It repeals the moratorium on commemorative veteran decals, which ran from October 1, 2009 to October 1, 2014.

It clarifies that International Registration Plan credentials may be presented in electronic format.

It changes the retention period for information pertaining to a scrapped vehicle from one year to five years to bring it into compliance with the record requirements for salvage vehicle recyclers. It adds an accuracy requirement to allow for a penalty for recyclers who incorrectly record information for scrapped vehicles of model years 1995 to 1999 and makes a violation a traffic infraction.

It amends the Maine Revised Statutes, Title 29-A, section 667, regarding salvage vehicles, to change the reporting requirements due date in the provisions regarding surrender and cancellation of a certificate of title or certificate of salvage from "immediately" to within 30 days. It adds scrap processors to the list of persons to whom an owner must have transferred a vehicle for which a certificate of salvage has not been issued in order for that vehicle to be deemed declared by the owner to be a salvage vehicle. It also allows a salvage dealer, recycler or scrap processor to retain possession of a certificate of salvage until the recycler scraps or dismantles the vehicle and requires that 30 days after the scrapping or dismantling of the vehicle the certificate of title or certificate of salvage must be delivered to the Secretary of State for cancellation. It repeals the current requirement regarding the surrender of the certificate of title or certificate of salvage.

It requires a salvage dealer, recycler or scrap processor to obtain the vehicle seller's name and address from a government-issued photograph identification document or credential.

It requires a licensed mobile crusher to maintain an operator log for each of its locations, which must include the make, model, model year and vehicle identification number of each vehicle crushed and the date of the action.

It adds the requirement for recyclers to use the National Motor Vehicle Title Information System as required by federal law and regulation.

It provides for the issuance of a commercial learner's permit for one year.

It allows the Secretary of State to suspend, revoke or refuse to issue or renew a driver education school or instructor license or deny a driver education program certificate of completion for just cause or for noncompliance with statutory or regulatory requirements.

It provides that a driver's license or nondriver identification card of a person under 21 years of age must bear a distinctive layout or marking rather than a distinctive color code.

It eliminates the sticker designation for a deaf or hard-of-hearing person and replaces it with a distinctive marker or code on the person's driver's license or nondriver identification card.

It clarifies that when any change is made to a driver's license, nondriver identification card, registration certificate or learner's permit that requires that an updated credential be issued, it is considered a duplicate for processing purposes.

It includes vehicles of the Attorney General's office and the Secretary of State's office in the definition of "police vehicle" in the law governing emergency and auxiliary lights.

It removes the requirement that the Secretary of State report annually to the joint standing committee of the Legislature having jurisdiction over transportation matters on the federal Systematic Alien Verification for Entitlements Program.

It defines "life support transport vehicle," adds those vehicles to the list of authorized emergency vehicles, adds restrictions on their use of emergency lights and sirens and authorizes the Commissioner of Transportation to adopt rules concerning those vehicles.

It requires that a person issued temporary registration plates maintain a written record on a form prescribed by the Secretary of State and submit that form upon renewal of a dealer license.

LD 1827 **Resolve, To Designate a Bridge in Indian Purchase Township the Detective Benjamin Campbell Bridge** **RESOLVE 86**

Sponsor(s)	Committee Report	Amendments Adopted
DILL J STANLEY S	OTP	

This resolve requires the Department of Transportation to rename Bridge 3666 on Route 11 in T3 Indian Purchase Township, currently known as the West Branch Bridge, the Detective Benjamin Campbell Bridge.

Enacted Law Summary

Resolve 2019, chapter 86 requires the Department of Transportation to rename Bridge 3666 on Route 11 in T3 Indian Purchase Township, currently known as the West Branch Bridge, the Detective Benjamin Campbell Bridge.

Joint Standing Committee on Transportation

SUBJECT INDEX

Bridges

Enacted

LD 7	**Resolve, To Name a Bridge in the Town of Lincoln and the Town of Chester the Master Sergeant Gary Gordon Bridge**	**RESOLVE 1**
LD 32	**Resolve, Naming a Highway and Renaming a Bridge in the Town of Whiting**	**RESOLVE 3**
LD 39	**Resolve, To Designate a Bridge in Waterville as the Specialist Wade A. Slack Memorial Bridge**	**RESOLVE 5**
LD 200	**Resolve, To Name the Bridge on Main Street in the Town of Orono the Brandon M. Silk Memorial Bridge**	**RESOLVE 4**
LD 207	**Resolve, To Rename the Stillwater Bridges in Old Town the Llewellyn Estes Bridge**	**RESOLVE 10**
LD 244	**Resolve, To Rename the Stinson Bridge the Woodsome Bridge**	**RESOLVE 7**
LD 1471	**Resolve, To Name the Route 7 Bridge in Corinna in Honor of PFC Paul Earl Sudsbury**	**RESOLVE 38**
LD 1827	**Resolve, To Designate a Bridge in Indian Purchase Township the Detective Benjamin Campbell Bridge**	**RESOLVE 86**

Not Enacted

LD 203	**Resolve, To Add a Safety Fence to the Penobscot Narrows Bridge**	**ONTP**

Highway Fund

Enacted

LD 1002	**An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021**	**PUBLIC 415 EMERGENCY**

Inspection

Not Enacted

LD 10	**An Act To Provide That Inspections of New Motor Vehicles Are Valid for 2 Years**	**ONTP**
LD 117	**An Act To Exempt Motor Vehicles Less Than 5 Years Old from Inspection**	**ONTP**
LD 270	**An Act To Eliminate Certain Motor Vehicle Inspections in the State**	**ONTP**
LD 389	**An Act To Require Biennial State Motor Vehicle Inspections**	**ONTP**

Marine Transportation

Not Enacted

LD 331	**An Act To Prohibit the Operation of Large Commercial Vessels in the Waters of Southern Mount Desert Island**	**ONTP**
LD 380	**An Act To Revise the Calculation of Tolls Established for the Maine State Ferry Service**	**CARRIED OVER**
LD 599	**An Act To Ensure Fair Access and Pricing for Residents Who Use the Maine State Ferry Service**	**CARRIED OVER**

Miscellaneous

Enacted

LD 1222	**An Act Regarding Electric Bicycles**	**PUBLIC 349**

Not Enacted

LD 1084	**An Act Regarding the Operation of Pedal-powered Tour Vehicles**	**CARRIED OVER**
LD 1165	**An Act To Support the Operation of Fixed-wing Air Medical Transport in Northern Maine**	**ONTP**

Motor Carriers

Not Enacted

LD 844	**An Act To Prohibit Driverless Commercial Vehicles**	**ONTP**

LD 1498	**An Act To Provide Equity for Commercial Vehicles on Roads and Bridges in Maine**	**CARRIED OVER**

Motor Vehicles

Enacted

LD 1627	**An Act To Authorize the Use of Autocycles**	**PUBLIC 345**
LD 1769	**An Act To Make Various Changes to the Motor Vehicle Laws**	**PUBLIC 335**
LD 1783	**An Act To Amend the Motor Vehicle Laws**	**PUBLIC 397**

Not Enacted

LD 478	**An Act To Allow All-terrain Vehicles To Be Used on a Public Way**	**ONTP**
LD 491	**An Act To Regulate the Brightness of Headlights**	**ONTP**
LD 1075	**An Act To Allow a Wrecker To Transport the Number of Vehicles Authorized by Manufacturer Specifications for the Wrecker**	**ONTP**

Operator's Licenses

Not Enacted

LD 704	**An Act To Clarify the Laws Regarding Driver's License Suspensions**	**ONTP**

Public Safety

Enacted

LD 1576	**An Act To Improve the Department of Corrections' Response to Emergency Situations by Amending Provisions Related to Vehicles Operated by Certain Department Employees**	**PUBLIC 319**

Not Enacted

LD 597	**Resolve, To Establish a Pilot Project Authorizing the Use of Traffic Surveillance Cameras on Castine Road in Orland**	**ONTP**
LD 1710	**An Act To Enact the Automated Driving Safety Act**	**ONTP**

Public Transportation

Enacted

LD 1578	**An Act To Improve Administration of the Maine Aeronautical Advisory Board and the Public Transit Advisory Council**	**PUBLIC 211 EMERGENCY**

Not Enacted

LD 1166	**An Act To Require Public Transit To Be Accessible to Blind or Visually Impaired Riders**	**ONTP**

Railroads

Not Enacted

LD 571	**Resolve, Directing the Department of Transportation To Initiate a Service Development Plan for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area**	**CARRIED OVER**
LD 716	**An Act To Increase Railroad Freight Safety**	**Majority (ONTP) Report**
LD 1367	**An Act To Preserve and Protect the State's Rail Corridors**	**ONTP**

Registration Plates

Enacted

LD 1487	**An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees**	**PUBLIC 390**

Not Enacted

LD 120	**An Act To Rebrand Maine's License Plate Slogan from "Vacationland" to "Staycationland"**	**ONTP**
LD 826	**An Act Regarding Motor Vehicle Registration Plate Numbers**	**ONTP**
LD 1533	**An Act To Eliminate Registration Plate Decals**	**CARRIED OVER**

Roads

Enacted

LD 17	**Resolve, Designating a Portion of Route 1 in Downeast Maine the Hannah and Rebecca Weston Trail**	**RESOLVE 2**

Not Enacted

LD 108	**An Act To Protect Historic Places and Structures on the Federal Aid Highway System**	**ONTP**
LD 261	**An Act To Restrict the Authority for Posting of Roads**	**ONTP**
LD 487	**Resolve, Directing the Department of Transportation To Study the Corner of Smithwheel Road and Ocean Park Road and the Intersection of Saco Avenue, Temple Street and Old Orchard Road in Old Orchard Beach**	**ONTP**
LD 707	**An Act To Require the Clearing of Vegetation along Roads**	**ONTP**
LD 1473	**An Act To Provide Consistency in the Laws Governing Culvert Replacement**	**ONTP**

School Buses

Enacted

LD 19	**An Act To Require Newly Purchased Public School Buses To Be Equipped with School Bus Crossing Arms**	**PUBLIC 413 EMERGENCY**
LD 166	**An Act To Protect Schoolchildren by Providing Additional Enforcement and Prevention Options for Unlawful Passing of a School Bus**	**PUBLIC 318**
LD 350	**An Act To Exempt School Buses from Snow Tire Restrictions**	**PUBLIC 31**

Not Enacted

LD 344	**An Act To Increase the Penalties for Illegally Passing a School Bus**	**ONTP**
LD 656	**An Act To Increase the Penalty for Passing a School Bus with Its Red Lights Flashing**	**ONTP**

Secretary of State

Enacted

LD 49	**An Act Authorizing the Issuance on Request of Acquired Brain Injury Identification Cards**	**PUBLIC 506**
LD 823	**An Act To Exempt Vehicles That Are 20 Years Old or Older from Titling Requirements When the Vehicles Are Recycled, Salvaged or Scrapped**	**PUBLIC 141**
LD 917	**An Act Increasing Municipal Agent Fees for Motor Vehicle Registrations**	**PUBLIC 255**
LD 1528	**An Act To Amend the Laws Regarding Motor Vehicle Fees**	**PUBLIC 352**
LD 1782	**An Act To Amend the Motorcycle Rider Education and Driver Education Laws**	**PUBLIC 337**

Not Enacted

LD 83	**An Act To Amend the Law Regarding Resale by a Motor Vehicle Dealer To Permit the Dealer To Use a Copy of a Certificate of Title**	**CARRIED OVER**
LD 436	**Resolve, Directing the Secretary of State To Review Standards for Vision Tests**	**ONTP**
LD 1714	**Resolve, Directing the Secretary of State To Enter into a Reciprocal Agreement between the State and Taiwan Regarding Driver's Licenses**	**CARRIED OVER**

Signs

Enacted

LD 1682	**An Act To Amend the Laws Governing the Removal of Unlawful Signs**	**PUBLIC 228**

Not Enacted

LD 422	**Resolve, Directing the Department of Transportation To Increase the Number of Signs on the Mt. Katahdin Trail**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 689	**An Act Regarding Temporary Signs Related to an Event That Are Placed in the Public Right-of-way**	**CARRIED OVER**
LD 827	**An Act Regarding the Placement of Campaign Signs**	**ONTP**
LD 850	**Resolve, Directing the Department of Transportation To Erect Signs on Interstate 95 in Island Falls**	**ONTP**

LD 1195	**An Act To Encourage the Removal of Campaign Signs from the Public Right-of-way**	**ONTP**
LD 1329	**An Act To Allow Temporary Roadside Memorials for Deceased Victims of Traffic Accidents**	**ONTP**
LD 1335	**An Act To Require the Department of Transportation To Place Official Business Directional Signs at Certain Intersections**	**Leave to Withdraw Pursuant to Joint Rule 310**

Traffic Regulations

Enacted

LD 165	**An Act To Prohibit the Use of Handheld Phones and Devices While Driving**	**PUBLIC 486**
LD 198	**An Act To Require That Nonmotorized Carriages Be Equipped with Reflective Tape and Lights**	**PUBLIC 170**
LD 458	**An Act To Require Motorists To Yield to Transit Buses**	**PUBLIC 194**
LD 546	**An Act To Enhance Highway Safety by Strengthening the So-called Move Over Law**	**PUBLIC 254**
LD 1269	**An Act To Update the Laws Governing Child Safety Seats and Seat Belts**	**PUBLIC 299**

Not Enacted

LD 157	**An Act To Amend the Laws Governing Car Seats**	**ONTP**
LD 213	**An Act To Require Snow Tires or All-weather Tires on Automobiles from October through April**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 280	**An Act To Improve Public Safety by Restricting the Use of Distracting Electronic Devices While Operating a Motor Vehicle**	**ONTP**
LD 323	**An Act To Set the Minimum Penalty for Littering on State Highways at $1,000**	**ONTP**
LD 526	**An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors**	**ONTP**
LD 1527	**An Act To Require That Certain Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways**	**ONTP**

Trails

Not Enacted

LD 992	**Resolve, To Extend the Down East Sunrise Trail from Ayers Junction to Calais**	**CARRIED OVER**
LD 1141	**Resolve, Directing the Department of Transportation To Construct the Merrymeeting Trail from Topsham to Gardiner**	**CARRIED OVER**

Transportation Department

Enacted

LD 1223	**Resolve, Directing the Department of Transportation To Incorporate Transportation Demand Management Strategies in Its Rules Pertaining to Traffic Movement Permits**	**RESOLVE 89**
LD 1513	**An Act To Amend the Date by Which an Applicant for Funds under the Local Road Assistance Program Must Provide Certification to the Department of Transportation**	**PUBLIC 173**
LD 1555	**An Act To Improve Highway Maintenance Safety**	**PUBLIC 327**

Not Enacted

LD 586	**An Act Regarding the Department of Transportation's Use of Sediment Erosion Control Systems**	**ONTP**
LD 668	**Resolve, Directing the Department of Transportation To Convene a Work Group To Study Improving Traffic Safety for Color-blind Drivers**	**ONTP**
LD 740	**An Act To Include Bucksport and the Penobscot River Basin in the Department of Transportation's Cargo Port Strategy**	**ONTP**
LD 783	**Resolve, To Require an Independent Analysis of the Department of Transportation's I-395/Route 9 Connector Project**	**ONTP**
LD 1258	**An Act To Increase Access to Transportation for Workforce and Other Essential Transportation Needs**	**CARRIED OVER**
LD 1310	**An Act To Address the Shortage of Department of Transportation Snowplow Drivers and Other Transportation Workers**	**CARRIED OVER**
LD 1330	**An Act To Ensure Pedestrian Safety in Roundabouts**	**Leave to Withdraw Pursuant to Joint Rule 310**

Transportation Funding

Enacted

LD 945	**Resolve, To Establish the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems**	**RESOLVE 97 EMERGENCY**
LD 1266	**An Act To Create Transportation Corridor Districts for the Purpose of Funding Transportation and Transit Services**	**PUBLIC 242**

Not Enacted

LD 466	**An Act To Create a Diesel Fuel Tax Differential**	**ONTP**
LD 778	**An Act To Create the Fund for Municipalities To Improve Pedestrian Safety**	**CARRIED OVER**
LD 851	**Resolve, To Effect Economies of Scale in Maine's Transportation Funding**	**ONTP**
LD 938	**An Act To Provide for Sustainable Transportation in Maine**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 990	**An Act To Improve Transportation in Maine**	**ONTP**
LD 1034	**An Act To Provide Revenue To Fix and Rebuild Maine's Transportation Infrastructure**	**CARRIED OVER**
LD 1157	**An Act To Fix Maine's Roads and Bridges by Establishing a Seasonal Gasoline Tax Adjustment**	**ONTP**
LD 1257	**An Act To Prepare Maine for a Low-carbon Transportation Future**	**ONTP**
LD 1390	**An Act To Fund Saco Area Traffic Improvements**	**CARRIED OVER**
LD 1435	**Resolve, Directing the Joint Standing Committee on Transportation To Study Transportation Funding Reform**	**Leave to Withdraw Pursuant to Joint Rule 310**

Transportation Network Companies

Enacted

LD 180	**An Act To Allow for the Regulation of Transportation Network Companies at Airports by Certain Municipalities**	**PUBLIC 78 EMERGENCY**

Turnpike Authority

Enacted

LD 1189	**An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2020**	**P & S 9**

Not Enacted

LD 57	**An Act To Require the Maine Turnpike Authority To Accept E-Z Pass Payments of Any Amount by Telephone**	**ONTP**

VLA

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION

Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

August 2019

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LD 11 **An Act Regarding the Acceptance of Maine Clean Election Act Campaign Contributions on State Websites** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP OTP	

This bill prohibits candidates who are seeking certification under the Maine Clean Election Act from collecting qualifying contributions over the Internet on a website hosted or operated by the Commission on Governmental Ethics and Election Practices, the State or a state agency.

LD 23 **Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices** **RESOLVE 6 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This resolve provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices, which makes the following changes to the rules governing the MCEA:

1. It clarifies that initial distribution of MCEA Funds will be made no later than three days after the Secretary of State submits tabulated primary election results to the Governor, whether those results are tabulated traditionally or through ranked-choice voting.

2. It clarifies that certified MCEA candidates may not use MCEA Funds to pay for a recount or for recount-related litigation.

3. It clarifies that certified MCEA candidates may solicit and accept donations for attorneys' fees or litigation costs related to recounts or court proceedings in which election results are challenged. Traditional campaign contribution limits apply to donations accepted for these purposes, except there is no limit for donations from party committees; caucus campaign committees; and attorneys or consultants that provide their services pro bono.

Enacted Law Summary

Resolve 2019, chapter 6 provides for legislative review of portions of Chapter 3: Maine Clean Election Act and Related Provisions, a major substantive rule of the Commission on Governmental Ethics and Election Practices, which makes the following changes to the rules governing the MCEA.

1. It clarifies that initial distribution of MCEA Funds will be made no later than three days after the Secretary of State submits tabulated primary election results to the Governor, whether those results are tabulated traditionally or through ranked-choice voting.

2. It clarifies that certified MCEA candidates may not use MCEA Funds to pay for a recount or for recount-related litigation.

3. It clarifies that certified MCEA candidates may solicit and accept donations for attorneys' fees or litigation costs related to recounts or court proceedings in which election results are challenged. Traditional campaign

contribution limits apply to donations accepted for these purposes, except there is no limit for donations from party committees; caucus campaign committees; and attorneys or consultants that provide their services pro bono.

Resolve 2019, chapter 6 was finally passed as an emergency measure effective March 19, 2019.

LD 25 **An Act To Implement the Recommendations of the Government Oversight Committee Regarding Bureau of Alcoholic Beverages and Lottery Operations Reporting Requirements** **PUBLIC 13**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-2

This bill implements recommendations of the Government Oversight Committee based on the report on the Maine State Lottery issued by the Office of Program Evaluation and Government Accountability in April 2017.

The bill removes the provision of law that requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services (DAFS) to certify certain financial information related to lottery operations to the Treasurer of State monthly but retains monthly financial reporting to the DAFS Commissioner and the State Liquor and Lottery Commission. The bill modifies the director's annual reporting requirements related to lottery operations to the Governor and the Legislature, establishing February 15th as the date each annual report is due and specifying the information to be included in each report. The bill makes similar changes to the director's monthly and annual reporting requirements with respect to administration of the State's spirits business, to make those requirements consistent with the bill's proposed requirements for lottery operations reporting.

Finally, the bill authorizes the joint standing committee of the Legislature having jurisdiction over lottery and alcoholic beverage matters to submit legislation based on the reports submitted by the director to the committee each year.

Committee Amendment "A" (H-2)

This amendment makes several changes to the requirement that the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services (DAFS) certify financial information related to administration of the State's spirits business and the bureau's oversight of the manufacture, distribution and sale of liquor in the State monthly. The amendment requires that the director make those monthly certifications to the State Liquor and Lottery Commission in addition to the DAFS Commissioner, as is current practice, to match the provisions of the bill regarding monthly certification of financial information regarding lottery operations. The amendment also repeals a duplicative monthly reporting requirement.

Enacted Law Summary

Public Law 2019, chapter 13 removes the provision of law that requires the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services (DAFS) to certify certain financial information related to lottery operations to the Treasurer of State monthly but retains monthly financial reporting to the DAFS Commissioner and the State Liquor and Lottery Commission. Chapter 13 modifies the director's annual reporting requirements related to lottery operations to the Governor and the Legislature, establishing February 15th as the date each annual report is due and specifying the information to be included in each report. Chapter 13 makes analogous changes to the director's monthly and annual reporting requirements with respect to administration of the State's spirits business, to make those requirements consistent with the revised requirements for lottery operations reporting, and repeals a duplicative montly reporting requirement.

Finally, Public Law 2019, chapter 13 authorizes the joint standing committee of the Legislature having jurisdiction over lottery and alcoholic beverage matters to submit legislation based on the reports submitted by the director to the committee each year.

LD 34 **An Act To Clarify Game of Chance Licensing Requirements** **PUBLIC 60**

Sponsor(s)	Committee Report	Amendments Adopted
TUELL W MOORE M	OTP-AM	H-92

This bill authorizes nonprofit fraternal and veterans' organizations to conduct cribbage tournaments in which no cash prizes are awarded without obtaining a license from or registering with the Department of Public Safety, Gambling Control Unit.

Committee Amendment "A" (H-92)

This amendment strikes and replaces the bill. Under current law, an organization must obtain a license to hold or conduct a game of chance, including a card game, if the players risk something of value for the opportunity to win something of value. The amendment modifies the definition of "something of value" to clarify that a license is not required merely because players are entitled to play the game of chance for free or to be entertained for free while playing the game.

Enacted Law Summary

Public Law 2019, chapter 60 modifies the definition of "something of value" in the laws governing games of chance to clarify that an organization is not required to obtain a license to hold or to conduct a game of chance, including a card game, merely because players are entitled to play the game of chance for free or to be entertained for free while playing the game.

LD 54 **An Act To Limit the Influence of Lobbyists by Expanding the Prohibition on Accepting Political Contributions** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J COLLINGS B	OTP-AM ONTP	S-132

Current law prohibits the Governor, members of the Legislature, constitutional officers and the staff or agents of the Governor, from soliciting or accepting contributions from a lobbyist, lobbyist associate or employer while the Legislature is convened in session. This bill extends application of that prohibition year-round, regardless of whether the Legislature is in session.

Committee Amendment "A" (S-132)

This amendment, which is the majority report of the committee, strikes and replaces the bill. The amendment reorganizes the structure of the current law prohibiting the Governor, members of the Legislature, constitutional officers and the staff or agents of these officials from soliciting or accepting contributions from a lobbyist, lobbyist associate, employer of a lobbyist or a lobbying firm while the Legislature is convened in session. The amendment clarifies that this prohibition does not apply to a contribution unless the contribution is the property of the lobbyist, lobbyist associate, employer of a lobbyist or lobbying firm.

The amendment also newly prohibits the Governor, a member of the Legislature or the staff or agent of these

officials from soliciting or accepting contributions from a lobbyist or lobbyist associate when the Legislature is not in session, unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the Governor or member of the Legislature will appear on the ballot. Similarly, the amendment prohibits a gubernatorial or legislative candidate and the staff or agent of these persons from soliciting or accepting contributions from a lobbyist or lobbyist associate at any time unless the lobbyist or lobbyist associate is eligible to vote or will be eligible to vote on the day of the election in a district where the gubernatorial or legislative candidate will appear on the ballot.

The amendment further clarifies the authority of the Commission on Governmental Ethics and Election Practices to undertake investigations to determine whether any person has improperly solicited, accepted, given or promised a contribution. A contribution made in violation of the law must be returned to the contributor.

The amendment also makes a technical change to remove an obsolete cross-reference to a portion of law repealed in 2008.

Senate Amendment "A" To Committee Amendment "A" (S-150)

This amendment applies the prohibitions on campaign contributions and solicitations when the Legislature is not in legislative session to contributions directly and indirectly solicited or accepted by or given, offered and promised to a political action committee, ballot question committee or party committee of which the Governor, a member of the Legislature or the staff or agent of these officials is a treasurer, officer or primary fund-raiser or decision maker. The amendment also applies the prohibitions on campaign contributions and solicitations at all times, regardless of whether the Legislature is in legislative session, to contributions directly and indirectly solicited or accepted by or given, offered and promised to a political action committee, ballot question committee or party committee of which a gubernatorial or legislative candidate who is not the Governor or a member of the Legislature, or the staff or agent of these persons, is a treasurer, officer or primary fund-raiser or decision maker.

This amendment was originally adopted in the Senate but ulimately removed from the bill after the amendment failed adoption in the House.

LD 76 **An Act To Strengthen the Integrity of the Legislature** **PUBLIC 57**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J MCCREIGHT J	OTP-AM	S-43

This bill prohibits a former Legislator from engaging in any compensated lobbying activities for four years after that person's term as a Legislator ends rather than for one year as in current law. This extended prohibition begins with the convening of the 130th Legislature. The bill also removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of compensated lobbying per calendar month without violating the prohibition.

Committee Amendment "A" (S-43)

Like the bill, this amendment removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of lobbying per calendar month without violating the prohibition against a former Legislator engaging in compensated lobbying. Unlike the bill, which prohibits a former Legislator from engaging in compensated lobbying activities for four years after that Legislator's term ends, the amendment prohibits a former Legislator from engaging in compensated lobbying activities for one year after that Legislator's term ends.

The amendment also makes a technical change to the bill to ensure that the prohibition against a former Legislator engaging in compensated lobbying does not prohibit the former Legislator from engaging in lobbying as an employee of the State or of an agency of the State.

Enacted Law Summary

Public Law 2019, chapter 57 removes the safe harbor in current law that allows a former Legislator to engage in up to eight hours of lobbying per calendar month without violating the prohibition against a former Legislator engaging in compensated lobbying.

LD 95 **An Act To Clarify Residency Requirements for Legislative Candidates** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
HIGGINS N	ONTP	
DAVIS P	OTP-AM	

This bill clarifies that the primary residence of a candidate for election as a State Senator or State Representative must be located in the district the candidate seeks to represent on the date of the candidate's nomination for placement on a primary, general or special election ballot. The bill also clarifies that the primary residence of a candidate for election as a State Senator or State Representative must be located in the district the candidate seeks to represent for the three months immediately preceding the general election and, if the candidate is elected, throughout the candidate's term of office.

Committee Amendment "A" (H-40)

This amendment, which is the minority report of the committee, adds a definition of "primary residence" to the bill and specifies that, when a person who is a State Senator or State Representative, or a candidate for those offices, claims a homestead exemption under the Maine Revised Statutes, Title 36, chapter 105, subchapter 4-B, that property is presumed to be the person's primary residence until the person claims a homestead exemption on another property or until the person no longer claims a homestead exemption on any property. A person who files a primary petition or a nomination petition for these offices or who seeks to be declared a write-in candidate for these offices must declare, under oath, that the person's primary residence is in the district the person seeks to represent.

The amendment also clarifies that a vacancy occurs in the office of State Senator or State Representative when the incumbent no longer maintains a primary residence in the district the person represents.

This amendment was not adopted.

LD 114 **An Act To Establish Open Primaries for Certain Federal and State Offices** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
RYKERSON D	ONTP	
GRATWICK G	OTP-AM	

This bill provides for open primary elections for the elections for United States Senator, United States Representative to Congress, Governor, State Senator and State Representative. All of the candidates for those offices, including candidates enrolled in a party and unenrolled candidates, must appear on the same open primary ballot. All qualified voters, regardless of enrollment status, are eligible to vote in open primary elections.

Under the bill, the votes in an open primary election must be tabulated using ranked-choice voting, except that the

two candidates who receive the most votes are declared the winners of the open primary and their names must appear on the ballot for the general election. If one of the two candidates who received the most votes at the open primary withdraws from the race at least 70 days before the general election, that candidate must be replaced with the candidate who received the third most votes in the open primary election, if any. Voters may not vote for a write-in candidate in a general election preceded by an open primary election. As a result, ranked-choice voting is no longer used in general elections for United States Senator and United States Representative to Congress under the bill. Instead, the candidate who receives a plurality of votes at the general election is elected to those offices.

Committee Amendment "A" (H-311)

This amendment, which is the minority report of the committee, makes the following changes to the election laws to implement the open primary election procedure authorized in the bill.

1. It reduces the number of candidate petition signatures that an unenrolled candidate for the office of United States Senator, United States Representative, Governor, State Senator or State Representative must obtain to be placed on the open primary ballot to match the number of petition signatures that a party candidate for the same office must obtain to be placed on the open primary ballot.

2. It authorizes an unenrolled candidate who is certified for participation under the Maine Clean Election Act and who participates in a contested open primary election to receive the same amount of distributions from the Maine Clean Election Fund that a certified party candidate receives for participation in the same contested open primary election.

3. If one of the two candidates who received the most votes at the open primary, as determined by ranked-choice voting, withdraws from the race at least 70 days before the general election, it directs the Secretary of State to replace that candidate on the general election ballot with the candidate who received the next most votes in the open primary who is willing and able to appear on the general election ballot. If no candidate meets these criteria, the amendment directs the Secretary of State to place a blank space on the general election ballot that may be used by a voter to vote for a write-in candidate.

4. It makes a technical change to the deadlines for candidate certification under the Maine Clean Election Act.

5. It adds an appropriations and allocations section.

This amendment was not adopted.

LD 116 **An Act To Extend the Duration of Temporary Licenses for Sale and Consumption of Liquor** **PUBLIC 8 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
WADSWORTH N LUCHINI L	OTP-AM	H-5

This bill extends the duration of a liquor license issued to an incorporated civic organization from seven days to 10 days.

Committee Amendment "A" (H-5)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2019, chapter 8 extends the duration of a liquor license issued to an incorporated civic organization from seven days to 10 days. Public Law 2019, chapter 8 was enacted as an emergency measure effective March 25,

2019.

LD 131 **An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit** **PUBLIC 24 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BRYANT M DESCHAMBAULT S	OTP-AM	H-16

This bill exempts a veterans organization from the requirement to obtain a commercial beano hall permit in order to lease its facility to an organization registered to operate "beano" or "bingo" games.

Committee Amendment "A" (H-16)

This amendment adds an emergency preamble and emergency clause to the bill and makes technical changes to the statutes governing "beano" and "bingo." The amendment clarifies that a charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans organization that seeks to obtain a registration to conduct "beano" or "bingo" must be a bona fide nonprofit organization.

Enacted Law Summary

Public Law 2019, chapter 24 exempts a veterans organization from the requirement to obtain a commercial beano hall permit in order to lease its facility to an organization registered to operate "beano" or "bingo" games. It also makes a technical change to the statutes governing "beano" and "bingo" to clarify that a charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans organization that seeks to obtain a registration to conduct "beano" or "bingo" games must be a bona fide nonprofit organization.

Public Law 2019, chapter 24 was enacted as an emergency measure effective April 11, 2019.

LD 158 **An Act To Amend the Laws Governing Beano** **PUBLIC 56**

Sponsor(s)	Committee Report	Amendments Adopted
FARRIN B NADEAU C	OTP-AM	S-42

This bill removes the requirement that beano games conducted by organizations such as volunteer fire departments, agricultural fair associations and nonprofit, charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organizations be conducted by members of those organizations and instead requires that beano games conducted by these organizations be conducted in the presence of at least one member of the organization.

Committee Amendment "A" (S-42)

This amendment strikes and replaces the bill. Like the bill, the amendment removes the requirement in current law that beano or bingo games conducted by an organization such as a volunteer fire department, agricultural fair association or nonprofit association must be conducted entirely by members of the organization. Under the amendment, the beano or bingo games must be conducted under the exclusive control of an adult member of the organization, who may be assisted by other individuals. The amendment defines "member" to mean an individual duly admitted as a member according to the laws, rules, regulations, ordinances or bylaws governing the organization.

The amendment also makes a technical change to the laws governing beano and bingo to clarify that a charitable,

educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization that seeks to obtain a registration to conduct beano or bingo must be a bona fide nonprofit organization.

Enacted Law Summary

Public Law 2019, chapter 56 removes the requirement in current law that beano or bingo games conducted by an organization such as a volunteer fire department, agricultural fair association or nonprofit association must be conducted entirely by members of the organization. The beano or bingo games must be conducted under the exclusive control of an adult member of the organization, who may be assisted by other individuals. A "member" of an organization is defined as an individual duly admitted as a member according to the laws, rules, regulations, ordinances or bylaws governing the organization.

Public Law 2019, chapter 56 also makes a technical change to the laws governing beano and bingo to clarify that a charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans' organization that seeks to obtain a registration to conduct beano or bingo games must be a bona fide nonprofit organization.

LD 171 **Resolve, To Establish a Pilot Project To Evaluate and Address the Transportation Needs of Maine's Veterans** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B CARSON B	OTP-AM	H-116

This resolve establishes a 30-month pilot project in Oxford, Franklin and Androscoggin counties to provide transportation to veterans and their caregivers or dependents to and from employment or employment-related services, medical appointments, mental health services, social services and community activities.

Committee Amendment "A" (H-116)

This amendment adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any spcial or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 184 **An Act To Amend the Veterans' Homelessness Prevention Coordination Program** **PUBLIC 504 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
DEVEAU J FARRIN B	OTP-AM	H-117 S-325 BREEN C

This bill repeals and replaces the provisions of law regarding veterans' homelessness prevention coordination. Unlike current law, which requires the Director of the Bureau of Maine Veterans Services to establish a single partnership to conduct the program with a national veterans services organization that has been in exsitence for a least 30 years, the bill allows the director to establish multiple partnerships with human services-based veterans organizations that have been active in the State for at least two years, with priority given to organizations founded, chartered or organized in Maine. It changes the order of priorities for the partnerships, prioritizing identifying and securing temporary or permanent living space for veterans within the veterans' communities over conducting annual outreach events. It also establishes a nonlapsing fund to support services for homeless veterans and directs Bureau of Maine Veterans' Services to collaborate with the Department of Economic and Community Development to distribute any funds.

Committee Amendment "A" (H-117)

This amendment strikes and replaces the bill and does the following:

1. Directs the Director of the Bureau of Maine Veterans' Services to establish a program of partnerships, through one or more collaborative agreements, with human services-based volunteer organizations to provide transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in this State;

2. Provides that one of the priorities of the partnerships is to provide reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans pursuant to collaborative agreements;

3. Authorizes the Bureau of Maine Veterans' Services to adopt rules necessary to implement this partnership program, including to define "veterans" for purposes of the program, to govern collaborative agreements with human services-based volunteer organizations and to govern the reimbursement of organizations that provide transitional housing to homeless veterans through disbursements from the Veterans' Homelessness Prevention Partnership Fund;

4. Establishes the Veterans' Homelessness Prevention Partnership Fund and provides that it is to be used to reimburse human services-based volunteer organizations that provide transitional housing to homeless veterans and to otherwise carry out the purposes of the partnership program;

5. Provides $600,000 in annual, ongoing funding for reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans;

6. Creates two new positions in the Bureau of Maine Veterans' Services to help administer this partnership program; and

7. Includes an emergency preamble and clause.

Senate Amendment "A" To Committee Amendment "A" (S-325)

This amendment reduces the ongoing funding provided in the appropriations and allocations section to $100,000 per year and, instead of creating two new positions in the Bureau of Maine Veterans' Services, it creates one new part-time position to help administer the partnership program.

Enacted Law Summary

Public Law 2019, chapter 504 does the following:

1. Directs the Director of the Bureau of Maine Veterans' Services to establish a program of partnerships, through one or more collaborative agreements, with human services-based volunteer organizations to provide transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in this State;

2. Provides that one of the priorities of the partnerships is to provide reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans pursuant to collaborative agreements;

3. Authorizes the Bureau of Maine Veterans' Services to adopt rules necessary to implement this partnership program, including to define "veterans" for purposes of the program, to govern collaborative agreements with human services-based volunteer organizations and to govern the reimbursement of organizations that provide transitional housing to homeless veterans through disbursements from the Veterans' Homelessness Prevention Partnership Fund;

4. Establishes the Veterans' Homelessness Prevention Partnership Fund and provides that it is to be used to reimburse human services-based volunteer organizations that provide transitional housing to homeless veterans and

to otherwise carry out the purposes of the partnership program; and

5. Provides $100,000 in annual, ongoing funding for reimbursement to human services-based volunteer organizations that provide transitional housing to homeless veterans and creates a new part-time position in the Bureau of Maine Veterans' Services to help administer this partnership program.

Public Law 2019, chapter 504 was enacted as an emergency measure effective June 28, 2019.

LD 186 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B GUERIN S	ONTP OTP-AM	

This resolution proposes to amend Article II, section 1 of the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a state, county or municipal or other local election. Compare LD 1372.

Committee Amendment "A" (H-531)

This amendment, which is the minority report of the committee, incorporates a fiscal note. This amendment was adopted in the Senate but not in the House.

LD 202 **An Act To Increase the Required Number of Qualifying Contributions Gubernatorial Candidates Must Obtain To Qualify as Maine Clean Election Act Candidates** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
STOVER H	ONTP OTP-AM	

This bill increases from 3,200 to 6,000 the number of qualifying contributions a gubernatorial candidate must collect from registered voters to be certified as a Maine Clean Election Act candidate.

Committee Amendment "A" (H-15)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 211 **An Act To Open Maine's Primaries and Permit Unenrolled Voters To Cast Ballots in Primary Elections** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K CHENETTE J	ONTP OTP-AM	

This bill allows an unenrolled voter to vote in a primary election without having to enroll in a political party. An unenrolled voter may vote in only one party's primary election.

Committee Amendment "A" (H-312)

This amendment, which is the minority report of the committee, retains the provisions of the bill that allow an unenrolled voter to vote in a single party's primary election without having to enroll in a political party.

Under current law, a voter who changes enrollment from one political party to another political party may not vote in any caucus, convention or primary election for 15 days after changing enrollment, unless the voter changes the voter's voting residence at the same time that the voter changes political party enrollment. This amendment similarly prohibits a voter who withdraws from a political party from voting in any caucus, convention or primary election for 15 days after withdrawing, unless the voter changes the voter's voting residence at the same time that the voter withdraws from a political party.

This amendment also requires an election clerk to record on the incoming voting list which party's primary ballot, if any, is requested by and issued to an unenrolled voter during a primary election. After the primary election, this information must be entered in the central voter registration system.

This amendment further provides that the effective date of this legislation is July 1, 2021.

This amendment was not adopted.

LD 217 **An Act To Aid Certain Veterans' Organizations** **PUBLIC 44**

Sponsor(s)	Committee Report	Amendments Adopted
SYLVESTER M	OTP-AM	H-39
		H-61 SYLVESTER M

This bill allows a veterans' organization that has a valid license to sell liquor and is located either in a municipality with fewer than 5,000 residents or on an coastal island that is provided with ferry service pursuant to state law to sell liquor to the general public at the discretion of the Commissioner of Administrative and Financial Services. Sales to the general public are subject to the time-of-day and seasonal limitations defined at the time of license approval.

Committee Amendment "A" (H-39)

This amendment permits only a licensed veterans' organization that is located on an island off the coast of the State that is provided with ferry service pursuant to state law to sell liquor to the general public at the discretion of and by agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, instead of the Commissioner of Administrative and Financial Services.

House Amendment "A" (H-61)

This amendment prohibits smoking on the premises at which a licensed veterans' organization sells liquor to the general public during the time the general public is invited or allowed to be present.

Enacted Law Summary

Public Law 2019, chapter 44 allows a veterans' organization that has a valid license to sell liquor and is located on an coastal island that is provided with ferry service pursuant to state law to sell liquor to the general public at the discretion of and by agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Sales to the general public are subject to the time-of-day and seasonal limitations defined at the time of license approval and smoking is prohibited on the premises during the time the general public is invited or allowed to be present.

LD 218 **An Act To Prohibit a Person from Collecting Contributions under the Maine Clean Election Act at a Polling Place** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL D GRATWICK G	ONTP	

This bill prohibits the solicitation, acceptance or collection by a participating candidate under the Maine Clean Election Act of seed money contributions or qualifying contributions within 250 feet of the entrance to a voting place as well as within the voting place itself.

A prohibition on improperly influencing voters at a polling place or within 250 feet of the entrance to a polling place on Election Day with respect to an office that is on the ballot for the election that day, which effectively prohibits the solicitation or acceptance of campaign contributions by both traditionally financed candidates and Maine Clean Election Act candidates running for offices that appear on the ballot, was enacted as part of Public Law 2019, chapter 371 (LD 1730).

LD 245 **An Act To Reestablish a Presidential Primary System in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L MOONEN M	ONTP	

This bill makes permanent the temporary provisions in law for presidential primaries that were repealed on December 1, 2018. Under the bill, if a state party committee certifies that there is a contest among its candidates for president, the Secretary of State must set the date of the presidential primary election, which must be held on a Tuesday in March. To be included on the primary ballot, candidates for the presidential primary must submit petitions signed by between 2,000 and 3,000 registered voters enrolled in the candidate's party to the Secretary of State by December 21 of the year prior to the primary election.

A separate bill proposing to establish a presidential primary in Maine (LD 1626) was enacted as Public Law 2019, chapter 445.

LD 252 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit New or Increased Fees or Taxes by Means of Direct Initiatives of Legislation** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE J DILLINGHAM K	ONTP OTP-AM	

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to prohibit the imposition of any new or increased taxes or fees through the direct initiative process.

Committee Amendment "A" (S-23)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 253 **An Act To Clarify the Requirements for High-hand Competitions in Games of Chance Tournament Games** **PUBLIC 119**

Sponsor(s)	Committee Report	Amendments Adopted
BELLOWS S HICKMAN C	OTP-AM	S-64

This bill removes the $5 bet limit for a winner-take-all hand that is conducted during a tournament involving a card game that is a game of chance.

Committee Amendment "A" (S-64)

This amendment replaces the bill and changes the title. It removes the authority in current law for one winner-take-all-hand to be conducted during a tournament involving a card game that is a game of chance and instead authorizes licensees to conduct one high-hand competition per tournament. Under the amendment, a "high-hand competition" is defined as an optional game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game. Participation in the high-hand competition must be determined prior to the start of the tournament and the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible.

The amendment also authorizes the payment of tournament game prizes and high-hand competition prizes either in cash or by check.

Enacted Law Summary

Public Law 2019, chapter 119 removes the authority in current law for one winner-take-all-hand to be conducted during a tournament involving a card game that is a game of chance and instead authorizes licensees to conduct one high-hand competition per tournament. A "high-hand competition" is defined as an optional game of chance conducted during a tournament game in which the winner is the person who plays the highest hand of cards, according to the rules of the tournament, during the tournament game. Participation in the high-hand competition must be determined prior to the start of the tournament and the total number of bets received in a high-hand competition must be awarded to the winner or, in the case of multiple winners, divided among them as evenly as possible.

Public Law 2019, chapter 119 also authorizes the payment of tournament game prizes and high-hand competition prizes either in cash or by check.

LD 254 **An Act To Clarify Liquor Label Approval and Registration Requirements** **PUBLIC 46**

Sponsor(s)	Committee Report	Amendments Adopted
DILL J DUNPHY M	OTP-AM	S-27

This bill requires that all malt liquor, wine and low-alcohol spirits products imported to, exported from or sold in Maine bear a label approved by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau unless the malt liquor, wine or low-alcohol spirits products are manufactured in Maine and are not shipped, distributed or sold in interstate commerce.

The bill also requires manufacturers to register the labels of all malt liquor, wine and low-alcohol spirits products sold in the State with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and

Lottery Operations unless the malt liquor, wine or low-alcohol spirits products are sold by a Maine manufacturer directly to consumers for on-premises consumption or in a keg to a Maine retailer licensed to sell liquor for on-premises consumption. The Bureau of Alcoholic Beverages and Lottery Operations is required to adopt rules establishing requirements for label registration that are consistent with the regulations promulgated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau pursuant to the Federal Alcohol Administration Act, 27 United States Code, Section 205(e).

Committee Amendment "A" (S-27)

This amendment clarifies that the liquor label approval and registration requirements in the bill apply to hard cider as well as to malt liquor, wine and low-alcohol spirits products.

The amendment further exempts Maine manufacturers from the requirement to register the labels of all malt liquor, wine, hard cider and low-alcohol spirits products with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations if those products are given as complimentary samples to consumers or sold to customers as samples.

Enacted Law Summary

Public Law 2019, chapter 46 requires that all malt liquor, wine, hard cider and low-alcohol spirits products imported to, exported from or sold in Maine bear a label approved by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau unless the malt liquor, wine, hard cider or low-alcohol spirits products are manufactured in Maine and are not shipped, distributed or sold in interstate commerce.

Public Law 2019, chapter 46 also requires manufacturers to register the labels of all malt liquor, wine, hard cider and low-alcohol spirits products sold in the State with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations unless the malt liquor, wine, hard cider or low-alcohol spirits products are given by a Maine manufacturer directly to consumers as complimentary samples or sold by a Maine manufacturer directly to consumers for on-premises consumption or in a keg to a Maine retailer licensed to sell liquor for on-premises consumption. The Bureau of Alcoholic Beverages and Lottery Operations is required to adopt rules establishing requirements for label registration that are consistent with the regulations promulgated by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau pursuant to the Federal Alcohol Administration Act, 27 United States Code, Section 205(e).

LD 255 **Resolution, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
FARRIN B STETKIS J	OTP-AM ONTP	S-247

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be collected from each of the State's two congressional districts; the number of signatures collected from each congressional district must be not less than 10% of the total vote for Governor cast in that congressional district in the previous gubernatorial election. The resolution further provides that, if the resolution is ratified by the voters, this constitutional amendment becomes part of the Constitution of Maine on March 1, 2020. Compare LD 374.

Committee Amendment "A" (S-247)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

LD 256 **An Act To Ensure Responsible Operation of Political Action Committees** **PUBLIC 21**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J SCHNECK J	OTP-AM ONTP	S-6

Current law prohibits a political action committee from compensating a Legislator or a business owned or operated by the legislator if the legislator is a principal officer or treasurer of the committee or one of the individuals primarily responsible for raising contributions or making decisions for the committee. This bill further prohibits such a political action committee from making loans or gifts to a business owned or operated by the legislator and prohibits commingling the funds of such a political action committee with the personal funds of the legislator or the funds of a business owned or operated by the legislator.

Committee Amendment "A" (S-6)

This amendment is the majority report of the committee and changes the title of the bill.

Enacted Law Summary

Public Law 2019, chapter 21 prohibits certain political action committees from making loans or gifts to a business owned or operated by a legislator and from commingling committee funds with the personal funds of a legislator or the funds of a business owned or operated by a legislator. The prohibitions in Public Law 2019, chapter 21 apply to a political action committee if the relevant legislator is a principal officer or treasurer of the political action committee or if the relevant legislator is one of the individuals primarily responsible for raising contributions for the political action committee.

LD 272 **An Act To Allow Voting by Mail** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D	ONTP	

This bill requires that, beginning November 1, 2020, all primary and general elections for President of the United States, United States Senator, United States Representative to Congress, Governor, State Senator and State Representative as well as all elections on people's veto questions, initiated measures, bond issues, constitutional amendments and other legislatively proposed referenda be conducted by mail. The bill also establishes the Commission to Implement Voting by Mail to make recommendations, including proposed legislation, to the Joint Standing Committee on Veterans and Legal Affairs, which may report out legislation to the Second Regular Session of the 129th Legislature for implementing voting by mail.

LD 293 **An Act Regarding Early Voting in Person** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T BREEN C	ONTP	

This bill allows for municipalities to conduct early voting in person during the same period as is permitted for absentee voting. Early voting takes place in the municipal offices with the same requirements and restrictions regarding voting places, voting booths, ballot boxes and ballot challenges as apply to regular voting. At the end of

early voting, the municipal clerk delivers the sealed ballot boxes to the voting place as presently required by law. Compare LD 619.

LD 294 **An Act To Require the Fiscal Impact Estimate of a Direct Initiative of Legislation To Be Included on the Ballot** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MORRIS J	ONTP	

This bill provides that a ballot for a statewide vote on a direct initiative must include a summary of the fiscal impact estimate prepared by the Office of Fiscal and Program Review for that direct initiative.

LD 322 **An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
CEBRA R	ONTP OTP-AM	

This bill requires that a voter provide proof of identity with photographic identification approved by the Secretary of State by rule for the purpose of voting.

Committee Amendment "A" (H-94)

This amendment, which is the minority report of the committee, strikes and replaces the bill and adds a mandate preamble. The amendment requires that a voter provide proof of identity with photographic identification for the purpose of voting. The amendment specifies the types of photographic identification that may be used to verify the identity of a voter. It provides that a person who does not present photographic identification may cast a provisional ballot and establishes the process for provisional voting. Under this process, if the person can verify the person's identity to the municipal clerk, deputy clerk or warden or an election clerk within three business days of the election by presenting acceptable photographic identification, the ballot will be cast as a regular ballot. Through the general election of 2020, a person who does not present acceptable photographic identification but is known to a municipal clerk, registrar or election official at the voting place may cast a regular ballot upon submission of an affidavit by the municipal clerk, registrar or election official attesting to the person's identity. Finally, the amendment requires the Secretary of State to provide, at no fee, nondriver identification cards to eligible persons who do not have another form of acceptable photographic identification to verify identity for the purpose of voting.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 352 **An Act Regarding Licensing Fees for Certain Tournament Games** **PUBLIC 63**

Sponsor(s)	Committee Report	Amendments Adopted
SKOLFIELD T BLACK R	OTP-AM ONTP	H-95

This bill waives the license fees for game of chance tournaments with fewer than 50 players conducted by veterans' organizations.

Committee Amendment "A" (H-95)

This amendment, which is the majority report of the committee, reduces the license fees for games of chance tournaments with fewer than 50 players.

Enacted Law Summary

Public Law 2019, chapter 63 reduces the license fees for games of chance tournaments with fewer than 50 players.

LD 361 **An Act To Amend the Laws Governing Political Action Committees** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J SYLVESTER M	ONTP OTP	

This bill prohibits a legislative candidate from establishing a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. The bill also makes a change to a provision under the Maine Clean Election Act, which includes the same prohibition, to specify that the prohibition in that Act applies only to participating gubernatorial candidates and certified gubernatorial candidates because participating and certified legislative candidates are included under the more general prohibition created by the bill.

LD 365 **An Act To Allow Flexible Business Hours for Certain Agency Liquor Stores** **PUBLIC 48**

Sponsor(s)	Committee Report	Amendments Adopted
KEIM L SCHNECK J	OTP-AM	S-22

This bill allows an agency liquor store flexibility in setting seasonal hours if the agency liquor store is subject to a substantial seasonal variation in business or retail customers based upon tourism or other factors.

Committee Amendment "A" (S-22)

This amendment requires an agency liquor store that establishes seasonal hours as allowed by the bill to send a written notice to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations of those seasonal hours.

Enacted Law Summary

Public Law 2019, chapter 48 grants an agency liquor store the flexibility to set seasonal hours if the agency liquor store is subject to a substantial seasonal variation in business or retail customers based upon tourism or other factors. An agency liquor store that establishes seasonal hours must send a written notice to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, of those seasonal hours.

LD 374 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each State Senatorial District** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T	ONTP OTP-AM	

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be collected from each of the State's senate districts; the number of signatures collected from each senate district must be not less than 10% of the total vote for Governor cast in that senate district in the previous gubernatorial election. The resolution further provides that, if the resolution is ratified by the voters, this constitutional amendment becomes part of the Constitution of Maine on March 1, 2020. Compare LD 255.

Committee Amendment "A" (H-41)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 411 **Resolve, Directing the Commission on Governmental Ethics and Election Practices To Allow Maine Clean Election Act Funds To Be Used for Election Recounts** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
RISEMAN W	ONTP	

This resolve directs the Commission on Governmental Ethics and Election Practices to amend its rules no later than October 1, 2020 to allow a certified candidate under the Maine Clean Election Act to use money disbursed from the Maine Clean Election Fund for expenses related to an election recount.

Because the prohibition in rule against using money disbursed from the Maine Clean Election Fund for recount expenses derives from Title 21-A, section 1018-B of the Maine Revised Statutes, this resolution would not have been effective if adopted. Compare LD 1686.

LD 418 **An Act To Implement the National Popular Vote for President** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
RYKERSON D CHENETTE J	ONTP	

This bill proposes to adopt an interstate compact to elect the President of the United States by national popular vote. Under the compact, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia is elected President. Under the compact, all of a state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill takes effect only if enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538. See also LD 816.

LD 499 **An Act To Collect Data Regarding How Payment Is Made for Collection of Signatures for Direct Initiatives and People's Veto Referendums** **PUBLIC 456**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN S SCHNECK J	OTP-AM ONTP	S-232

This bill prohibits the circulator or person who causes the circulation of a direct initiative or people's veto referendum petition or a petition organization from receiving payment for the collection of signatures based on the number of signatures collected. The bill clarifies that a salary or fee for the collection of signatures is not prohibited if it is not based on the number of signatures collected.

Committee Amendment "A" (S-232)

This amendment is the majority report of the committee. The amendment replaces the title and the bill and strengthens the integrity of the direct initiative and people's veto referendum process by requiring a petition circulator to submit an affidavit that includes the circulator's name, the address at which the circulator resides and the date the circulator signed the affidavit; that the circulator read the information provided by the Secretary of State and understand the laws governing the circulation of petitions in Maine; that the circulator be a resident of Maine and a registered voter in Maine at the time of circulating the petition; and that the circulator understand that the circulator can be prosecuted for violating the laws governing the circulation of petitions, including the requirement that a circulator truthfully execute the affidavit. The amendment also requires petition organizations and others to indicate the method by which they are compensating any individuals hired to assist in circulating petitions.

Enacted Law Summary

Public Law 2019, chapter 456 strengthens the integrity of the direct initiative and people's veto referendum process by requiring a petition circulator to submit an affidavit that includes the circulator's name, the address at which the circulator resides and the date the circulator signed the affidavit; that the circulator read the information provided by the Secretary of State and understand the laws governing the circulation of petitions in Maine; that the circulator was a resident of Maine and a registered voter in Maine at the time of circulating the petition; and that the circulator understand that the circulator can be prosecuted for violating the laws governing the circulation of petitions, including the requirement that a circulator truthfully execute the affidavit. The amendment also requires petition organizations and others to indicate the method by which they are compensating any individuals hired to assist in circulating petitions.

LD 501 **An Act To Provide Funding for the Homeless Veterans Center in Caribou** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T DEVEAU J	ONTP	

This bill provides a one-time appropriation of $200,000 to the homeless veterans center in Caribou.

LD 510 **An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHEATS B HERBIG E	OTP-AM	H-118

This bill provides a one-time General Fund appropriation of $150,000 in fiscal year 2019-20 to the Department of Defense, Veterans and Emergency Management for the Betsy Ann Ross House of Hope to provide suitable housing for women veterans in transition and their families.

Committee Amendment "A" (H-118)

This amendment adds an emergency preamble and emergency clause to the bill and moves the appropriation to fiscal year 2018-19.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 514 **An Act To Amend the Laws Governing the Political Party Representation of Election Clerks** **PUBLIC 64**

Sponsor(s)	Committee Report	Amendments Adopted
SCHNECK J GRATWICK G	OTP-AM ONTP	H-93

This bill requires election clerks in a municipality to be selected so that 33% of clerks are from one major party and 33% from another major party, with 34% of clerks being selected without regard to party enrollment.

Committee Amendment "A" (H-93)

This amendment, which is the majority report of the committee, strikes and replaces the bill. This amendment changes the process for selection of election clerks and clarifies other provisions regarding election clerks. Specifically, the amendment retains the provision in current law allowing parties to nominate election clerks but also allows the municipal clerk or any registered voter to make nominations. Like current law, the amendment directs timely consideration of nominations but, unlike current law, it does not require municipal officers to appoint the election clerks from among nominees and instead allows them to appoint any qualified voter. Under the amendment, the minimum requirement is two election clerks at each voting place, one each from the two major parties. The amendment requires that at least one-half of the election clerks working at any election be affiliated with the major parties, the remaining election clerks may be affiliated with a minor party or be unenrolled.

The amendment also provides that if the municipal officers do not appoint a sufficient number of election clerks representing the major parties or an insufficient number of appointees are available to serve from the list provided by municipal officers, the municipal clerk may appoint additional election clerks without regard to party enrollment status.

Enacted Law Summary

Public Law 2019, chapter 64 changes the process for selection of election clerks and clarifies other provisions regarding election clerks. It retains the provision in current law allowing parties to nominate election clerks but adds authority for the municipal clerk or any registered voter to make nominations. Like current law, Public Law 2019, chapter 64 directs timely consideration of nominations but unlike current law it does not require municipal

officers to appoint the election clerks from among nominees and instead allows them to appoint any qualified voter. Under Public Law 2019, chapter 64 there must be a minimum of two election clerks at each voting place, one each from the two major parties. At least one-half of the total election clerks working at any election must be affiliated with the major parties; the remaining election clerks may be affiliated with a minor party or be unenrolled.

Public Law 2018, chapter 64 also provides that if the municipal officers do not appoint a sufficient number of election clerks representing the major parties or an insufficient number of appointees are available to serve from the list provided by municipal officers, the municipal clerk may appoint additional election clerks without regard to party enrollment status.

LD 517 **An Act To Facilitate Fair Ballot Representation for All Candidates** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
FAULKINGHAM B MOORE M	OTP-AM ONTP	H-164

This bill permits a candidate to request that the candidate's nickname appear on the ballot for an election in the State. The candidate's nickname, if any, must be set off by quotation marks and be placed on the ballot immediately after the candidate's legal first name or initial and before the candidate's legal middle name or middle initial, if any.

Committee Amendment "A" (H-164)

This amendment is the majority report of the committee and specifies that if a candidate requests that the candidate's nickname appear on the ballot for an election in the State, the candidate must include the nickname on the candidate's declaration of consent or written acceptance filed with the Secretary of State and must declare that the nickname is actually the name by which the candidate is known to others. The amendment also specifies that if a candidate requests that the candidate's nickname appear on the ballot for an election in the State, the Secretary of State must set off the candidate's nickname by quotation marks and it must be placed on the ballot following the candidate's legal last name, first initial and middle initial, if any.

LD 534 **An Act To Make Ballot Questions Easier To Read and Understand for Maine Voters** **PUBLIC 414 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
ANDREWS J LUCHINI L	OTP-AM	H-277

This bill requires that ballot questions be written in a manner that is understandable to the greatest number of voters possible, determined to be for adult literacy at the 6th-grade reading level, which is the standard used for other important official state documents, including for the Maine Residents Property Tax Program, notices regarding child support, municipal property tax deferral programs for seniors and temporary assistance for needy families. This bill also requires ballot questions to unambiguously state the effect of a "yes" or "no" vote.

Committee Amendment "A" (H-277)

This amendment strikes and replaces the bill but retains the emergency preamble and emergency clause. The amendment makes the following changes to the laws governing the printing of ballots for referendum questions.

1. It requires the Secretary of State to draft the ballot question for a people's veto or a direct initiative in a clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative as simply as is possible.

2. It eliminates the requirement that questions for a people's veto referendum be phrased so that an affirmative vote is in favor of the people's veto.

3. It requires that an explanation of the effect of a "yes" vote and the effect of a "no" vote be printed on the ballot immediately below each referendum question, including each people's veto, direct initiative, bond issue, constitutional amendment and other legislatively proposed referendum question.

Enacted Law Summary

Public Law 2019, chapter 414 makes the following changes to the laws governing the printing of ballots for referendum questions.

1. It requires the Secretary of State to draft the ballot question for a people's veto or a direct initiative in a clear, concise and direct manner that describes the subject matter of the people's veto or direct initiative as simply as is possible.

2. It eliminates the requirement that questions for a people's veto referendum be phrased so that an affirmative vote is in favor of the people's veto.

3. It requires that an explanation of the effect of a "yes" vote and the effect of a "no" vote be printed on the ballot immediately below each referendum question, including each people's veto, direct initiative, bond issue, constitutional amendment and other legislatively proposed referendum question.

Public Law 2019, chapter 414 was enacted as an emergency measure effective June 20, 2019.

LD 553 **An Act To Ensure Proper Oversight of Sports Betting in the State** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L	OTP-AM OTP-AM ONTP	S-318

This bill is a concept draft pursuant to Joint Rule 208 that proposes to ensure proper oversight of sports betting.

Committee Amendment "A" (S-318)

This amendment, which is the majority report of the committee, strikes and replaces the bill, which is a concept draft. The amendment authorizes the Department of Public Safety, Gambling Control Unit to regulate sports wagering in the State.

Licensed commercial tracks, licensed off-track betting facilities, licensed casinos and federally recognized Indian tribes are eligible to apply for facility sports wagering licenses to conduct in-person sports wagering in the State. These entities are also eligible to apply for mobile sports wagering licenses to conduct sports wagering through mobile applications or digital platforms, as are qualified gaming entities that offer sports wagering through mobile applications or digital platforms in any jurisdiction in the United States pursuant to a state regulatory structure. Facility sports wagering licensees and mobile sports wagering licensees, referred to in the amendment as operators, may purchase or lease equipment, systems or services for sports wagering from entities with a supplier license, whose equipment, systems or services must meet standards established by rule. Operators may also enter into written contracts, approved by the director of the Gambling Control Unit within the Department of Public Safety, with management services licensees that have sufficient knowledge and experience in the business of operating

sports wagering to effectively conduct sports wagering on behalf of operators. A person employed by a facility sports wagering licensee to be engaged directly in sports wagering-related activities must be licensed by the Gambling Control Unit.

Operators may accept wagers on professional, collegiate and amateur sports events, including international events, as well as on the individual performances of athletes, on motor vehicle races and on electronic sports. Sports wagers are prohibited on high school events, other events where a majority of participants are less than 18 years of age and events involving Maine-based colleges and universities. Operators may not accept sports wagers from individuals under 21 years of age; participants in the sports event, including athletes and officials; persons with an interest in the outcome of the sports event identified by the director by rule; the operator's own directors or employees or persons living in their households; persons voluntarily or involuntarily placed on a list maintained by the Gambling Control Unit within the Department of Public Safety of persons not authorized to make sports wagers; third persons making wagers on behalf of another person; and Gambling Control Unit employees. Mobile sports wagering licensees are also prohibited from accepting sports wagers from persons who are not physically located within the State.

A facility sports wagering licensee must remit 10% of the licensee's adjusted gross sports wagering receipts to the State and a mobile sports wagering licensee must remit 16% of the licensee's adjusted gross sports wagering receipts to the State. One percent of adjusted gross sports wagering receipts must be deposited in the General Fund for the administrative expenses of the Gambling Control Unit within the Department of Public Safety and 1% of the adjusted gross sports wagering receipts must be deposited in the Gambling Addiction Prevention and Treatment Fund established by the Maine Revised Statutes, Title 5, section 20006-B. The remaining adjusted gross sports wagering receipts remitted to the State must be deposited in the General Fund.

The amendment also allows a licensed fantasy contest operator to offer a fantasy contest based on the performances of participants in collegiate athletic events and adds an appropriations and allocations section.

Committee Amendment "B" (S-319)

This amendment, which is one of two minority reports of the committee, strikes and replaces the bill, which is a concept draft. This amendment authorizes the Department of Public Safety, Gambling Control Unit to regulate sports wagering in the State through a regulatory framework idential to the framework set forth in the majority report, except that only licensed commercial tracks, licensed off-track betting facilities, licensed casinos and federally recognized Indian tribes are eligible to obtain mobile sports wagering licenses, not qualified gaming entities that offer sports wagering through mobile applications or digital platforms in any jurisdiction in the United States pursuant to a state regulatory structure.

This amendment was not adopted.

LD 619 **RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SCHNECK J	OTP-AM	H-42
LUCHINI L	ONTP	

This resolution proposes to amend Article II, section 4 of the Constitution of Maine to allow the Legislature to authorize a process by which municipalities may conduct early voting by allowing voters to vote in the same manner as on election day during a period immediately preceding an election and to allow absentee voting for any sufficient reason. Compare LD 293.

Committee Amendment "A" (H-42)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

This resolution was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 631 **An Act To Fund the Operations of the Tick Identification Laboratory in the University of Maine Cooperative Extension Diagnostic and Research Laboratory** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY M	ONTP	

This bill directs the State Liquor and Lottery Commission, in consultation with the University of Maine Cooperative Extension Pest Management Office, to develop and initiate a $2 instant lottery game designed to raise funds to support the operation of a diagnostic and research laboratory focused on ticks and tick-borne diseases in the State.

LD 661 **An Act To Increase Gaming Opportunities for Charitable Veterans' Organizations** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO A HERBIG E		

This bill permits the Department of Public Safety, Gambling Control Board, beginning January 1, 2020, to issue a license to a charitable nonprofit organization that is a veterans' organization that is tax-exempt under the United States Internal Revenue Code of 1986 to operate up to three slot machines on premises that have been owned, rented or leased by the organization for at least two consecutive years, that serve as its primary administrative operations headquarters and that are located in a municipality that has, by referendum of the voters, approved the operation of slot machines in that municipality. The charitable nonprofit veterans' organization must be able to demonstrate that it has a cash reserve of $1,000 for each machine the organization intends to operate.

A charitable nonprofit veterans' organization that wishes to apply prior to January 1, 2020 may file a declaration of intent to apply with the Gambling Control Board. An application must include a refundable $2,500 deposit. The initial application fee for a slot machine operator license is $500, and the annual renewal fee is $175.

A slot machine operated by a charitable nonprofit veterans' organization is subject to the same central site monitoring that applies to casinos and slot machine facilities at harness racing tracks. The total number of slot machines allowed to be operated by charitable nonprofit veterans' organizations statewide between January 1, 2020 and December 31, 2020 is 80; beginning January 1, 2021 the number increases to 150.

The bill provides that 10% of the net slot machine income from a charitable nonprofit veterans' organization is required to be deposited directly with the Gambling Control Board for administrative expenses; 8% goes directly to the General Fund; 10% goes to the host municipality; and 2% is dedicated to gambling addiction prevention and treatment. A charitable nonprofit veterans' organization that is licensed to operate slot machines is required to establish a separate account, from which the board may withdraw funds to distribute the net revenue percentages. The remaining revenue generated from the slot machines must be used to support the charitable purposes of the veterans' organization.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 667 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That the Governor Be Elected by a Majority Vote** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL D BLACK R	ONTP	

Under Article V, part I, section 3 of the Constitution of Maine, the candidate who receives a "plurality" of votes, which is the largest number of votes cast, regardless of that number's percentage of the total number of votes cast, is declared the winner of the gubernatorial election. This resolution proposes to amend the Constitution to require that a candidate for Governor receive more than 50% of the votes cast to be elected. When no candidate receives more than 50% of the total number of votes cast, the resolution requires a run-off election between the two persons who received the largest number of votes. The person who receives the larger number of votes in the run-off election is declared Governor. If the run-off election yields a tie, the Maine Senate and House of Representatives must meet in a joint session, conduct a vote between the two run-off candidates and declare the person who receives the most votes at the joint session to be the Governor.

LD 702 **An Act Regarding the Pricing of Spirits** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L HANDY J		

This bill is a concept draft pursuant to Joint Rule 208 that proposes to enact measures designed to ensure a thorough appeals process relating to the pricing of spirits by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the State Liquor and Lottery Commission.

LD 715 **An Act To Change the Allocation Formula for Revenue from Slot Machines** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J CHIPMAN B	ONTP	

This bill is a concept draft pursuant to Joint Rule 208 that proposes to change the allocation of the revenue from slot machines operated by casinos, as established in the Maine Revised Statutes, Title 8, section 1036, subsections 2 and 2-A. This bill would not change the percentage of the net slot machine income being distributed, but would:

1. Return to the allocation formula established in the legislation allowing casinos that was approved at referendum, which would require reducing the funding of certain items, such as the fund to supplement harness racing purses and the Sire Stakes Fund, and eliminating the funding of other items, such as the Fund to Encourage Racing at Maine's Commercial Tracks and the Fund to Stabilize Off-track Betting Facilities. Under this proposal, the 14% of the net slot machine income attributable to the reduction or elimination of those allocations would be distributed elsewhere;

2. Reallocate the net slot machine income among the current receivers of the income, increasing the share of some, such as the Fund for a Healthy Maine, the University of Maine System Scholarship Fund, the Maine Maritime

Academy and the Maine Community College System, while decreasing the share of others, such as the fund to supplement harness racing purses, and eliminating the share of others, such as the Fund to Encourage Racing at Maine's Commercial Tracks, the Sire Stakes Fund and the Fund to Stabilize Off-track Betting Facilities; or

3. Enact a combination of the two methods and include different recipients.

LD 719 **An Act Regarding Adult Use Marijuana** **PUBLIC 491**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T	OTP-AM OTP-AM ONTP	H-657

This bill is a concept draft pursuant to Joint Rule 208 that proposes to amend the Marijuana Legalization Act.

Committee Amendment "A" (H-657)

This amendment, which is the majority report of the committee, changes the title and replaces the bill, which is a concept draft. The amendment:

1. Amends the Maine Food Law to provide that goods that are prepared in a licensed food establishment that is also a licensed adult use marijuana products manufacturing facility and that contain marijuana for adult use pursuant to the Maine Revised Statutes, Title 28-B, are not considered adulterated under the Maine Food Law;

2. Authorizes the Department of Administrative and Financial Services, under the Marijuana Legalization Act, to require a conditionally licensed applicant seeking active licensure under the Marijuana Legalization Act to submit information necessary for the department to determine that the applicant continues to meet all applicable requirements for conditional licensure and authorizes the department to refuse to issue an active license if the applicant no longer meets the requirements for conditional licensure;

3. Clarifies the routine technical rule-making authority of the department under the Marijuana Legalization Act with respect to the adoption of rules regarding the provisional licensure, licensure, certification and accreditation of testing facilities;

4. Amends the Marijuana Legalization Act to authorize entry into limited access areas within a marijuana establishment by contractors of a licensee who do not have an individual identification card as long as certain criteria are met;

5. Amends the Marijuana Legalization Act to authorize the department to determine by rule that, for a particular type of edible marijuana product, the stamping or embossing of a universal symbol on each serving of the product is impracticable and is not required;

6. Amends the Marijuana Legalization Act to authorize the department to impose an administrative hold on a licensee, which may involve imposition of certain operational restrictions on the licensee's license if, as a result of an inspection or investigation, the department determines there are reasonable grounds to believe the licensee has committed or is committing a violation of the Marijuana Legalization Act, the rule adopted pursuant to the Marijuana Legalization Act or the conditions or provisions of the licensee's license. An administrative hold may not be imposed for a period exceeding 30 consecutive days; and

7. Authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 1: Adult Use Marijuana Program, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy, that was submitted to the Legislature for review.

Committee Amendment "B" (H-658)

This amendment, which is the minority report of the committee, changes the title and replaces the bill, which is a concept draft, as follows:

1. Part A provides to the municipalities in which adult use marijuana cultivation facilities and retail stores are located 25% of the excise tax and sales tax from adult use marijuana sales for use in offsetting the negative effects on local resources of local regulation and enforcement of adult use marijuana laws;

2. Part B repeals from the adult use marijuana laws the provision that allows the Department of Administrative and Financial Services to temporarily waive mandatory testing requirements under some circumstances;

3. Part C requires certification of an adult use marijuana testing facility by the United States Department of Health and Human Services, Centers for Disease Control and Prevention and repeals from the law provisional licensure for testing facilities;

4. Part D amends the general licensing criteria for all types of adult use marijuana establishments and requires that all investors and owners, of any type and in any amount, be Maine residents. The amendment repeals from the law an exception that states that the licensing criteria relating to residency do not apply to licensed testing facilities;

5. Part E requires all marijuana and marijuana products to be sold or offered for sale to a consumer to have labels that warn of the connection of marijuana to negative health effects, including but not limited to schizophrenia, mental illness, psychosis, disrupted learning and memory and interruption of the normal development of the brain and other negative health effects as determined by the Department of Health and Human Services, Maine Center for Disease Control and Prevention;

6. Part F:

A. Amends the Maine Food Law to provide that goods that are prepared in a licensed food establishment that is also a licensed adult use marijuana products manufacturing facility and that contain marijuana for adult use pursuant to the Maine Revised Statutes, Title 28-B, are not considered adulterated under the Maine Food Law;

B. Authorizes the Department of Administrative and Financial Services, under the Marijuana Legalization Act, to require a conditionally licensed applicant seeking active licensure under the Marijuana Legalization Act to submit information necessary for the department to determine that the applicant continues to meet all applicable requirements for conditional licensure and authorizes the department to refuse to issue an active license if the applicant no longer meets the requirements for conditional licensure;

C. Clarifies the routine technical rule-making authority of the department under the Marijuana Legalization Act with respect to the adoption of rules regarding the licensure, certification and accreditation of testing facilities;

D. Amends the Marijuana Legalization Act to authorize entry into limited access areas within a marijuana establishment by contractors of a licensee who do not have an individual identification card as long as certain criteria are met;

E. Amends the Marijuana Legalization Act to authorize the department to determine by rule that, for a

particular type of edible marijuana product, the stamping or embossing of a universal symbol on each serving of the product is impracticable and is not required; and

F. Amends the Marijuana Legalization Act to authorize the department to impose an administrative hold on a licensee, which may involve imposition of certain operational restrictions on the licensee's license if, as a result of an inspection or investigation, the department determines there are reasonable grounds to believe the licensee has committed or is committing a violation of the Marijuana Legalization Act, the rule adopted pursuant to the Marijuana Legalization Act or the conditions or provisions of the licensee's license. An administrative hold may not be imposed for a period exceeding 30 consecutive days; and

7. Part G authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 1: Adult Use Marijuana Program, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy, that was submitted to the Legislature for review.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 491 does the following:

1. Amends the Maine Food Law to provide that goods that are prepared in a licensed food establishment that is also a licensed adult use marijuana products manufacturing facility and that contain marijuana for adult use pursuant to the Maine Revised Statutes, Title 28-B, are not considered adulterated under the Maine Food Law;

2. Authorizes the Department of Administrative and Financial Services, under the Marijuana Legalization Act, to require a conditionally licensed applicant seeking active licensure under the Marijuana Legalization Act to submit information necessary for the department to determine that the applicant continues to meet all applicable requirements for conditional licensure and authorizes the department to refuse to issue an active license if the applicant no longer meets the requirements for conditional licensure;

3. Clarifies the routine technical rule-making authority of the department under the Marijuana Legalization Act with respect to the adoption of rules regarding the provisional licensure, licensure, certification and accreditation of testing facilities;

4. Amends the Marijuana Legalization Act to authorize entry into limited access areas within a marijuana establishment by contractors of a licensee who do not have an individual identification card as long as certain criteria are met;

5. Amends the Marijuana Legalization Act to authorize the department to determine by rule that, for a particular type of edible marijuana product, the stamping or embossing of a universal symbol on each serving of the product is impracticable and is not required;

6. Amends the Marijuana Legalization Act to authorize the department to impose an administrative hold on a licensee, which may involve imposition of certain operational restrictions on the licensee's license if, as a result of an inspection or investigation, the department determines there are reasonable grounds to believe the licensee has committed or is committing a violation of the Marijuana Legalization Act, the rule adopted pursuant to the Marijuana Legalization Act or the conditions or provisions of the licensee's license. An administrative hold may not be imposed for a period exceeding 30 consecutive days; and

7. Authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 1: Adult Use Marijuana Program, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy, that was submitted to the Legislature for review.

LD 720 **An Act Regarding Maine's Adult Use Marijuana Law** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T		

This bill is a concept draft pursuant to Joint Rule 208 that proposes to amend the laws governing adult use marijuana in the State.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 722 **An Act To Require Presidential and Vice-Presidential Candidates To Disclose Their Federal Income Tax Returns** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY S	ONTP	
BELLOWS S	OTP	

This bill requires that, in order for a candidate for President or a candidate for Vice President to appear on a general election ballot, the candidate for President or the candidate for Vice President must disclose the previous three years of that candidate's federal income tax returns, which may be redacted by the candidate or the candidate's staff to remove personally identifying information other than the candidate's name. The bill directs the Secretary of State to post the tax returns on the Secretary of State's publicly accessible website. The legislation takes effect only if a sufficient number of states, with a total of at least 100 electoral votes, including Maine's electoral votes, adopt similar legislation.

LD 737 **An Act To Update Alcohol Taste-testing Requirements** **PUBLIC 79 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T	OTP-AM	H-119
SANBORN H		

This bill allows agency liquor stores and off-premises retail licensees to conduct up to three tastings per month of distilled spirits, wine and malt liquor each, for a potential total of nine tastings per month at some retailers.

Committee Amendment "A" (H-119)

This amendment adds an emergency preamble and emergency clause and authorizes agency liquor stores and off-premises retail licensees to conduct up to 15 taste-testing events per month of spirits, wine and malt liquor. The amendment allows, but does not require, agency liquor stores and off-premises retail licensees to submit a single request to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations listing all of the taste-testing events the agency liquor store or off-premises retail licensee plans to conduct in a single calendar month. The amendment also allows agency liquor stores and off-premises retail licensees to conduct taste testing of spirits, wine and malt liquor at the same taste-testing event, as long as the agency liquor store or off-premises retail licensee is licensed to sell the types of liquor being offered at the event. Finally, the amendment also makes several technical corrections to the terminology and cross-references in the agency liquor store and off-premsies retail licensee taste-testing statutes.

Enacted Law Summary

Public Law 2019, chapter 79 authorizes agency liquor stores and off-premises retail licensees to conduct up to 15 taste-testing events per month of spirits, wine and malt liquor. Agency liquor stores and off-premises retail licensees are authorized, but not required, to submit a single request to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations listing all of the taste-testing events the agency liquor store or off-premises retail licensee plans to conduct in a single calendar month. Agency liquor stores and off-premises retail licensees may conduct taste testing of spirits, wine and malt liquor at the same taste-testing event, as long as the agency liquor store or off-premises retail licensee is licensed to sell the types of liquor being offered at the event. Public Law 2019, chapter 79 also makes several technical corrections to the terminology and cross-references in the agency liquor store and off-premises retail licensee taste-testing statutes.

Public Law 2019, chapter 79 was enacted as an emergency measure effective May 8, 2019.

LD 753 **An Act To Allow Voters To Choose Ongoing Absentee Voter Status** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R DESCHAMBAULT S	ONTP	

This bill provides a process for a voter to request ongoing absentee voter status in a municipality that has approved the use of ongoing absentee voter status. Ongoing absentee voter status allows the voter to automatically receive an absentee ballot for each statewide and municipal election until the status is terminated by request of the voter, because an absentee ballot sent to the voter is returned as undeliverable, because the voter dies or is disqualified to vote or because the voter's registration record is designated as inactive or cancelled in the centeral voter registration system.

LD 780 **An Act To Change Municipal Campaign Contribution Limits** **PUBLIC 51**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B ACKLEY K	OTP-AM ONTP	S-21

This bill reduces from $750 to $350 the maximum allowable contribution that may be made to a candidate for municipal office for a single primary, general or special election by an individual or by a political committee, political action committee, other committee, firm, partnership, corporation, association or organization.

Committee Amendment "A" (S-21)

This amendment, which is the majority report of the committee, reduces from $750 to $500 the maximum statutory allowable contribution for candidates for municipal office.

Enacted Law Summary

Public Law 2019, chapter 51 reduces from $750 to $500 the maximum allowable contribution that may be made to a candidate for municipal office for a single primary, general or special election by an individual or by a political committee, political action committee, other committee, firm, partnership, corporation, association or organization.

LD 805 **An Act To Clarify the Laws Governing Taste Testing and Retail Sales of Liquor at Farmers' Markets and To Allow Retail Sales at Other Taste-testing Events** **PUBLIC 360**

Sponsor(s)	Committee Report	Amendments Adopted
DESCHAMBAULT S	OTP-AM ONTP	S-248

This bill is a concept draft pursuant to Joint Rule 208 that proposes to clarify the laws governing the taste testing and retail sale of liquor at farmers' markets.

Committee Amendment "A" (S-248)

This amendment, which is the majority report of the committee, strikes and replaces the bill, which is a concept draft. This amendment combines, clarifies and removes several inconsistencies in the laws governing the retail sale and taste testing of Maine-manufactured liquor at farmers' markets. As in current law, a licensed Maine small brewery, small winery or small distillery may conduct both retail sales and taste-testing events at a farmers' market subject to the applicable bylaws of the farmers' market. The manufacturer must first obtain approval from both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the municipality where the farmers' market will be held.

The amendment eliminates the provision of current law that limits to two the number of taste-testing events that may be held by a single manufacturer at a farmers' market each month. It also eliminates the provisions of current law that allow Maine breweries, wineries or distilleries that produce more than 50,000 gallons per year to conduct taste-testing events at farmers' markets, because these manufacturers are not authorized to conduct retail sales at farmers' markets.

The amendment further allows a licensed Maine brewery, small brewery, winery, small winery, distillery or small distillery that is authorized to participate in a taste-testing event under the Maine Revised Statutes, Title 28-A, section 1052-D to conduct retail sales of malt liquor, wine or spirits produced by that manufacturer during the taste-testing event.

Enacted Law Summary

Public Law 2019, chapter 360 combines, clarifies and removes several inconsistencies in the laws governing the retail sale and taste testing of Maine-manufactured liquor at farmers' markets. As in current law, a licensed Maine small brewery, small winery or small distillery may conduct both retail sales and taste-testing events at a farmers' market subject to the applicable bylaws of the farmers' market. The manufacturer must first obtain approval from both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the municipality where the farmers' market will be held.

Public Law 2019, chapter 360 eliminates the provision of current law that limits to two the number of taste-testing events that may be held by a single manufacturer at a farmers' market each month. It also eliminates the provisions of current law that allow Maine breweries, wineries or distilleries that produce more than 50,000 gallons per year to conduct taste-testing events at farmers' markets, because these manufacturers are not authorized to conduct retail sales at farmers' markets.

Finally, Public Law 2019, chapter 360 allows a licensed Maine brewery, small brewery, winery, small winery, distillery or small distillery that is authorized to participate in a taste-testing event under the Maine Revised Statutes, Title 28-A, section 1052-D to conduct retail sales of malt liquor, wine or spirits produced by that manufacturer during the taste-testing event.

LD 816 **An Act To Implement the National Popular Vote for President of the United States** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	S-44
MARTIN J	OTP-AM	

This bill proposes to adopt an interstate compact to elect the President of the United States by national popular vote. Under the compact, the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia is elected President. Under the compact, all of a state's electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. This bill takes effect only if enacted by states possessing a majority of the electoral votes, that is, enough electoral votes to elect a President, which is 270 of 538. See also LD 418.

Committee Amendment "A" (S-44)

This amendment, which is the minority report of the committee, clarifies that Maine's presidential electors are not obligated to cast their votes in favor of the presidential candidate and vice presidential candidate that are declared the winners of the national popular vote until the interstate compact to elect the President of the United States by national popular vote takes effect as described in the bill.

LD 835 **An Act To Increase Funding for Case Managers for Veterans** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ROBERTS-LOVELL		

This bill is a concept draft pursuant to Joint Rule 208 that proposes to provide funding for additional case managers in the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to provide information and assistance to veterans regarding the availability of benefits and services for veterans such as health care, home financing, property tax exemptions and income tax credits.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 845 **An Act To Secure the Integrity of Elections When the Secretary of State Is a Candidate** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R		

This bill prohibits the Secretary of State from overseeing an election in which the Secretary of State is a candidate and transfers all responsibilities of the Secretary of State for that election to the first deputy secretary of state.

LD 853 **An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments** **PUBLIC 122**

Sponsor(s)	Committee Report	Amendments Adopted
ANDREWS J LUCHINI L	OTP-AM	H-161

This bill permits retailers licensed for the sale of malt liquor to be consumed on the premises to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off of the premises during weekend hours, when wholesalers and distributors are typically closed.

Committee Amendment "A" (H-161)

This amendment permits retailers licensed for on-premises consumption of malt liquor to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off the licensed premises only during weekend hours and only two times annually. If an on-premises retailer purchases malt liquor from an off-premises retailer, the on-premises retailer must immediately notify both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the retailer's malt liquor wholesaler of the purchase. The on-premises retailer may not purchase more than 10 gallons of malt liquor in a single weekend and must purchase the malt liquor from an off-premises retailer located within the same malt liquor wholesaler's sales territory.

Enacted Law Summary

Public Law 2019, chapter 122 permits retailers licensed for on-premises consumption of malt liquor to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off the licensed premises only during weekend hours and only two times annually. If an on-premises retailer purchases malt liquor from an off-premises retailer, the on-premises retailer must immediately notify both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the retailer's malt liquor wholesaler of the purchase. The on-premises retailer may not purchase more than 10 gallons of malt liquor in a single weekend and must purchase the malt liquor from an off-premises retailer located within the same malt liquor wholesaler's sales territory.

LD 874 **An Act To Conform the Clean Election Financing Laws to the Judicially Determined Procedures** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill codifies the decision of the Superior Court in *Maine Citizens for Clean Elections v. LePage*, No. CV-18-112, 2018 (Me. Super. Ct., Ken. Cty., August 2, 2018). The bill authorizes the Commission on Governmental Ethics and Election Practices to expend existing revenues from the Maine Clean Election Fund in excess of the current year allocations without first obtaining a financial order approved by the Governor, solely for the purpose of making distributions required by the Maine Clean Election Act to certified candidates.

LD 878 **An Act To Make Clean Election Filing Deadlines Consistent for All Candidates** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
HIGGINS N	ONTP OTP-AM	

This bill changes the date on which a candidate who is not enrolled in a party must file to participate in the Maine Clean Election Act from April 20th to June 1st for a candidate for the Legislature and from April 1st to June 1st for a candidate for Governor. The new deadline, June 1st, matches the deadline under current law for an unenrolled candidate for the Legislature or for Governor to file a nomination petition with the Secretary of State.

Committee Amendment "A" (H-53)

This amendment, which is the minority report of the committee, removes the change in the bill of the date on which a gubernatorial candidate who is not enrolled in a party must file to participate in the Maine Clean Election Act.

The amendment retains the portion of the bill that changes from April 1st to June 1st the date on which a state legislative candidate who is not enrolled in a party must file to participate in the Maine Clean Election Act.

This amendment was not adopted.

LD 929 **An Act Regarding the Use of Maine Clean Election Act Funds for Salaries** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J CARPENTER M	ONTP OTP-AM	

This bill provides that a person employed on a campaign by a certified candidate under the Maine Clean Election Act may not be paid a salary and consulting fees by the candidate or the candidate's committee in excess of the annual salary of the Governor.

Committee Amendment "A" (H-165)

This amendment, which is the minority report of the committee, provides that a person employed on a campaign by a certified candidate under the Maine Clean Election Act may not be paid a salary or consulting fees in excess of $70,000, the current annual salary of the Governor.

LD 999 **An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D		

This bill allows the use of a shared facility for retail sale of adult use marijuana and adult use marijuana products and sale of marijuana and marijuana products for medical use, as long as the adult use marijuana and adult use marijuana products are sold using a different cash register than that used for sales of marijuana and marijuana products for medical use.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1015 **An Act To Support Maine Craft Distillers** **PUBLIC 168 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L GIDEON S	OTP-AM	S-93

This bill exempts the holder of a small distillery license from bailment or other distribution fees if the product sold by that license holder, either for on-premises or off-premises consumption, was not transported to a warehouse operated by the State or a wholesaler contracted by the State.

Committee Amendment "A" (S-93)

This amendment strikes and replaces the bill and adds an emergency preamble and emergency clause. The amendment provides that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is required to set the price of spirits produced by a licensed Maine small distillery and retained by that small distillery for sale directly to customers at a discount of 22.75% off the list price. This discount rate is greater than the discount that an agency liquor store is given off of the list price when it purchases spirits produced by a small distillery because, unlike spirits purchased by an agency liquor store, the spirits retained by the small distillery are not transported to a warehouse operated by the bureau or by a wholesaler contracted by the bureau and then distributed by that wholesaler to another location.

Enacted Law Summary

Public Law 2019, chapter 168 provides that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is required to set the price of spirits produced by a licensed Maine small distillery and retained by that small distillery for sale directly to customers at a discount of 22.75% off the list price. This discount rate is greater than the discount that an agency liquor store is given off of the list price when it purchases spirits produced by a small distillery because, unlike spirits purchased by an agency liquor store, the spirits retained by the small distillery are not transported to a warehouse operated by the bureau or by a wholesaler contracted by the bureau and then distributed by that wholesaler to another location.

Public Law 2019, chapter 168 was enacted as an emergency measure effective May 30, 2019.

LD 1020 **An Act to Modify the Number of Retail Liquor Licenses Allowed in Certain Municipalities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M STROM S	ONTP	

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to license up to eight agency liquor stores in a municipality with a population of at least 16,001 but less than 30,001; current law requires a population of at least 20,001 before a municipality qualifies for eight agency liquor stores. The population threshold to qualify for five agency liquor stores remains at 10,001.

The committee considered this bill in concert with LD 1068 and LD 1078, each of which also proposed to change the number of agency liquor stores allowed in each municipality. Ultimately, LD 1078 was enacted as Public Law 2019, chapter 74.

LD 1026 **Resolve, Directing the Secretary of State To Examine Best Practices in Elections** **RESOLVE 48**

Sponsor(s)	Committee Report	Amendments Adopted
HUBBELL B BELLOWS S	OTP-AM ONTP	H-278

This bill requires the Secretary of State to:

1. Publish a guide to election procedures for public distribution and revise the guide annually to reflect current law, rules and procedures regarding elections;

2. Provide local election procedure and ballot reconciliation forms for local election officials to complete;

3. Develop an election complaint process;

4. Maintain automatic voter registration information and contract with a nonprofit corporation of member states to maintain the information;

5. Report to the Legislature on certain election issues within 12 months after a general election; and

6. Conduct a study of post-election audits and recounts.

Committee Amendment "A" (H-278)

This amendment, which is the majority report of the committee, replaces the bill with a resolve directing the Secretary of State to conduct a study of post-election ballot audits and recounts. By December 6, 2023, the Secretary of State is directed to submit a report based upon the study to the joint standing committee of the Legislature having jurisdiction over election matters. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 131st Legislature.

Enacted Law Summary

Resolve 2019, chapter 48 directs the Secretary of State to conduct a study of post-election ballot audits and recounts. By December 6, 2023, the Secretary of State is directed to submit a report based upon the study to the joint standing committee of the Legislature having jurisdiction over election matters. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 131st Legislature.

LD 1068 **An Act To Increase the Number of Agency Liquor Stores Permitted in Municipalities with 10,000 to 20,000 Residents** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE D SANBORN H	ONTP	

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to license up to six agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; current law allows such a municipality a maximum of five agency liquor stores.

The committee considered this bill in concert with LD 1020 and LD 1078, each of which also proposed to change the number of agency liquor stores allowed in each municipality. Ultimately, LD 1078 was enacted as Public Law 2019, chapter 74.

LD 1078 **An Act Regarding the Number of Agency Liquor Store Licenses Permitted in a Municipality** **PUBLIC 74**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN C LUCHINI L	OTP-AM	H-96

This bill allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to license up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10. Compare LD 1020 and LD 1068.

Committee Amendment "A" (H-96)

This amendment replaces the bill. The amendment restructures for clarity current law limiting the number of agency liquor stores. Substantively, the amendment allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to:

1. License up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10; and

2. License up to seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001 and six agency liquor stores in a municipality with a population over 10,000 but less than 15,001. Currently, five agency liquor stores are allowed in a municipality with a population over 10,000 but less than 20,001.

Enacted Law Summary

Public Law 2019, chapter 74 restructures for clarity current law limiting the number of agency liquor stores and allows the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to:

1. License up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10; and

2. License up to seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001 and six agency liquor stores in a municipality with a population over 10,000 but less than 15,001. Currently, five agency liquor stores are allowed in a municipality with a population over 10,000 but less than 20,001.

LD 1081 **An Act To Impose Further Restrictions on where Marijuana May Be Smoked** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CYRWAY S COSTAIN D		

This bill expands the restrictions on where marijuana may be smoked to include:

1. Areas in which tobacco smoking is prohibited;

2. Private residences or private property when a person under 18 years of age is present; and

3. Vehicles in which a person under 18 years of age is present.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1083 **An Act To Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM	S-313
WARREN C	ONTP	
	OTP-AM	

This bill provides that, whenever the state committee of a qualified political party certifies that there is a contest among candidates for nomination as the presidential candidate of the party and that the committee has voted to conduct a presidential primary election, the State shall hold a presidential primary election on a date in March of the presidential election year chosen by the Secretary of State in consultation with the parties. Only voters who are enrolled in the party may vote in that party's presidential primary election. The votes cast in the presidential primary for each party must be tabulated according to the ranked-choice method of tabulating votes. The selection of delegates to the national presidential nominating convention for each party and allocation of those delegates among primary candidates must be in accordance with any reasonable procedures established at the state party convention.

This bill also requires the ballots cast for presidential electors during the general election to be tabulated according to the ranked-choice method of tabulating votes.

Committee Amendment "A" (S-313)

This amendment, which is the majority report of the committee, strikes and replaces the bill. Under the amendment, general elections for presidential electors must be determined by ranked-choice voting. The amendment further provides that, if a law establishing a presidential primary election is enacted in the State, primary elections for the office of President of the United States must be determined by ranked-choice voting.

Committee Amendment "B" (S-314)

This amendment, which is one of two minority reports of the committee, strikes and replaces the bill. Under the amendment, general elections for presidential electors must be determined by ranked-choice voting if that method of conducting general elections for presidential electors is approved by the voters of the State at referendum.

This amendment was not adopted.

This bill was reported out of committee and passed to be enacted as amended by Commitee Amendment "A" (S-313) in the House. The bill was then tabled in the Senate and carred over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1144 **An Act To Authorize Tribal Gaming** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B		
CARPENTER M		

This bill increases by 1,500 the number of slot machines that may be registered in the State and authorizes the Department of Public Safety, Gambling Control Board to accept an application for a casino operator license from a joint tribal entity authorizing the joint tribal entity to operate table games and slot machines at one casino owned by the joint tribal entity. "Joint tribal entity" is defined as a legal entity formed for the purpose of operating slot machines and table games at one casino, the entire ownership of which is held equally, either jointly or in common, by the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians.

The bill provides the following in regard to the casino.

1. It specifies that, as a condition of a joint tribal entity's receiving a license, a casino must be located:

   A. On land that on January 1, 2019 was owned by the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs or the Houlton Band of Maliseet Indians or land held in trust by the United States or by any other person or entity for the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs or the Houlton Band of Maliseet Indians;

   B. On land located in the unorganized territory; or

   C. On land in a municipality and that municipality approves of the operation of the casino in that municipality, either by vote of its legislative body or in a referendum of the voters of the municipality.

2. It exempts a casino licensed to a joint tribal entity from the provision in current law that prohibits a new casino or slot machine facility from being located within 100 miles of an existing casino or slot machine facility. It provides that a casino licensed to a joint tribal entity may not be located within 50 miles of an existing facility.

3. It provides that a change in the composition of a joint tribal entity does not invalidate a casino license issued to the entity as long as the change occurs no sooner than six months after the license is issued and the entity still consists of at least two federally recognized Indian tribes in the State who own equal shares of the entity in its entirety.

4. It changes the provision in current law that states that distributions of net slot machine revenue from the casino located in Oxford County to the Penobscot Nation and the Passamaquoddy Tribe revert to the operator if one or both tribes operate or receive distributions from a newly licensed casino. It provides that the distribution of that slot machine revenue would instead be deposited into the General Fund if either the Penobscot Nation or the Passamaquoddy Tribe operated or received distributions from a newly licensed casino.

5. It establishes a distribution rate of 25% of net slot machine income and 16% of net table game income for a casino operator that is a joint tribal entity. The slot machine income is used to fund education for kindergarten to grade 12 and the table game income is deposited to the General Fund.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1154 **An Act To Increase the Betting Limit on Games of Chance at Fairs and Festivals and To Expand Allowed Operation** **PUBLIC 117 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
HANDY J LIBBY N	OTP-AM	H-162

This bill raises the betting limit for games of chance from $1 to $5. It also allows a bona fide nonprofit organization to operate a licensed card game or registered game of chance to which the general public has access for four consecutive days instead of four days and removes the current three-month waiting period between game operations.

Committee Amendment "A" (H-162)

This amendment provides that the maximum bet for a licensed card game in which bets are placed per hand or per deal is $5, inclusive of any raises made during the hand or deal. The amendment also provides that a bona fide nonprofit organization may operate a licensed card game or registered game of chance to which the general public has access for four consecutive days no more than four times in a calendar year. The amendment also adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2019, chapter 117 increases the maximum bet for a licensed game of chance from $1 to $5 and specifies that when the game of chance is a card game in which bets are placed per hand or per deal, the $5 bet limit includes any raises made during the hand or deal. It also provides that a bona fide nonprofit organization may operate a licensed card game or registered game of chance to which the general public has access for four consecutive days no more than four times in a calendar year, eliminating the current three-month waiting period between such game operations.

Public Law 2019, chapter 117 was enacted as an emergency measure effective May 16, 2019.

LD 1187 **An Act To Apply the Same Auditing Standards to All Legislative Candidates** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
RISEMAN W	OTP-AM	H-313
CHENETTE J	ONTP	

This bill directs the Commission on Governmental Ethics and Election Practices to conduct random audits of political action committees that are required to file campaign finance reports with the commission and candidates for state office, including candidates for Governor, State Senator, State Representative and presidential elector. The bill directs the commission to adopt rules to implement this requirement. The rules must direct the commission to audit an equal percentage of candidates for state office who are certified as Maine Clean Election Act candidates, candidates for state office who are not certified as Maine Clean Election Act candidates and political action committees. The rules must also establish standard auditing requirements to be applied to each candidate and political action committee.

Committee Amendment "A" (H-313)

This amendment, which is the majority report of the committee, strikes and replaces the bill and title. Under current practice, the Commission on Governmental Ethics and Election Practices uses funding from the Maine Clean Election Fund established in the Maine Revised Statutes, Title 21-A, section 1124 to contract with independent auditors to conduct random post-election audits of 20% of the legislative candidates who are certified as Maine Clean Election Act candidates. The amendment provides an ongoing General Fund appropriation to the Commission on Governmental Ethics and Election Practices to contract with independent auditors to conduct random post-election audits of 20% of legislative candidates who are not certified as Maine Clean Election Act candidates.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1196 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J FECTEAU R	ONTP	

This resolution proposes to amend the Constitution of Maine to require candidates for the political offices of Governor, State Senator and State Representative to be elected by a majority of the votes cast for that office. See also LD 1477.

LD 1213 **An Act To Repeal the Ranked-choice Voting Law** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
STETKIS J GUERIN S	ONTP OTP-AM	

This bill repeals the laws governing ranked-choice voting.

Committee Amendment "A" (H-232)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1226 **An Act To Make Criteria for State Veterans' Benefits Consistent within the Maine Revised Statutes** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BAILEY D CARPENTER M	ONTP	

This bill revises language in the Maine Revised Statutes regarding eligibility for veterans' benefits to make that language consistent throughout the statutes.

LD 1244 **An Act To Authorize the Gambling Control Board To Accept an Application from the Passamaquoddy Tribe To Operate 50 Slot Machines in the Tribe's High-stakes Beano Facility** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B MOORE M		

This bill authorizes the Department of Public Safety, Gambling Control Board to accept an application from the Passamaquoddy Tribe to operate 50 slot machines at a gambling facility in Washington County at which high-stakes beano is conducted by the Passamaquoddy Tribe. The bill raises the limit on the number of slot machines allowed in the State by 50 to accommodate the slot machines that may be operated by the Passamaquoddy Tribe. The bill

requires deposit of 25% of net slot machine income in the General Fund and sets the initial application fee to operate the 50 slot machines at $10,000 and the renewal fee at $5,000. The Passamaquoddy Tribe is exempted from paying a $250,000 nonrefundable privilege fee and a $5,000,000 license fee. Slot machines operated by the Passamaquoddy Tribe would be subject to the oversight of the Gambling Control Board and subject to the same laws and rules as other slot machines operated in this State.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1255 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Referenda To Receive 60 Percent of the Vote To Become Law** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
MORRIS J	ONTP OTP-AM	

This resolution proposes to amend Article IV, part 3, section 18 of the Constitution of Maine to require that a direct initiative of legislation or a competing measure receive at least 60% of the votes cast to become law.

Committee Amendment "A" (H-172)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1268 **An Act To Update and Clarify the Laws Governing Raffles** **PUBLIC 129**

Sponsor(s)	Committee Report	Amendments Adopted
CYRWAY S NADEAU C	OTP-AM	S-67

This bill amends the law governing raffles for certain nonprofit organizations in the following ways:

1. Increasing the amount of total value of all prizes for which the nonprofit organization is not required to register the raffle with the Gambling Control Unit from $2,500 to $10,000;

2. Allowing noncash raffle prizes, which have a maximum value of $75,000, to be exchanged for a cash prize of up to $20,000;

3. Removing the limitation allowing only one raffle with a noncash prize of up to $75,000 or a cash prize of up to $20,000 in a 12-month period; and

4. Clarifying that the nonprofit organization may conduct more than one raffle at a time.

Committee Amendment "A" (S-67)

This amendment clarifies that certain nonprofit organizations, which may register with the Department of Public Safety, Gambling Control Unit to conduct raffles with noncash prizes that do not exceed $75,000 in value or raffles with cash prizes that do not exceed $20,000 in value, may conduct only one of these registered noncash prize raffles and one of these registered cash prize raffles at the same time. The amendment eliminates the portion of the bill that allows nonprofit organizations to exchange the prizes awarded in a noncash prize raffle for cash prizes.

The amendment also makes technical changes to the laws governing games of chance that clarify the authority of the Gambling Control Unit to issue registrations to organizations that conduct raffles, including raffles with noncash prizes of a value greater than $2,500, and that clarify the weekly, monthly and annual registration fees for all games of chance, including raffles.

Enacted Law Summary

Public Law 2019, chapter 129 amends the law governing raffles for certain nonprofit organizations in the following ways:

1. Increasing the amount of total value of all prizes for which the nonprofit organization is not required to register the raffle with the Gambling Control Unit from $2,500 to $10,000;

2. Removing the limitation allowing only one raffle with a noncash prize of up to $75,000 or a cash prize of up to $20,000 in a 12-month period; and

3. Clarifying that the nonprofit organization may conduct more than one raffle at the same time, as long as the organization does not conduct more than one raffle with a noncash prize of greater than $10,000 but less than $75,000 at the same time or more than one raffle with a cash prize of greater than $10,000 but less than $20,000 at the same time.

Public Law 2019, chapter 129 also makes technical changes to the laws governing games of chance that clarify the authority of the Gambling Control Unit to issue registrations to organizations that conduct raffles, including raffles with noncash prizes of a value greater than $2,500, and that clarify the weekly, monthly and annual registration fees for all games of chance, including raffles.

LD 1332 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require State and Congressional Elections To Be Decided by a Plurality of Votes Cast** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
JOHANSEN C	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to provide that a primary election for State Representative, State Senator or Governor must be decided by a plurality of votes cast. It also provides that a primary, general or special election for United States Representative or United States Senator must be decided by a plurality of votes cast.

Committee Amendment "A" (H-233)

This amendment, which is the minority report of the committee, provides that a primary election for President of the United States and a general election for presidential elector must be decided by a plurality of votes cast.

This amendment was not adopted.

LD 1348 **An Act To Authorize Sports Wagering** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
EVANGELOS J DOW D	ONTP	

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to conduct sports wagering, including online sports wagering, to persons or federally recognized Indian tribes licensed to operate casinos, commercial tracks or off-track betting facilities. The board may issue licenses to operate only online sports wagering to federally recognized Indian tribes that are not licensed to operate casinos, commercial tracks or off-track betting facilities.

Under the bill, "sports wagering" is defined as any device or system established for the acceptance of wagers on a sports event by any system or method of wagering. Sports wagering operators may accept wagers on all professional or amateur sports events except high school sports events, other events in which a majority of the participants are minors and competitive video game events. Sports wagering operators may not accept wagers from persons whose identity they cannot verify; persons under 21 years of age; the director, officers and employees of the sports wagering operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who are on a list of prohibited persons established by the board, including persons who voluntarily request to be prohibited from making sports wagers; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the conduct of sports wagering, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, regulating the design and minimum security standards for in-person sports wagering lounges located within casino, commercial track or off-track betting facilities and establishing record keeping, reporting and auditing requirements. The bill also requires the board to adopt rules further regulating the conduct of online sports wagering, including rules regulating the servers and other equipment used to conduct sports wagering online, establishing methods for verifying the identity and age of persons placing wagers online and prohibiting the acceptance of wagers from outside the State as required by federal law.

The bill further requires that 1% of net sports wagering income be used for administrative expenses of the board and 24% of net sports wagering income be credited by the Treasurer of State to the Department of Education for essential programs and services for kindergarten to grade 12.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to sports wagering operators that comply with the laws governing sports wagering.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1357 **An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
FECTEAU R	ONTP OTP-AM	

This bill repeals the law that establishes a limit on the number of agency stores allowed in a municipality based upon the population of the municipality and replaces it with a provision authorizing municipalities to determine the number of agency liquor stores that may be licensed within the municipality, with existing agency liquor store licenses grandfathered if the municipality authorizes a number of agency liquor stores less than the number of operating liquor stores previously licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or if the municipality does not make a determination.

This bill also requires the bureau to consider, when evaluating an application for an agency liquor store license, whether the applicant is a business licensed in the municipality in which the agency liquor store will be located, has been in existence for at least the three years immediately prior to application, and has been in good standing with every agency of the State for the three years immediately prior to application.

Committee Amendment "A" (H-201)

This amendment, which is the minority report of the committee, clarifies that when the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations gives public notice that any agency liquor store may be established in a particular municipality or unincorporated place, the bureau has discretion to not issue a license if, for example, the bureau determines that no applicant meets the criteria for licensure.

This amendment was not adopted.

LD 1365 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Election of the Governor by Majority Vote** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BABBIDGE C SANBORN L	ONTP	

This resolution proposes to amend the Constitution of Maine to require that the Governor be elected by majority vote.

LD 1372 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Voting Rights Belong Only to Citizens in Municipal or Other Local Elections** **Died Between Houses**

Sponsor(s)	Committee Report	Amendments Adopted
WADSWORTH N	ONTP OTP-AM	

This resolution proposes to amend Article II, section 1 of the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a municipal or other local election. Compare LD 186.

Committee Amendment "A" (H-530)

This amendment, which is the minority report of the committee, incorporates a fiscal note. This amendment was adopted in the Senate but not in the House.

LD 1432 **An Act To Improve the Adult Use Marijuana Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PIERCE T		

This bill amends the adult use marijuana law in several ways. First, it repeals all residency requirements regarding licensure and operations as of June 1, 2021. Second, the bill clarifies that, during the first two years after the first active cultivation facility license is issued, a dispensary or caregiver may transfer both harvested marijuana and marijuana products to an adult use marijuana establishment controlled by that dispensary or caregiver during the

first year of that marijuana establishment's operation. Third, this bill allows a marijuana store licensee that is also a registered caregiver or a registered dispensary to sell or offer for sale both adult use marijuana and adult use marijuana products within the same facility or building in which the licensee also sells or offers for sale marijuana or marijuana products to qualifying patients.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1437 **RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities** **CON RES 1**

Sponsor(s)	Committee Report	Amendments Adopted
WHITE B LUCHINI L	OTP-AM	H-163 H-344 WHITE B

This resolution, which was submitted by the Secretary of State pursuant to Joint Rule 204, proposes to amend Article IV, part 3, section 20 of the Constitution of Maine to grant the Legislature authority, by proper enactment, to authorize persons with disabilities to use alternative signatures when signing petitions for people's vetoes or direct initiatives of legislation.

Committee Amendment "A" (H-163)

This amendment incorporates a fiscal note.

House Amendment "A" (H-344)

This amendment revises the language in the resolution that allows alternative signatures for persons with disabilities who sign a petition for a people's veto and for a direct initiative to clarify that the alternative signatures are authorized for use by persons with physical disabilities that prevent them from signing their own names.

Enacted Law Summary

Constitutional Resolution 2019, chapter 1 proposes to amend Article IV, part 3, section 20 of the Constitution of Maine to grant the Legislature authority, by proper enactment, to authorize persons with physical disabilities that prevent them from signing their own names to use alternative signatures when signing petitions for people's vetoes or direct initiatives of legislation.

LD 1438 **An Act To Clarify the Intent of Referendum Questions for Voters** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P HANINGTON S	ONTP	

This bill requires the Secretary of State, with the assistance of the Attorney General and the Revisor of Statutes, to prepare a summary of each referendum question that explains the referendum question to the voter and to place this summary on the ballot after the corresponding referendum question. This summary may not exceed 250 words, except that additional words may be used if the Secretary of State considers it necessary and space on the ballot permits.

LD 1444 **An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MADIGAN C CHIPMAN B		

This bill changes the distance requirements under the adult use marijuana provisions from 1,000 feet to 300 feet for a marijuana establishment to a preexisting public or private school and the method by which the distance is measured to make the adult use marijuana distance requirements consistent with liquor law requirements.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1447 **An Act To Simplify Voting in Maine by Placing a Moratorium on Ranked-choice Voting** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
WHITE D FARRIN B	ONTP OTP-AM	

This bill suspends the use of ranked-choice voting until elections held after December 1, 2023. The bill provides that the laws governing ranked-choice voting are repealed December 1, 2023 unless the Constitution of Maine is amended to authorize the Legislature to determine the method by which the Governor and members of the Legislature are elected.

Committee Amendment "A" (H-234)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1454 **An Act Concerning Elections in Maine Congressional Districts** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
BRADSTREET D DOW D	ONTP OTP-AM	

This bill provides that the voters of a congressional district must determine by referendum vote the method used in that congressional district to elect their Representative to Congress. The voters of a congressional district may choose to elect their Representative to Congress by plurality voting or by ranked-choice voting. The bill requires that such a referendum be held in each congressional district on a date established by the Secretary of State, but not later than 180 days after the effective date of the legislation.

Committee Amendment "A" (H-235)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 1456 **An Act To Amend the Laws Governing Raffles** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P	ONTP	

This bill repeals the current law governing raffles and enacts new law based on the former Maine Revised Statutes, Title 17, section 1837, which was enacted by Public Law 2009, chapter 487, Part A, section 2 and took effect on July 12, 2010.

LD 1463 **An Act To Create an Automatic Voter Registration System** **PUBLIC 409**

Sponsor(s)	Committee Report	Amendments Adopted
GIDEON S	OTP-AM	H-458
LUCHINI L	ONTP	

This bill establishes, beginning January 1, 2022, a method of automatically registering eligible individuals to vote. The Department of the Secretary of State, Bureau of Motor Vehicles, when receiving any documentation from an individual doing business with the bureau, including applying for or renewing a driver's license or nondriver identification card, is required to scan and electronically store the documentation provided by the individual. If the documentation provides proof of eligibility to vote, including citizenship, age and residency, that individual is added to the central voter registration system and relevant information is transmitted to election officials unless the individual, at the time of the collection of the documentation, chooses not to be registered to vote, which the Secretary of State is required to ensure that an individual is given the opportunity to do. An application or document used to collect information that may be used to register an individual must contain a notice that the individual's information may be used to register that individual to vote, meaning that the information would be available by persons other than the State or election officials. An election official must provide the same notice to an individual upon receipt of the registration record from the Bureau of Motor Vehicles and also must inform the individual of the ability to choose not to be registered to vote and to pick a party affiliation. If the individual fails to respond within 21 days, the individual is considered a registered voter if that individual meets the qualifications to be registered as a voter.

The Secretary of State and the Governor are allowed to designate other state agencies and departments and public and private entities, such as colleges and municipal clerk offices, as so-called source agencies that are allowed to submit registration information to the bureau for inclusion in the central voter registration system, but only if those agencies, as part of their normal course of business, collect information that provides proof of eligibility to vote, including an entity that, as of January 1, 2022, is designated under the National Voter Registration Act of 1993 as a voter registration agency that collects information that provides proof of voter eligibility. A source agency is required to comply with the same restrictions regarding sharing and use of documentation as the bureau.

Information from a source agency may also be used to update an individual's voter registration.

This bill exempts from liability an individual who is not qualified to be a registered voter but who becomes a registered voter by operation of the automatic registration, as long as that individual has not knowingly or willfully provided false information.

This bill also requires the Secretary of State to adopt major substantive rules to implement the new automatic voter registration system and submit those rules, along with any proposed legislation necessary for the proper

implementation of the new system, to the Second Regular Session of the 129th Legislature.

Finally, this bill lowers the age at which a person may submit a conditional registration to vote and enrollment in a political party from 17 years of age to 16 years of age.

Committee Amendment "A" (H-458)

This amendment, which is the majority report of the committee, makes the following changes to the automatic voter registration system established in the bill.

1. It clarifies the process for automatic voter registration. When an individual doing business with a source agency provides information demonstrating the individual's eligibility to vote, the individual must be notified that the individual's information will be used to register that individual to vote unless the individual declines to be registered. If the individual does not opt out, the source agency must create a pending voter registration record and transmit that record to the applicable registrar of voters, who shall determine whether the individual is eligible to vote. If the individual is eligible to vote, the registrar must enter the individual's information in the central voter registration system or, if the individual is already registered to vote, the registrar must update the central voter registration system with the individual's change of name or address, if any.

2. As in the bill, the Department of the Secretary of State, Bureau of Motor Vehicles is automatically designated a "source agency" through which automatic voter registration takes place. Unlike the bill, the amendment grants authority to designate other source agencies only to the Secretary of State. The Secretary of State may designate as a source agency a state entity or department or another entity designated by Section 7 of the National Voter Registration Act of 1993, as long as the Secretary of State verifies that the department, agency or entity collects documents that provide proof of voter eligibility as part of its normal course of business.

3. It eliminates the provisions of the bill establishing specific privacy and security measures and specific restrictions against the misuse of voter registration information, allowing the Secretary of State to adopt rules related to these topics.

4. It changes the rules that the Secretary of State may adopt to implement the automatic voter registration system from major substantive rules to routine technical rules.

5. It changes to January 1, 2020 the effective date of the provision of the bill that lowers the age at which a person may submit a conditional registration to vote and enroll in a political party.

6. As in the bill, automatic voter registration is effective January 1, 2022. Unlike the bill, the amendment directs the Secretary of State to submit, by January 1, 2020, a report to the Joint Standing Committee on Veterans and Legal Affairs on the progress made toward implementing automatic voter registration and the estimated time required to complete all activities necessary for implementation. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature based on the report.

7. It adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 409 establishes, beginning January 1, 2022, a method of automatically registering eligible individuals to vote. When an individual doing business with a source agency provides information demonstrating the individual's eligibility to vote, the individual must be notified that the individual's information will be used to register that individual to vote unless the individual declines to be registered. If the individual does not affirmatively opt out, the source agency must create a pending voter registration record and transmit that record to the applicable registrar of voters, who shall determine whether the individual is eligible to vote. If the individual is eligible to vote, the registrar must enter the individual's information in the central voter registration system or, if the individual is already registered to vote, the registrar must update the central voter registration system with the

individual's change of name or address, if any. An individual who is not qualified to be a registered voter but who becomes a registered voter by operation of the automatic registration is exempted from liability as long as that individual has not knowingly or willfully provided false information.

The Department of the Secretary of State, Bureau of Motor Vehicles is automatically designated a "source agency" through which automatic voter registration takes place. The Secretary of State may designate another state agency or department or another entity designated by Section 7 of the National Voter Registration Act of 1993 as a source agency, as long as the Secretary of State verifies that the department, agency or entity collects documents that provide proof of voter eligibility as part of its normal course of business.

Public Law 2019, chapter 409 also requires the Secretary of State to audit the central voter registration system for quality of data prior to implementation of automatic voter registration and periodically thereafter and to adopt routine technical rules to implement the new automatic voter registration system. The Secretary of State is further required to submit, by January 1, 2020, a report to the Joint Standing Committee on Veterans and Legal Affairs on the progress made toward implementing automatic voter registration and the estimated time required to complete all activities necessary for implementation. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature based on the report.

Finally, effective January 1, 2020, Public Law 2019, chapter 409 lowers from 17 years of age to 16 years of age the age at which a person may submit a conditional registration to vote and to enroll in a political party.

LD 1477 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Use of Ranked-choice Voting for Governor and Members of the Legislature** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER J	OTP-AM	H-236
MIRAMANT D	ONTP	

This resolution proposes to amend the Constitution of Maine to allow the Legislature, or the people by using the direct initiative, to determine whether a general election for the Governor, a State Senator or a State Representative should be decided by a plurality or a majority of the votes.

Committee Amendment "A" (H-236)

This amendment, which is the majority report of the committee, allows the Legislature, or the people using the direct initiative, to establish the method for determining the winners of general elections for Governor, State Senators and State Representatives. The amendment also clarifies that, after local officials form records of the votes received in a general election for Representatives, Senators and Governor, the ballots may be forwarded to the Secretary of State at the direction of the Secretary of State, rather than to the Governor as in the resolution.

This resolution was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1493 **An Act To Exempt Cribbage and Other Card Games from Licensing and Regulation When Conducted by Certain Organizations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN H	ONTP	

This bill amends the laws regarding games of chance conducted and regulated pursuant to the Maine Revised Statutes, Title 17, chapter 62, including the following.

1. It provides a definition of "bona fide charitable organization" to include entities such as fire departments and political, recreational and patriotic organizations, as long as those entities have tax-exempt status under the United States Internal Revenue Code of 1986, are licensed as charitable organizations under the Charitable Solicitations Act and are corporations in good standing with the Secretary of State.

2. It provides a definition of "game of chance and skill" for the purpose of distinguishing a game that requires the skillful exercise of judgment to influence the outcome of a game from a game of chance, which is a game in which chance influences the outcome in a manner that cannot be eliminated through the application of skill.

3. It provides that a game of chance and skill that is conducted by a bona fide charitable organization is exempt from licensing and other regulation.

4. It provides that a game of chance and skill that is conducted by a person that is not a bona fide charitable organization is treated in the same manner, for purposes of regulation and licensing, as a game of chance.

5. It removes the cap on the maximum number of players allowed in tournament games and requires prizes to be paid by check.

6. It removes the specific regulation of cribbage tournaments and the exceptions for cribbage tournaments, since they will either not be regulated if conducted by a bona fide charitable organization or will be subject to the same regulation as other tournament games if conducted by an organization that is not a bona fide charitable organization.

7. It removes the requirement that the Department of Public Safety, Gambling Control Unit adopt rules that regulate undesirable activities and conduct of organizations established primarily to operate games but that do not have a bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or public safety purpose.

LD 1495 **Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes** **RESOLVE 15**

Sponsor(s)	Committee Report	Amendments Adopted

This resolve, which was reported out by the Joint Standing Committee on Veterans and Legal Affairs pursuant to Joint Order 2019, Senate Paper 381, does the following.

1. It repeals Resolve 2017, chapter 18, which directed legislative staff to prepare a recodification and revision of the Maine Revised Statutes, Title 28-A and to submit it to the Joint Standing Committee on Veterans and Legal Affairs no later than January 15, 2019.

2. It directs the Office of Policy and Legal Analysis to prepare an analysis regarding inconsistencies, duplications and ambiguities contained within the text of Title 28-A and, on or before January 1, 2020, to submit that analysis to the Joint Standing Committee on Veterans and Legal Affairs.

3. It authorizes the Joint Standing Committee on Veterans and Legal Affairs to report out legislation to the Second Regular Session of the 129th Legislature proposing revisions to Title 28-A in response to the analysis submitted by the Office of Policy and Legal Analysis.

Enacted Law Summary

Resolve 2019, chapter 15 repeals Resolve 2017, chapter 18, which directed legislative staff to prepare a recodification and revision of the Maine Revised Statutes, Title 28-A and to submit that recodification and revision to the Joint Standing Committee on Veterans and Legal Affairs no later than January 15, 2019.

Resolve 2019 chapter 15 instead directs the Office of Policy and Legal Analysis to prepare an analysis regarding inconsistencies, duplications and ambiguities contained within the text of Title 28-A and submit that analysis to the Joint Standing Committee on Veterans and Legal Affairs on or before January 1, 2020. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature proposing revisions to Title 28-A in response to the analysis submitted by the Office of Policy and Legal Analysis.

LD 1515 **An Act To Allow Sports Wagering in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WHITE D FARRIN B	ONTP	

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to operate sports pools to commercial tracks and off-track betting facilities in the State. Under the bill, wagers on sports events must be made in person at a sports wagering lounge and may not be transmitted over the Internet from a remote location.

Sports pool operators may accept wagers on all professional or amateur sports events except high school sports events and other events in which a majority of the participants are minors. Sports pool operators may not accept wagers from persons whose identity they cannot verify; persons under 18 years of age; the director, officers and employees of the sports pool operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons including persons who own more than 50% of the legal or beneficial interest in any team if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who are on a list of persons who are to be excluded or removed from a sports wagering lounge established by the board, including persons who voluntarily request to be excluded; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the operation of sports pools, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, regulating the design and minimum security standards for in-person sports wagering lounges located within a commercial track or off-track betting facility and establishing record-keeping, reporting and auditing requirements.

The bill further requires that 18% of net sports pool income be transferred to the board for distribution as follows: 1% for administrative expenses of the board; 2% for primary and secondary school education in the State; 2% for the Maine Community College System's scholarships program; 2% to the Agricultural Fair Support Fund; 2% to the fund used to supplement harness racing purses; 2% to the Fund to Encourage Racing at Maine's Commercial Tracks; 2% to the Fund to Stabilize Off-track Betting Facilities; and 5% to be divided equally among the tribal governments of the federally recognized Indian tribes in the State.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to sports pool operators that comply with the laws governing sports pools.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1545 **An Act Regarding the Testing of Adult Use Marijuana and Marijuana Products** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MIRAMANT D HICKMAN C		

This bill amends the provisions regarding the testing of adult use marijuana and adult use marijuana products by:

1. Requiring that any testing conform to any applicable state or federal process, protocol or standard for the testing of tobacco; and

2. Providing that if a testing facility does not test adult use marijuana or an adult use marijuana product within five days of receiving the marijuana or marijuana product from a licensee, the licensee may sell or distribute the marijuana or marijuana product if the marijuana or marijuana product is labeled "Untested." If upon testing a testing facility determines that the marijuana or marijuana product exceeds the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required, the testing facility is required to immediately notify the Department of Administrative and Financial Services and the licensee. The licensee is required to recover, document, quarantine and hold the marijuana or marijuana product for either remediation and retesting or destruction by the department.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1565 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Protect Voter-approved Measures** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE J	ONTP	

This resolution proposes amending the Constitution of Maine as follows:

1. To allow the Legislature to establish a process for the review of a direct initiative before petition forms are furnished or approved by the Secretary of State; and

2. To allow the Legislature to change a direct initiative after it is approved by the voters at referendum if the change clarifies or further advances the original intent of the direct initiative. Any change made by the Legisalture less than a year after the effective date of the initiative that frustrates the effectuation or implementation of the direct initiative does not go into effect until submitted to the voters at referendum and approved by a majority of those voting on the question.

LD 1570 **An Act To Allow Residents To Register Online To Vote** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP	

This bill allows online applications for voter registration by eligible residents of the State through the Secretary of

State's publicly accessible website.

LD 1571 **An Act To Establish the Exclusive Right of the Federally Recognized Indian Tribes in the State To Conduct All Sports Betting in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B JACKSON T	ONTP	

This bill authorizes the Department of Public Safety, Gambling Control Board to issue licenses to federally recognized Indian tribes to operate online sports pools. A tribe that is licensed by the board may enter into a written contract, approved by the board, with a licensed online sports pool vendor to operate the online sports pool on behalf of the tribe. Under the bill, an online sports pool is described as a device or system established for the acceptance of wagers on a sports event by any system or method of wagering in which the wagers are made via electronic device and transmitted by any means that involves the use, at least in part, of the Internet.

Online sports pool operators may accept wagers on all professional or amateur sports events except high school sports events or other events in which a majority of the participants are minors. Online sports pool operators may not accept wagers from persons whose identity they cannot verify; persons under 21 years of age; the director, officers and employees of the online sports pool operator and relatives living in the same household as those persons; athletes, coaches, referees and umpires participating in the sports event; other interested persons if the sports event upon which the wager is placed is overseen by the person's league or sports governing body; persons with confidential information that could affect the outcome of the sports event; persons who voluntarily request to be prohibited from making online sports wagers; and persons who make wagers on behalf of another person.

The bill requires the board to adopt rules regulating the operation of online sports pools, including rules restricting the types of wagers permitted, establishing the maximum wagers that may be accepted from any one person on a single sports event, imposing requirements for servers and other equipment used to operate the online sports pool, establishing methods for verifying the identity and age of persons placing wagers online and prohibiting the acceptance of wagers from outside the State as required by federal law.

The bill further requires that 1% of net online sports pool income be used for administrative expenses of the board and that 10% of net online sports pool income be distributed to the Treasurer of State to be credited to the Department of Education for essential programs and services for kindergarten to grade 12.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to online sports pool operators that comply with the laws governing online sports pools.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1583 **An Act To Enact the Maine Citizens' Initiatives Clean Election Act** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
COREY P CHENETTE J	ONTP OTP-AM	

This bill establishes the Maine Citizens' Initiatives Clean Election Act. It provides a public financing mechanism for committees that are Maine-chartered nonprofits or groups whose principal officers are Maine citizens and are formed to support or oppose a direct initiative of legislation or a people's veto or to support a competing measure to

a direct initiative of legislation. The funding process is similar to that provided for clean election candidates under the Maine Revised Statutes, Title 21-A, chapter 14. It provides for limits on the amount of funds that committees seeking public funding may raise and spend prior to qualifying for public funding and the amount of qualifying contributions that a committee must raise to be certified to receive public funding, and it establishes the amounts that certified committees may receive. It also establishes procedures governing financial reporting and accounting, appeals of decisions, penalties for violations and other procedural matters to ensure the integrity of the process. In addition to other available funds, including qualifying contributions raised by committees and voluntary contributions through a tax checkoff program, funding for certified committees is provided by an annual appropriation of $3,000,000.

Committee Amendment "A" (H-318)

This amendment, which is the minority report of the committee, makes technical changes to the Maine Citizens' Initiatives Clean Election Act established in the bill. The amendment clarifies that a ballot question committee that wishes to participate in the Act and that supports a direct initiative or people's veto may, in addition to collecting seed money contributions, collect a limited amount of contributions and make a limited amount of expenditures specifically for the purposes of gathering signatures on the ballot question petition. The amendment clarifies that a ballot question committee that wishes to participate in the Act may be involved in collecting signatures for only one ballot question at a time and may not expend any revenues distributed from the Maine Citizens' Initiatives Clean Election Fund on signature-gathering activities.

The amendment further provides that the qualifying period, during which ballot question committees may collect qualifying contributions for certification under the Act, commences for all committees on the date that an application to initiate proceedings for a direct initiative or people's veto is filed with the Secretary of State under the Maine Revised Statutes, Title 21-A, section 901.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1619 **An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption** **PUBLIC 167 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L	OTP-AM	S-92

This bill gives a municipality the option of conditioning its approval of a particular Class X liquor license issued to a Class A lounge on the exclusion of a type of liquor from sale by the licensee.

Committee Amendment "A" (S-92)

This amendment clarifies that a municipality may impose a condition limiting the types of liquor that may be sold for consumption on the premises of a particular Class X licensee when the municipality considers an application for a new or a renewed Class X license under the process established in the Maine Revised Statutes, Title 28-A, section 653.

Enacted Law Summary

Public Law 2019, chapter 167 authorizes a municipality to impose a condition limiting the types of liquor that may be sold for consumption on the premises of a particular Class A lounge when the municipality considers the lounge's application for a new or a renewed Class X license under the process established in the Maine Revised Statutes, Title 28-A, section 653.

Public Law 2019, chapter 167 was enacted as an emergency measure effective May 30, 2019.

LD 1621 **An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T HANDY J		

This bill amends the Marijuana Legalization Act to allow delivery of adult use marijuana and adult use marijuana products by a marijuana store if the municipality or town, plantation or township in which the marijuana store is located authorizes the operation of delivery services and the marijuana store receives approval to operate the delivery service from the Department of Administrative and Financial Services. A marijuana store is allowed to maintain a separate storage facility approved by the department in which to store product or from which to conduct delivery service operations and which may be located in the same municipality as the retail facility of the marijuana store or another municipality subject to the approval of the other municipality. Delivery services are subject to the same testing, tracking, labeling and packaging requirements as retail sales of adult use marijuana and marijuana products, delivery service drivers are subject to the same requirements as the employees of a marijuana store, delivery recipients are subject to the same customer restrictions regarding age and state of intoxication as marijuana store customers and delivery service vehicles are subject to the same inspection requirements as the marijuana store's licensed premises and may not have an occupant under 21 years of age during the course of a delivery.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1626 **An Act To Implement a Presidential Primary System in Maine** **PUBLIC 445**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L HICKMAN C	OTP-AM ONTP OTP-AM	S-186

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination.

Committee Amendment "A" (S-186)

This amendment, which is the majority report of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, by December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election. The amendment also corrects cross-references in the bill.

Committee Amendment "B" (S-187)

This amendment, which is one of two minority reports of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, an unenrolled voter may choose to vote in one party's presidential primary election. The amendment also corrects cross-references in the bill. This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 445 implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination. By December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election.

LD 1631 **RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting, Voting by Absentee Ballot and Voting by Mail** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SCHNECK J MIRAMANT D	ONTP	

This resolution, which was submitted by the Secretary of State pursuant to Joint Rule 204, proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow early voting to occur in the same manner as on election day during a period immediately preceding an election. It also allows for voting by absentee ballot by citizens for reasons deemed sufficient without requiring in the Constitution of Maine that the citizens be absent or physically incapacitated. Additionally, this resolution allows the Legislature to authorize a process of voting by mail for all citizens of the State as an alternative to voting by absentee ballot. Compare LD 619.

LD 1633 **An Act To Legalize Keno and Historical Instant Racing** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINGS B DIAMOND B	ONTP OTP-AM	

This bill establishes a framework for the regulation of historical instant racing and keno. The bill creates a single license for the operation of historical instant racing and keno. Casinos, commercial tracks, off-track betting facilities and high-stakes beano facilities are each eligible to apply for the license, issued by the Gambling Control Board.

The bill directs the board to adopt rules governing the conduct of historical instant racing and keno, including rules related to the prevention of fraud or deception, authorized wager amounts, the maximum percentage of all wagers that may be retained by the licensee and methods for verifying that a person who makes a historical instant racing wager or who plays keno is at least 21 years of age. The bill further requires that 1% of the net income from historical instant racing and keno be used for administrative expenses of the board and that 10% of the net revenue be distributed to the Treasurer of the State to be credited to the Department of Education for essential programs and services for kindergarten to grade 12.

Committee Amendment "A" (H-535)

This amendment is the minority report of the committee. Unlike the bill, which directs that 10% of the net income from historical instant racing and keno be remitted to the State and credited to the Department of Education for essential programs and services for kindergarten to grade 12, the amendment directs that this 10% of the net income from historical instant racing and keno be deposited to the General Fund.

This amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1642 **An Act Regarding the Regulation of Sports Wagering** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT M	ONTP	

This bill authorizes sports wagering regulated by the Department of Public Safety, Gambling Control Unit. The bill requires a person or entity offering sports wagering to hold an operator license. A gaming entity that offers sports wagering through mobile applications or digital platforms in any jurisdiction in the United States pursuant to a state regulatory structure and that meets certain requirements is eligible to receive an operator license. An operator license authorizes the operation of sports wagering through a mobile application or digital platform approved by the Gambling Control Unit. For the privilege of holding a license to operate sports wagering, the bill levies a tax of 10% of the licensee's adjusted gross sports wagering receipts from the operation of sports wagering. The bill allows the director of the Gambling Control Unit to enter into a sports wagering agreement between the director and one or more other governments whereby persons who are physically located in a signatory jurisdiction may participate in sports wagering conducted by one or more operators licensed by the signatory governments. The bill also allows a fantasy contest operator to offer a fantasy contest based on the performances of participants in collegiate athletic events.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1656 **An Act To Provide for the Regulation of Sports Wagering** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T COLLINGS B	ONTP	

This bill authorizes sports wagering regulated by the Department of Public Safety, Gambling Control Unit. The bill requires a person or entity involved in sports wagering to hold a facility license, supplier license, management services license, mobile sports wagering license or occupational license. To be eligible to receive a facility license, a person or entity must also hold a license, or in the case of a beano operator, hold a license or be registered, as a commercial track, off-track betting facility, slot machine facility, casino or beano operator. A mobile sports wagering license authorizes the operation of sports wagering through a mobile application or digital platform approved by the Gambling Control Unit. For the privilege of holding a mobile sports wagering license or a facility license to operate sports wagering, the bill levies a tax of 10% of the licensee's adjusted gross sports wagering receipts from the operation of sports wagering. The bill allows a fantasy contest operator to offer a fantasy contest based on the performances of participants in collegiate athletic events.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1657 **An Act To Regulate Sports Wagering** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

This bill authorizes the Department of Public Safety, Gambling Control Board to regulate, supervise and exercise general control over sports wagering in the State. The bill authorizes the board to issue licenses to casinos, commercial tracks, off-track betting facilities and high-stakes beano facilities to conduct sports wagering. A licensee may either directly operate a sports wagering business or enter a written contract, approved by the board, with a licensed management services provider to conduct sports wagering on its behalf.

The bill directs the board to adopt rules governing the conduct of sports wagering, including rules defining permitted systems and methods of wagering on sports events, the adoption and posting of comprehensive house rules in every facility where sports wagers are accepted and on every electronic platform through which sports wagers are made, minimum design and security requirements for sports wagering facilities and electronic platforms and minimum internal control standards for the financial aspects of sports wagering operations.

The bill prohibits sports wagering operators, including management services providers, from accepting wagers on high school and minor league sports events as well as collegiate sports events in which any Maine college team participates. The bill also prohibits sports wagering operators from accepting wagers on a sports event from a person under 21 years of age, an athlete or official who participates in the sports event, an employee or owner of a team that is participating in the sports event, an employee of the sports wagering operator, the board or the Gambling Control Unit within the Department of Public Safety and a person who is on a list established by the board of persons prohibited from placing wagers on sports events.

The bill requires distribution of 5% of net sports wagering revenue to the General Fund. An additional 5% of net sports wagering revenue must be collected and distributed to support licensed commercial tracks, licensed off-track betting facilities, the Sire Stakes Fund, the Agricultural Fair Support Fund and the fund to supplement harness racing purses.

Finally, the bill provides that the laws governing unlawful gambling and games of chance do not apply to sports wagering operations that comply with the laws governing sports wagering.

Selected portions of this bill were incorporated in the committee amendments to LD 553.

LD 1663 **An Act To Clarify Ranked-choice Voting Laws** **PUBLIC 320**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L SCHNECK J	OTP-AM ONTP	S-194

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, makes the following changes to the laws governing ranked-choice voting.

1. It clarifies that "elections determined by ranked-choice voting" only occur when there are three or more candidates for an office.

2. It requires that ranked-choice contests be grouped together on the ballot and separated from non-ranked-choice contests either on one side of a ballot or on a separate ballot and requires that the ballot contain separate voting instructions above the first ranked-choice contest, the first non-ranked-choice contest and the first referendum question.

3. It provides that a voter may only include a write-in candidate on the ballot for a ranked-choice contest if that candidate is a declared write-in candidate.

4. It allows the Secretary of State to create a separate voter instruction poster for ranked-choice voting.

5. It provides that municipalities count, report to the Secretary of State and post as the unofficial election results only the first choice votes cast for elections determined by ranked-choice voting.

6. It excepts elections determined by ranked-choice voting from the general rule that the person who receives a plurality of the votes cast is the winner of a primary election.

7. It substitutes the word "count" for the word "tabulate" in the laws governing the process for determining the winner of an election determined by ranked choice voting.

8. It clarifies that, unless the Constitution of Maine establishes the process for resolving a tie vote, ties in elections determined by ranked-choice voting are resolved by lot in primary elections and by a special election ordered by the Governor in general or special elections.

9. It authorizes the Secretary of State to limit to as low as five the number of rankings allowed on the ballot in a ranked-choice voting contest from.

10. It limits the candidates who can request a recount of a ranked-choice voting contest to those candidates receiving the top three rankings in the penultimate round of ranked-choice counting.

Committee Amendment "A" (S-194)

This amendment, which is the majority report of the committee, makes several technical changes to the bill and clarifies that the Secretary of State has discretion to determine whether ranked-choice contests should appear on the same ballot page as or on a different ballot page from contests that are not subject to ranked-choice voting. The amendment also clarifies that a voter's decision to rank more than one candidate for a single office does not render the voter's vote invalid in an election determined by ranked-choice voting. The amendment further requires that an election official post a paper copy of the results of the first choice votes cast in elections determined by ranked-choice voting, if a secure place is available at the voting place or municipal office where the public may view the election results.

Enacted Law Summary

Public Law 2019, chapter 320 makes the following changes to the laws governing ranked-choice voting.

1. It clarifies that "elections determined by ranked-choice voting" only occur when there are three or more candidates for an office.

2. It requires that ranked-choice contests be grouped together on the ballot and authorizes, but does not require ranked-choice contests to be presented either on the same page of the ballot as non-ranked choice contests or on a separate ballot or ballot page. It also requires that the ballot contain separate voting instructions above the first ranked-choice contest, the first non-ranked-choice contest and the first referendum question.

3. It allows the Secretary of State to create a separate voter instruction poster for ranked-choice voting.

4. It clarifies that a voter’s decision to rank more than one candidate for a single office does not render the voter’s vote invalid in an election determined by ranked-choice voting.

5. It provides that municipalities count, report to the Secretary of State and post only the first choice votes cast for elections determined by ranked-choice voting.

6. It excepts elections determined by ranked-choice voting from the general rule that the person who receives a plurality of the votes cast is the winner of a primary election.

7. It substitutes the word "count" for the word "tabulate" in the laws governing the process for determining the winner of an election determined by ranked choice voting.

8. It clarifies that, unless the Constitution of Maine establishes the process for resolving a tie vote, tie votes in elections determined by ranked-choice voting are resolved by lot in primary elections and by a special election ordered by the Governor in general or special elections.

9. It authorizes the Secretary of State to limit to as low as five the number of rankings allowed on the ballot in a ranked-choice voting contest from.

10. It limits the candidates who can request a recount of a ranked-choice voting contest to those candidates receiving the top three rankings in the penultimate round of ranked-choice counting.

LD 1665 **An Act To Automatically Change a Voter Registration Address upon Change of Address for a Driver's License** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN B	ONTP	

This bill requires the Secretary of State to review on a weekly basis changes of addresses of driver's licenses and, if a person who has changed an address is registered to vote in the State, to update the central voter registration system accordingly. Compare LD 1463.

LD 1669 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Help Ensure That Direct Initiatives of Legislation Are Compatible with the Constitution of Maine and Statutory Law** **Accepted Report A (ONTP)**

Sponsor(s)	Committee Report	Amendments Adopted
O'CONNOR B	ONTP	
FOLEY R	OTP-AM	
	OTP-AM	

This resolution proposes to amend Article IV, part 3, section 20 of the Constitution of Maine to require that a person who requests a petition form for a direct initiative of legislation must submit a written application for a petition form to the office of the Secretary of State, the office of the Governor, the office of the Attorney General and the Legislature. The Secretary of State, the Governor, the Attorney General and the Legislature must review a direct initiative of legislation and determine whether it is compatible with the Constitution of Maine and statutory law. If the Secretary of State, the Governor, the Attorney General or the Legislature determines that the measure is not compatible with the Constitution of Maine or statutory law, the Secretary of State may not furnish or approve petition forms for the direct initiative of legislation.

Committee Amendment "A" (H-600)

This amendment, which is one of two minority reports of the committee, strikes the resolution and replaces it with a bill requiring the Secretary of State and the Attorney General to review the proposed law submitted with an application for a direct initiative of legislation to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Secretary of State or the Attorney General determines that a conflict exists, that official must provide a written opinion describing the conflict to the applicant within 15 business days after the direct initiative application was received by the Secretary of State. The applicant may submit a new draft of the proposed law to the Secretary of State in response to the written opinion.

This amendment was not adopted.

Committee Amendment "B" (H-601)

This amendment, which is one of two minority reports of the committee, strikes the resolution and replaces it with a bill enabling a voter who submits an application to initiate proceedings for the direct initiative of legislation to request in the application that the Attorney General review the proposed law submitted with the application to determine whether it conflicts with the Constitution of Maine or the United States Constitution. If the Attorney General determines that a conflict exists, the Attorney General must provide a written opinion describing the conflict to the applicant within 15 business days after the direct initiative application was received by the Secretary of State. The applicant may submit a new draft of the proposed law to the Secretary of State in response to the written opinion.

This amendment was not adopted.

LD 1680 **An Act To Authorize Common Consumption Area Licenses for the Consumption of Alcoholic Beverages within Designated Entertainment Districts** **PUBLIC 281**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN H TEPLER D	OTP-AM	S-184

This bill authorizes the issuance of auxiliary liquor licenses for the consumption of spirits, wine and malt liquor within entertainment districts authorized by and located within municipalities or unincorporated places.

Committee Amendment "A" (S-184)

This amendment makes the following changes to the process established in the bill for the issuance of licenses for the consumption of alcoholic beverages in entertainment districts.

1. It provides that an entertainment district ordinance established by a municipal legislative body must describe the boundaries of the entertainment district as well as permissible hours of operation and maximum size of any common consumption area located within the entertainment district. The ordinance must also specify the maximum number of licensees that may operate a single common consumption area and whether a common consumption area located within the entertainment district may include public or private ways.

2. It clarifies that an auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer licensed under the Maine Revised Statutes, Title 28-A to serve alcoholic beverages is eligible for a common consumption area license. An applicant's premises must be located both within the entertainment district and adjacent to the common consumption area.

3. It specifies that a common consumption area license does not permit the licensee to serve alcoholic beverages that the licensee is not authorized to serve pursuant to the licensee's underlying liquor license.

4. It clarifies that the customers of a common consumption area licensee may consume alcoholic beverages served by the licensee either on the licensee's premises or within the premises of the common consumption area, which must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

Enacted Law Summary

Public Law 2019, chapter 281 authorizes the issuance of common consumption area licenses for the consumption of alcoholic beverages in entertainment districts located within municipalities that have adopted entertainment district ordinances. An entertainment district ordinance must describe the boundaries of the entertainment district as well

as permissible hours of operation and maximum size of any common consumption area located within the entertainment district. The ordinance must also specify the maximum number of licensees that may operate a single common consumption area and whether a common consumption area located within the entertainment district may include public or private ways.

An auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer that is licensed under the Maine Revised Statutes, Title 28-A to serve alcoholic beverages and that is located within the entertainment district and adjacent to the common consumption area is eligible for a common consumption area license. The process for review and approval of applications for licenses for the on-premises consumption of liquor by the municipal officers and by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations applies to applications for licenses for a common consumption area license.

The customers of a common consumption area licensee may consume alcoholic beverages served by the licensee either on the licensee's premises or within the premises of the common consumption area, which must be controlled by barriers and by signs prohibiting consumption beyond the barriers. A common consumption area license does not permit the licensee to serve any alcoholic beverages that the licensee is not authorized to serve pursuant to the licensee's underlying auditorium, hotel, restaurant, Class A restaurant, Class A restaurant/lounge or Maine manufacturer liquor license.

LD 1686 **An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts** **Accepted Majority (ONTP) Report**

Sponsor(s)	Committee Report	Amendments Adopted
ACKLEY K	ONTP OTP-AM	

This bill allows a candidate to spend revenues received under the Maine Clean Election Act for election recount expenditures. Compare LD 411.

Committee Amendment "A" (H-534)

This amendment, which is the minority report of the committee, clarifies that a candidate may only spend revenues the candidate previously received under the Maine Clean Election Act for the cost of legal representation during a recount or subsequent court challenge if the recount is requested by the candidate's opponent. Maine Clean Election Act Fund revenues may not be used to pay the deposit due to the Secretary of State by a candidate who requests a recount.

This amendment was not adopted.

LD 1721 **An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act** **PUBLIC 323**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM ONTP	S-195

This bill, which was submitted by the Commission on Governmental Ethics and Election Practices, specifies that appointees to the Commission on Governmental Ethics and Election Practices who fill an unexpired term on the commission for less than two years are eligible to be appointed to two consecutive full terms thereafter. It also authorizes disclosure of a memorandum or report prepared by commission staff on an audit or investigation at the time the memorandum or report is submitted to the commission, as long as the subject of the audit or investigation is

provided a prior opportunity to review the memorand or report to identify confidential or privileged material.

The bill also makes a number of changes to the campaign reports and finances laws, including:

1. Expanding the time immediately preceding an election during which the name and address of the person who paid for a media communication that clearly identifies a candidate or the name of the person who paid for a prerecorded or scripted telephone call that clearly identifies a candidate must be disclosed and a statement must be made indicating whether the candidate authorized the media communication or telephone call. Under the bill, these disclosures are required if the communication is made during the 28 days preceding a primary election, the 35 days preceding a special election or from Labor Day to the date of a general election. Phone surveys that are not intended to change someone's vote are exempt from these disclosure requirements;

2. Creating a new requirement that, when a person expends more than $500 on a prerecorded or scripted telephone call that expressly advocates for or against a referendum question, the name of the person who paid for the telephone call must be clearly stated. Phone surveys that are not intended to change someone's vote are exempt from this disclosure requirement;

3. Requiring that membership organizations and corporations report paid communications that expressly advocate the election or defeat of a candidate if the cost of those communications is in excess of $100, rather than $50 as in current law;

4. Waiving for unopposed candidates the requirement that a candidate for state or county office report to the commission and a candidate for municipal office report to the municipal clerk within 24 hours of receiving a single contribution or making a single expenditure of $1,000 or more from the 13th day before an election to the day before an election;

5. Waiving for primary elections the requirement that municipal, district and county party committees report to the commission within 24 hours of receiving a single contribution of $5,000 or more or making a single expenditure of $1,000 or more from the 13th day before the election to the day before the election;

6. Authorizing traditionally financed candidates to use surplus campaign contributions for payment of expenses related to a recount;

7. Clarifying the dates that campaign finance reports are due and specifying that party committees, political action committees and ballot question committees need not file reports 11 days before an election and 42 days after an election in years when a primary and general election are not held, unless the committee received contributions or made expenditures for purposes of influencing a ballot question election, a special election or a municipal candidate or referendum election;

8. Amending the laws regarding reports by political action committees to make those laws apply to ballot question committees and amending the definition to ballot question committee to include persons who are not political action committees and receive contributions or make expenditures in excess of $5,000 for the purpose of initiating or influencing a campaign for a ballot question unless the person only makes expenditures of the person's own money to political action committees or ballot question committees for this purpose; and

9. Increasing the penalty for candidates who fail to register with the commission from $10 to $100 and establishing the penalty for filing a campaign finance report that does not substantially conform to the reporting requiremets, when the dollar amount of the financial activity exceeds $50,000, as 100% of the dollar amount of that financial activity.

It also makes changes to the Maine Clean Election Act in the provisions regarding terms of participation, including:

1. Requiring a contributor making a qualifying contribution by check or money order to sign the check or money order and allowing the candidate to remedy an error on the check or money order by endorsing the check or money order to the Maine Clean Election Fund. It allows a contributor to make a qualifying contribution to a participating candidate in the form of cash as long as the contributor signs a form affirming the contribution was made with personal funds. It also allows a contributor to make a qualifying contribution with cash as long as the candidate submits a money order in the same amount to the commission. It specifies that if a participating candidate uses personal funds to pay fees for the purchase of a cashier's check or money order, those fees are not a contribution to the candidate and are not required to be disclosed in campaign finance reports and that the candidate must report any cashier's check or money order fees paid by anyone other than the candidate as an in-kind contribution subject to seed money limitations. It specifies that a payment, gift or anything of value may not be given in exchange for a qualifying contribution;

2. Specifying that a candidate must meet the qualifications for candidacy and for holding office, including residency requirements provided in the Constitution of Maine, and that the commission may consider a request to investigate a candidate's qualifications at any point prior to 6 months after the election for which the candidate received funding. It also provides that failure to meet the qualifications is grounds for revocation of certification under the Maine Clean Election Act; and

3. Prohibiting a candidate's using Maine Clean Election Fund revenues to pay or compensate, for campaign-related goods or services, the candidate or the candidate's spouse or domestic partner, a sole proprietorship of the candidate or the candidate's spouse or domestic partner, a business entity in which the candidate or the candidate's spouse or domestic partner holds a significant proprietary or financial interest or a nonprofit entity in which the candidate or the candidate's spouse or domestic partner is a director, officer, executive director or chief financial officer. It allows a candidate to make expenditures using fund revenues to pay a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, a business entity in which a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, holds a significant interest or a nonprofit entity in which a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, is a director, officer, executive director or chief financial officer, as long as the expenditure is for a legitimate campaign-related purpose, to an individual or business engaged in the normal course of business and in a reasonable amount.

Committee Amendment "A" (S-195)

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. Under the bill, when prerecorded automated telephone calls and scripted live telephone calls that name a clearly identified candidate are made within 28 days before a primary election, within 35 days before a special election or between Labor Day and the date of a general election, the telephone calls must include information disclosing both the name of the person who paid for or financed the telephone call and whether the candidate authorized the telephone call. The amendment clarifies that surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include these disclosures.

2. Under the bill, when a person makes an expenditure exceeding $500 that expressly advocates for or against an initiative or referendum on the ballot through prerecorded automated telephone calls or scripted live telephone calls, the telephone calls must clearly state the name of the person who made or financed the telephone calls. The amendment clarifies that surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include this disclosure.

3. It strikes the provision of the bill authorizing a traditionally financed candidate to expend surplus campaign funds on expenses related to a recount.

4. The bill eliminates the requirement in current law that municipal, district and county party committees submit a campaign finance report within 24 hours of receiving a single contribution of $5,000 or more or making any expenditure of $1,000 or more, if that contribution or expenditure is made within the 13 days before a primary election. The amendment clarifies that these so-called 24-hour reports continue to be required when a municipal, district or county party committee receives a single contribution of $5,000 or more or makes an expenditure of $1,000 or more within the 13 days before a special election.

5. It removes the provisions of the bill authorizing the Commission on Governmental Ethics and Election Practices to investigate whether a candidate certified as a Maine Clean Election Act candidate meets the qualifications for candidacy and for holding office set forth in the Constitution of Maine.

6. It makes technical changes to the terminology used in several provisions of the campaign finance laws included in the bill.

Enacted Law Summary

Public Law 2019, chapter 323 specifies that appointees to the Commission on Governmental Ethics and Election Practices who fill an unexpired term on the commission for less than two years are eligible to be appointed to two consecutive full terms thereafter. It also authorizes disclosure of a memorandum or report prepared by commission staff on an audit or investigation at the time the memorandum or report is submitted to the commission, as long as the subject of the audit or investigation is provided a prior opportunity to review the memorand or report to identify confidential or privileged material.

Public Law 2019, chapter 323 also makes a number of changes to the campaign reports and finances laws, including:

1. Expanding the time immediately preceding an election during which the name and address of the person who paid for a media communication that clearly identifies a candidate or the name of the person who paid for a prerecorded or scripted telephone call that clearly identifies a candidate must be disclosed and a statement must be made indicating whether the candidate authorized the media communication or telephone call. Under chapter 323, these disclosures are required if the communication is made during the 28 days preceding a primary election, the 35 days preceding a special election or from Labor Day to the date of a general election. Phone surveys that are not intended to influence someone's vote are exempt from these disclosure requirements;

2. Creating a new requirement that, when a person expends more than $500 on a prerecorded or scripted telephone call that expressly advocates for or against a referendum question, the name of the person who paid for the telephone call must be clearly stated. Phone surveys that are not intended to influence someone's vote are exempt from this disclosure requirement;

3. Requiring that membership organizations and corporations report paid communications that expressly advocate the election or defeat of a candidate if the cost of those communications is in excess of $100, rather than $50 as in current law;

4. Waiving for unopposed candidates the requirement that a candidate for state or county office report to the commission and a candidate for municipal office report to the municipal clerk within 24 hours of receiving a single contribution or making a single expenditure of $1,000 or more from the 13th day before an election to the day before an election;

5. Waiving for primary elections the requirement that municipal, district and county party committees report to the commission within 24 hours of receiving a single contribution of $5,000 or more or making a single expenditure of $1,000 or more from the 13th day before the election to the day before the election;

6. Clarifying the dates that campaign finance reports are due and specifying that party committees, political action

committees and ballot question committees need not file reports 11 days before an election and 42 days after an election in years when a primary and general election are not held, unless the committee received contributions or made expenditures for purposes of influencing a ballot question election, a special election or a municipal candidate or referendum election;

7. Amending the laws regarding reports by political action committees to make those laws apply to ballot question committees and amending the definition to ballot question committee to include persons who are not political action committees and receive contributions or make expenditures in excess of $5,000 for the purpose of initiating or influencing a campaign for a ballot question unless the person only makes expenditures of the person's own money to political action committees or ballot question committees for this purpose; and

8. Increasing the penalty for candidates who fail to register with the commission from $10 to $100 and establishing the penalty for filing a campaign finance report that does not substantially conform to the reporting requiremets, when the dollar amount of the financial activity exceeds $50,000, as 100% of the dollar amount of that financial activity.

Public Law 2019, chapter 323 also makes changes to the Maine Clean Election Act in the provisions regarding terms of participation, including:

1. Requiring a contributor making a qualifying contribution by check or money order to sign the check or money order and allowing the candidate to remedy an error on the check or money order by endorsing the check or money order to the Maine Clean Election Fund. It allows a contributor to make a qualifying contribution to a participating candidate in the form of cash as long as the contributor signs a form affirming the contribution was made with personal funds. It also allows a contributor to make a qualifying contribution with cash as long as the candidate submits a money order in the same amount to the commission. It specifies that if a participating candidate uses personal funds to pay fees for the purchase of a cashier's check or money order, those fees are not a contribution to the candidate and are not required to be disclosed in campaign finance reports and that the candidate must report any cashier's check or money order fees paid by anyone other than the candidate as an in-kind contribution subject to seed money limitations. It specifies that a payment, gift or anything of value may not be given in exchange for a qualifying contribution; and

2. Prohibiting a candidate's using Maine Clean Election Fund revenues to pay or compensate, for campaign-related goods or services, the candidate or the candidate's spouse or domestic partner, a sole proprietorship of the candidate or the candidate's spouse or domestic partner, a business entity in which the candidate or the candidate's spouse or domestic partner holds a significant proprietary or financial interest or a nonprofit entity in which the candidate or the candidate's spouse or domestic partner is a director, officer, executive director or chief financial officer. It allows a candidate to make expenditures using fund revenues to pay a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, a business entity in which a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, holds a significant interest or a nonprofit entity in which a member of the candidate's immediate family or household, other than the candidate's spouse or domestic partner, is a director, officer, executive director or chief financial officer, as long as the expenditure is for a legitimate campaign-related purpose, to an individual or business engaged in the normal course of business and in a reasonable amount.

LD 1722 **Resolve, Directing the Secretary of State To Develop a Plan for Implementation of Automatic Registration of Nonregistered Persons Qualified To Vote through Records of the Bureau of Motor Vehicles** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L	ONTP	

This resolve, which was submitted by the Secretary of State pursuant to Joint Rule 204, directs the Secretary of State to study the implementation of automatic voter registration. The Secretary of State is required to submit a report to the Joint Standing Committee on Veterans and Legal Affairs by February 1, 2020.

A process for automatic voter registration was enacted through Public Law 2019, chapter 409 (LD 1463), rendering this bill unnecessary.

LD 1730 An Act To Amend the Laws Governing Elections **PUBLIC 371**

Sponsor(s)	Committee Report	Amendments Adopted
SCHNECK J	OTP-AM	H-459
LUCHINI L	ONTP	H-525 SCHNECK J
		H-526 SCHNECK J
		H-555 SCHNECK J

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, makes the following changes to the election laws.

1. It clarifies that ballots are not public records, regardless of whether they are in a paper format or in an electronic or image format.

2. It reduces the retention period for the receipt for certified copies of the incoming voting list from one year to six months.

3. It adds a retention period of six months for test ballots and documentation of preelection testing of tabulating or accessible voting devices.

4. It adds a deadline for an aggrieved person to appeal a decision of the registrar of voters regarding the person's voter registration.

5. It specifies that voters may enroll in a party by completing the approved state or national voter registration form.

6. It removes a requirement regarding the nomination of county commissioners that primary and nomination petitions must specify the term of office sought.

7. It clarifies that county committee members residing within county commissioner districts make choices for county commissioner nominations for vacancies.

8. It provides that when two United States Senators are to be elected, the term of office sought by each candidate must be specified on the ballot.

9. It provides that write-in spaces on a ballot are required to be provided only for offices in which candidates have declared their write-in candidacy according to the law.

10. It specifies acceptable formats for names of candidates for nomination to appear on a ballot.

11. It changes the description of an official ballot box to be more generic in terms of the security features and the opening for insertion of ballots.

12. It changes the description of ballot security containers to be more generic in terms of the methods used to

secure them.

13. It allows the warden at the voting place to open the packages of ballots up to two hours before the polls open.

14. It shortens the time that municipalities have to submit their official return of votes to the Secretary of State from three business days to two business days after the election.

15. It clarifies that a candidate or referendum election tabulation is considered final on the date the Secretary of State submits the tabulation to the Governor.

16. It clarifies the circumstances in which the Governor must issue an election certificate.

17. It authorizes the use of a courier to retrieve ballots in the event of a recount and to deliver them to the recount facility.

18. It clarifies provisions pertaining to recounts of elections to the United States Congress.

19. It adds a new method for returning a voted absentee ballot to the municipal clerk.

20. It provides that municipalities may opt to process absentee ballots beginning on the fourth day before election day, including on a Sunday.

21. It changes the manner by which the municipal clerk must give notice of the municipality's intent to process absentee ballots prior to election day.

22. It removes an incorrect reference to a census block in Augusta that was included in State Representative District 80 that already was correctly included in State Representative District 85.

23. It repeals a provision of the Maine Revised Statutes, Title 30-A that addresses the nomination petitions for county commissioners.

24. It clarifies that the municipal treasurer's statement that must accompany a question for ratification of a municipal bond issue may either be printed on the ballot or printed as a separate document that is made available to voters.

25. It clarifies the election laws restricting certain activities at and around the polls on election day in order to comply with recent court decisions. It provides for an 8-foot-wide access corridor through which voters may pass without interference to the area behind the guardrail where voting takes place. It allows the warden to designate spaces inside the building, but outside the access corridor, where organizations may collect signatures on citizen initiative and people's veto petitions. It reduces the current protected zone from 250 feet to 100 feet outside the building and amends the list of campaign activities that are prohibited within that zone. Campaign activities related to a party or to a question or candidate for an office on the ballot for that election day are prohibited within that zone. It retains the current prohibitions on influencing or attempting to influence any voter but removes the criminal provisions and directs the Secretary of State to issue guidelines to assist local officials in interpreting and applying the law consistently and to inform candidates, campaigns and the public.

Committee Amendment "A" (H-459)

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It removes the provisions of the bill that authorize the Secretary of State to omit the write-in space on a ballot for any office in which there is no declared write-in candidate.

2. It removes the provisions of the bill that change the laws restricting certain activities at and around the polls on election day.

3. It adds a provision to the bill clarifying the procedures used to collect signatures on petitions for local initiatives.

4. It makes several clarifying technical changes to the bill.

House Amendment "A" To Committee Amendment "A" (H-525)

This amendment strikes the provision of Committee Amendment "A" (H-525) amending the procedures used to collect signatures on petitions for local initiatives.

House Amendment "A" (H-526)

This amendment provides that an unenrolled candidate must remain unenrolled from March 1st until the general election in order to remain qualified as an unenrolled candidate for the office sought.

House Amendment "C" To Committee Amendment "A" (H-555)

This amendment clarifies that a person may not, within the voting place or on public property within 250 feet of the entrance to the voting place, influence or attempt to influence another person's decision regarding a candidate for an office that is on the ballot for the election being held that day.

Enacted Law Summary

Public Law 2019, chapter 371 makes the following changes to the election laws.

1. It clarifies that ballots are not public records, regardless of whether they are in a paper format or in an electronic or image format.

2. It reduces the retention period for the receipt for certified copies of the incoming voting list from one year to six months.

3. It adds a retention period of six months for test ballots and documentation of preelection testing of tabulating or accessible voting devices.

4. It adds a deadline for an aggrieved person to appeal a decision of the registrar of voters regarding the person's voter registration.

5. It specifies that voters may enroll in a party by completing the approved state or national voter registration form.

6. It removes a requirement regarding the nomination of county commissioners that primary and nomination petitions must specify the term of office sought.

7. It clarifies that county committee members residing within county commissioner districts make choices for county commissioner nominations for vacancies.

8. It provides that when two United States Senators are to be elected, the term of office sought by each candidate must be specified on the ballot.

9. It specifies acceptable formats for names of candidates for nomination to appear on a ballot.

10. It changes the description of an official ballot box to be more generic in terms of the security features and the opening for insertion of ballots.

11. It changes the description of ballot security containers to be more generic in terms of the methods used to secure them.

12. It allows the warden at the voting place to open the packages of ballots up to two hours before the polls open.

13. It shortens the time that municipalities have to submit their official return of votes to the Secretary of State from three business days to two business days after the election.

14. It clarifies that a candidate or referendum election tabulation is considered final on the date the Secretary of State submits the tabulation to the Governor.

15. It clarifies the circumstances in which the Governor must issue an election certificate.

16. It authorizes the use of a courier to retrieve ballots in the event of a recount and to deliver them to the recount facility.

17. It clarifies provisions pertaining to recounts of elections to the United States Congress.

18. It adds a new method for returning a voted absentee ballot to the municipal clerk.

19. It provides that municipalities may opt to process absentee ballots beginning on the fourth day before election day, including on a Sunday.

20. It changes the manner by which the municipal clerk must give notice of the municipality's intent to process absentee ballots prior to election day.

21. It removes an incorrect reference to a census block in Augusta that was included in State Representative District 80 that already was correctly included in State Representative District 85.

22. It repeals a provision of the Maine Revised Statutes, Title 30-A that addresses the nomination petitions for county commissioners.

23. It clarifies that the municipal treasurer's statement that must accompany a question for ratification of a municipal bond issue may either be printed on the ballot or printed as a separate document that is made available to voters.

24. It provides that an unenrolled candidate must remain unenrolled from March 1st until the general election in order to remain qualified as an unenrolled candidate for the office sought.

25. It clarifies that a person may not, within the voting place or on public property within 250 feet of the entrance to the voting place, influence or attempt to influence another person's decision regarding a candidate for an office that is on the ballot for the election being held that day.

LD 1734 **An Act To Create a Postsecondary Educational Institution Sampling License** **PUBLIC 282**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L	OTP-AM	S-185

This bill, which was submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204, creates a new license type for state-supported postsecondary educational institutions that offer a course or

courses for a degree program in the hospitality industry, culinary arts or food sciences. The license authorizes a state-supported postsecondary educational institution to purchase and permit sampling of liquor in conjunction with the educational institution's curriculum.

Committee Amendment "A" (S-185)

This amendment changes the title of the bill and specifies that any accredited postsecondary educational institution in the State that offers a course or courses involving the hospitality industry, culinary arts or food sciences is eligible for a license to permit sampling of liquor by faculty and students who are at least 21 years of age and enrolled in the course or courses. All sampling of liquor must be conducted in accordance with the educational institution's alcohol safety procedures or guidelines.

Enacted Law Summary

Public Law 2019, chapter 282 provides that an accredited postsecondary educational institution in the State that offers a course or courses involving the hospitality industry, culinary arts or food sciences is eligible for a license to permit sampling of liquor by faculty and students who are at least 21 years of age and enrolled in the course or courses. All sampling of liquor must be conducted in accordance with the educational institution's alcohol safety procedures or guidelines.

LD 1761 **An Act To Assist Small Beer Manufacturers and Small Hard Cider Manufacturers** **PUBLIC 529**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L GIDEON S	OTP-AM	S-281

This bill changes the definition of "small brewery" by increasing the amount of malt liquor a small brewery may brew from 50,000 gallons to 30,000 barrels per year.

The bill also defines a "small beer manufacturer" as a small brewery or out-of-state brewer that is brewing, lagering and kegging, bottling or packaging its own malt liquor, not to exceed 30,000 barrels per year. If a small beer manufacturer terminates its distribution relationship with a wholesale licensee, unless for good cause, causes a wholesale licensee to resign from an agreement, unless for good cause, or unreasonably withholds its consent to any assignment, transfer or sale of a wholesale licensee's business and that small beer manufacturer's brands make up no more than 3% of the wholesale licensee's business, the bill sets the maximum amount of the termination fee that the wholesale licensee is entitled to receive from that small beer manufacturer in connection with the termination.

The bill amends the laws governing certain notice requirements that the small beer manufacturer must satisfy in connection with the termination, provides expedited arbitration proceedings for a small beer manufacturer and a wholesale licensee in connection with a dispute regarding the amount of the termination fee and provides that, regardless of whether the terminated wholesale licensee has received payment of the termination fee from the small beer manufacturer, upon written notice of the termination to the wholesale licensee, the small beer manufacturer may appoint a new wholesale licensee to distribute the relevant products in the terminated wholesale licensee's territory or, if the small beer manufacturer is a small brewery, sell the terminated brand or brands of the small beer manufacturer directly to retail licensees in the terminated wholesale licensee's territory without selling the brand or brands to a wholesale licensee.

Lastly, this bill allows a wholesale licensee and a small beer manufacturer to agree upon or limit the amount of a termination fee pursuant to a distribution agreement as long as that termination fee does not exceed the maximum amount of the termination fee, as set forth in the bill.

Committee Amendment "A" (S-281)

This amendment makes the following changes to the bill.

1. It clarifies that only in-state entities are eligible for manufacturing licenses issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations under the Maine Revised Statutes, Title 28-A, section 1355-A.

2. Similar to the bill's provision regarding small breweries, it changes the definition of "small winery" by increasing the amount of wine that a small winery may produce. Under current law, a small winery may produce up to 50,000 gallons per year of wine, including hard cider. Under the amendment, a small winery may produce up to 50,000 gallons per year of wine that is not hard cider and may produce up to 3,000 barrels per year of wine that is hard cider.

3. Similar to the definition of "small beer manufacturer" in the bill, it defines "small hard cider manufacturer" as a licensed Maine small winery or out-of-state winery that ferments, ages or bottles any amount of wine, as long as it ferments, ages or bottles no more than 3,000 barrels per year of wine that is hard cider.

4. It applies the provisions of the bill that affect the relationship between a wholesale licensee and a small beer manufacturer to the relationship between a wholesale licensee and a small hard cider manufacturer, including by establishing the amount of reasonable compensation that a small hard cider manufacturer must pay to a wholesale licensee when it terminates the authority of the wholesale licensee to distribute its hard cider products and by authorizing the small hard cider manufacturer to continue selling its products during the arbitration of any dispute between the parties regarding the amount of reasonable compensation.

5. Under current law, when any manufacturer and wholesale licensee disagree over the amount of reasonable compensation due after the manufacturer amends or terminates the contract between the parties in a way that removes the wholesaler's authority to distribute one or more of the manufacturer's brands of liquor, the parties must submit the reasonable compensation question to arbitration. Under the amendment, the arbitrator is directed to issue a written decision on the matter no later than 45 days after the date of the commencement of the arbitration proceeding.

6. The amendment also makes several technical changes and reorganizes the structure of the bill.

Enacted Law Summary

Public Law 2019, chapter 529 makes the following changes to the laws governing the manufacture and distribution of malt liquor and wine, including hard cider, in the State.

1. It clarifies that only in-state entities are eligible for manufacturing licenses issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations under the Maine Revised Statutes, Title 28-A, section 1355-A.

2. It increases the amount of malt liquor a "small brewery" may brew from 50,000 gallons to 30,000 barrels per year. Similarly, it increases the amount of wine, including hard cider, that a "small winery" may ferment, age or bottle to 50,000 gallons per year of wine that is not hard cider and 3,000 barrels per year of wine that is hard cider;

3. It defines a "small beer manufacturer" as a licensed Maine small brewery or out-of-state brewer that is brewing, lagering and kegging, bottling or packaging its own malt liquor, not to exceed 30,000 barrels per year. Similarly, it defines a "small hard cider manufacturer" as a licensed Maine small winery or out-of-state winery that ferments, ages or bottles any amount of wine, as long as it ferments, ages or bottles no more than 3,000 barrels per year of wine that is hard cider;

4. It amends the laws governing the notices that a small beer manufacturer or small hard cider manufacturer must provide a wholesale licensee prior to the termination of a distribution agreement. It also establishes the amount of

reasonable compensation that a wholesale licensee is entitled to receive from a small beer manufacturer or small hard cider manufacturer if that manufacturer terminates its distribution agreement with the wholesale licensee without good cause, causes the wholesale licensee to resign from an agreement without good cause, or unreasonably withholds its consent to any assignment, transfer or sale of the wholesale licensee's business and if the affected brands of malt liquor or hard cider comprise no more than 3% of the wholesale licensee's business and no more than 10,0000 case equivalents in the preceding year. The wholesaler and small beer manufacturer or small hard cider manufacturer may, in the distribution agreement, limit the amount of reasonable compensation due in these circumstances, as long as agreed amount does not exceed the statutory amount of reasonable compensation.

5. It provides that, when any manufacturer and wholesale licensee disagree over the amount of reasonable compensation due after the manufacturer amends or terminates the distribution agreement in a way that removes the wholesaler's authority to distribute one or more of the manufacturer's brands of liquor, the neutral arbitrator selected to resolve the question shall issue a written decision on the matter no later than 45 days after the date of the commencement of the arbitration proceeding.

6. It provides that, regardless of whether reasonable compensation for termination of a distribution agreement has yet been paid by a small beer manufacturer or small hard cider manufacturer, upon written notice of the termination to the wholesale licensee, the small beer manufacturer or small hard cider manufacturer may appoint a new wholesale licensee to distribute the relevant products in the terminated wholesale licensee's territory or, if the small beer manufacturer is a small brewery or the small hard cider manufacturer is a small winery, it may sell the terminated brand or brands of malt liquor or hard cider directly to retail licensees in the terminated wholesale licensee's territory without selling the brand or brands to a wholesale licensee.

LD 1797 **An Act To Amend the Advance Deposit Wagering Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DILLINGHAM K	OTP-AM	H-635
LUCHINI L	OTP-AM	S-361 LUCHINI L

This bill allows commercial tracks, off-track betting facilities and multijurisdictional account wagering providers to be licensed to participate in advance deposit wagering. It repeals the provision that directs the Department of Public Safety, Gambling Control Board, through a competitive bidding process, to award one bidder the privilege to be licensed to conduct advance deposit wagering. It requires the board to establish by rule the net commission that must be collected by a licensee for distribution by the board.

Committee Amendment "A" (H-635)

This amendment is the majority report of the committee. Like the bill, the amendment allows a commercial track, an off-track betting facility and a multijurisdictional account wagering provider to obtain a license to conduct advance deposit wagering. Unlike the bill, which requires the Department of Public Safety, Gambling Control Board to set the tax rate on advance deposit wagering by rule, the amendment requires advance deposit wagering licensees to remit 4% of the licensees' gross advance deposit wagering income to the Department of Public Safety, Gambling Control Board for distribution by the board.

The amendment also requires licensure of employees of advance deposit wagering licensees, makes several technical changes to add clarity to the bill and adds an appropriations and allocations section.

Committee Amendment "B" (H-636)

This amendment, which is the minority report of the committee, is identical to the majority report except that it requires advance deposit wagering licensees to remit 0.5% of the licensees' gross advance deposit wagering income to the Department of Public Safety, Gambling Control Board for distribution by the board and it prohibits an entity

that operates advance deposit wagering from receiving a distribution of gross advance deposit wagering income from the board.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-361)

This amendment defines "gross advance deposit wagering income" as the total amount of wagers placed by Maine residents via advance deposit wagering before payment of money to winning bettors.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1805 **An Act To Amend the Laws Governing Military Leave for Officials and State Employees** **Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T LUCHINI L		

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, specifies that military leave given to state officials and employees who are members of the National Guard or Reserves of the United States Armed Forces may not exceed 17 days or 136 hours per calendar year. For full-time employees, military leave is based on an eight-hour work day, and military leave is prorated for part-time employees and employees on uncommon tours of duty. The bill also requires military leave to be charged by the hour and only in the amount necessary to cover the period of military duty.

LD 1806 **An Act To Amend the Laws Governing Veterans' Services** **PUBLIC 377**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T LUCHINI L	OTP-AM	H-532 S-279 LUCHINI L

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, changes the name of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to the Maine Bureau of Veterans' Services. The bill also revises the laws governing monuments erected in the Maine Veterans' Memorial Cemetery System and adds provisions regarding requirements for burial in green burial sections. The bill allows the Director of the Maine Bureau of Veterans' Services to waive certain requirements in the laws governing educational benefits for children of veterans, expands the type of programs covered by educational benefits to include certificate programs and master's degree programs, allows a student 10 academic years to complete a program and removes the restriction on extending that time.

Committee Amendment "A" (H-532)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-279)

This amendment:

1. Removes the requirement in the bill that free tuition be provided to the child of a veteran for a master's degree program; and

2. Provides that the tuition waiver may not exceed the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono.

Enacted Law Summary

Public Law 2019, chapter 377 changes the name of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to the Maine Bureau of Veterans' Services. It also revises the laws governing monuments erected in the Maine Veterans' Memorial Cemetery System and adds provisions regarding requirements for burial in green burial sections.

Public Law 2019, chapter 377 amends the law directing that the child of a veteran who is attending state-supported postsecondary colleges or postsecondary vocational schools must be admitted free of tuition by limiting the tuition waiver to no more than the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono, expanding the type of programs covered to include not only associate and bachelor's degree programs but also certificate programs, allowing a student 10 academic years to complete a program rather than the six years allowed under current law and removing the two-year maximum on the amount of extended time that the Director of the Maine Bureau of Veterans' Services may grant a student when the student's education has been interrupted by severe medical disability, learning disability, illness or other hardship.

LD 1807 **An Act To Amend Certain Laws Related to Members of the Military and the Maine National Guard** **PUBLIC 341**

Sponsor(s)	Committee Report	Amendments Adopted
STEWART T LUCHINI L	OTP	

This bill, which was submitted by the Department of Defense, Veterans and Emergency Management, makes the following changes in the laws relating to the Department of Defense, Veterans and Emergency Management.

1. It moves the law relating to parental rights and responsibilities of active-duty parents from the laws pertaining to the Military Bureau to the laws governing domestic relations.

2. It limits the award, in any civil action brought under the laws regarding preservation of status and right to benefits of members of the Maine National Guard or the Reserves of the United States Armed Forces, of reasonable attorney's fees and costs to any prevailing member of the Maine National Guard or the Reserves of the United States Armed Forces.

3. It allows any federally recognized general officer currently serving in the Maine National Guard to be appointed Deputy Adjutant General.

4. It eliminates the requirement that a federally recognized officer must command the Joint Force Headquarters.

5. It moves the law relating to security at Maine National Guard military facilities and the real property of the department from the laws pertaining to the activation of state military forces to the laws governing the organization of state military forces. It also allows the provost marshal to receive confidential criminal history records and allows the Maine National Guard to use all means necessary to protect its assets that are inherently dangerous or vital to national security.

6. It repeals the law governing retired officers and the retired list and amends the laws governing the Governor's authority to activate state military forces to allow the Adjutant General or Deputy Adjutant General to call a member

or retired member of the Maine National Guard, with that member's consent, to perform active state service.

7. It amends the law prohibiting any voluntary active state service without the express order of the Governor to specify that the active state service prohibited is service without pay. It also specifies that members and retired members of the Maine National Guard in active state service pursuant to a cooperative agreement with the Federal Government are entitled to the same pay as is received by persons from the United States Armed Forces, but that the pay may not be less than pay based upon a 12-hour day at the state minimum wage nor more than that allowed pursuant to the cooperative agreement.

8. It allows the Adjutant General to sell the South Portland Air National Guard Station.

9. It adds violations under the motor vehicle laws prohibiting operating under the influence as violations under the Maine Code of Military Justice.

Enacted Law Summary

Public Law 2019, chapter 341 makes the following changes in the laws relating to the Department of Defense, Veterans and Emergency Management.

1. It moves the law relating to parental rights and responsibilities of active-duty parents from the laws pertaining to the Military Bureau to the laws governing domestic relations.

2. It limits the award, in any civil action brought under the laws regarding preservation of status and right to benefits of members of the Maine National Guard or the Reserves of the United States Armed Forces, of reasonable attorney's fees and costs to any prevailing member of the Maine National Guard or the Reserves of the United States Armed Forces.

3. It allows any federally recognized general officer currently serving in the Maine National Guard to be appointed Deputy Adjutant General.

4. It eliminates the requirement that a federally recognized officer must command the Joint Force Headquarters.

5. It moves the law relating to security at Maine National Guard military facilities and the real property of the department from the laws pertaining to the activation of state military forces to the laws governing the organization of state military forces. It also allows the provost marshal to receive confidential criminal history records and allows the Maine National Guard to use all means necessary to protect its assets that are inherently dangerous or vital to national security.

6. It repeals the law governing retired officers and the retired list and amends the laws governing the Governor's authority to activate state military forces to allow the Adjutant General or Deputy Adjutant General to call a member or retired member of the Maine National Guard, with that member's consent, to perform active state service.

7. It amends the law prohibiting any voluntary active state service without the express order of the Governor to specify that the active state service prohibited is service without pay. It also specifies that members and retired members of the Maine National Guard in active state service pursuant to a cooperative agreement with the Federal Government are entitled to the same pay as is received by persons from the United States Armed Forces, but that the pay may not be less than pay based upon a 12-hour day at the state minimum wage nor more than that allowed pursuant to the cooperative agreement.

8. It allows the Adjutant General to sell the South Portland Air National Guard Station.

9. It adds violations under the motor vehicle laws prohibiting operating under the influence as violations under the Maine Code of Military Justice.

LD 1826 **An Act To Update the Laws Relating to Liquor Licensing and Enforcement** **PUBLIC 404**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI L	OTP-AM OTP-AM	S-293

This bill, which was submitted by the Department of Administrative and Financial Services, makes technical changes and corrections to the laws governing liquor including by changing the phrase "distilled spirits" to "spirits" and the phrase "alcoholic beverages" to "liquor" to be consistent with defined terms; changing the phrase "list price" to "retail price" to refer to the price of spirits that is set by the State Liquor and Lottery Commission and paid by consumers; and changing the phrase "discounted list price" to "wholesale price" to describe the price below the retail price that is charged to a small distiller when it purchases its spirits from the State to sell directly to customers. The bill removes outdated language regarding the control of the spirits business by the bureau and the sale of fortified wines, corrects a reference to "agent" to read "sales representative" and corrects a reference regarding the issuance of licenses to manufacturers, bottlers and rectifiers to clarify that the bureau and not the commission issues those licenses.

The bill clarifies that a previous violation of either the laws or the rules governing liquor disqualifies an applicant from receiving an agency liquor store license if the violation has been adjudicated by the District Court.

The bill authorizes the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to offer instant redeemable coupons to consumers through the bureau's publicly accessible website and other digital media platforms; under current law, these coupons may only be offered by spirits manufacturers and suppliers. The bill removes the authority of reselling agents to offer instant redeemable coupons for the benefit of on-premises licensees.

The bill increases the number of allowable signs used by retail licensees from two to five and requires that agency liquor store licensees designate two of the five signs to advertise that the retail location is an agency liquor store.

The bill authorizes spirits "brokers," defined as persons who represent suppliers or manufacturers of spirits, to participate in up to 10 taste-testing events for the public per year.

The bill amends the law authorizing sales representatives of spirits manufacturers or suppliers to provide samples of spirits to retail licensees. It repeals the requirements that sales representatives purchase the samples from the State's wholesale liquor provider and pay taxes on the samples and enacts new language requiring the sales representative to take the samples from the bailment inventory of a supplier housed at the warehouse managed by the State's wholesale liquor provider. The bill also authorizes spirits manufacturers and suppliers to donate spirits to on-premises events in a similar manner as certificate of approval holders and wholesalers.

Committee Amendment "A" (S-293)

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It makes technical changes to reflect the emergency enactment of Public Law 2019, chapter 79 and Public Law 2019, chapter 168.

2. It moves provisions of current law that authorize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to, in special circumstances, set prices on spirits at different levels than those established by the State Liquor and Lottery Commission from a section of the Maine Revised Statutes, Title 28-A related to the state tax on spirits to a section of Title 28-A related to the administration of the spirits business by the bureau.

3. It clarifies that an on-premises retail licensee must purchase spirits from an agency liquor store that is licensed as a reselling agent.

4. It authorizes the bureau or a manufacturer or supplier of spirits to offer instant redeemable coupons to customers through a publicly accessible website, digital media platform or print media.

5. It expands the list of entities that may benefit from a donation of liquor to be auctioned or offered as a prize for fund-raising purposes or sold by a licensed on-premises retailer during a fund-raising event to include a county, city, town or municipal agency or department.

6. It allows a licensed on-premises retailer to deliver a serving or drinks containing up to four-and-one-half ounces of spirits to a person at one time.

7. It clarifies the section of the bill that prohibits placing more than five signs advertising the sale of liquor on the outside of any licensed retail premises. Under the amendment, neither a sign in which the only reference to liquor is the name of the licensed premises or an image accompanying the name of the licensed premises nor a patio umbrella that bears the brand name or image of a liquor product and that is located in the outside seating area of a licensed premises counts as one of the five permitted signs.

8. The bill authorizes a "broker", which is defined as a person who represents suppliers and manufacturers of spirits, to conduct up to 10 spirits taste-testing events per year. The amendment further authorizes a spirits supplier or "foreign manufacturer", which is defined as a person who produces spirits outside of the State, to obtain a license to conduct up to 10 spirits taste-testing events per year.

9. It clarifies that revenue from the state tax on spirits must be transferred to the Liquor Operation Revenue Fund established in Title 30-A, section 6054 and to the General Fund.

Committee Amendment "B" (S-294)

This amendment, which is the minority report of the committee, is identical to the majority report of the committee except that it removes the provisions of the bill authorizing the bureau to offer instant redeemable coupons to spirits customers through a publicly accessible website or digital media platform.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 404 makes the following changes to the liquor laws.

1. It makes technical changes and corrections including by changing the phrase "distilled spirits" to "spirits" and the phrase "alcoholic beverages" to "liquor" to be consistent with defined terms and changing the phrase "list price" to "retail price" to refer to the price of spirits that is set by the State Liquor and Lottery Commission and paid by consumers. It removes outdated language regarding the control of the spirits business by the bureau and the sale of fortified wines, corrects a reference to "agent" to read "sales representative" and corrects a reference regarding the issuance of licenses to manufacturers, bottlers and rectifiers to clarify that the bureau and not the commission issues those licenses.

2. It moves provisions of current law that authorize the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to, in special circumstances, set prices on spirits at different levels than those established by the State Liquor and Lottery Commission from a section of the Maine Revised Statutes, Title 28-A related to the state tax on spirits to a section of Title 28-A related to the administration of the spirits business by the bureau.

3. It clarifies that a previous violation of either the laws or the rules governing liquor disqualifies an applicant from receiving an agency liquor store license if the violation has been adjudicated by the District Court.

4. It clarifies that an on-premises retail licensee must purchase spirits from an agency liquor store that is licensed as a reselling agent.

5. It authorizes the bureau or a manufacturer or supplier of spirits to offer instant redeemable coupons to customers through a publicly accessible website, digital media platform or print media. It removes the authority of reselling agents to offer instant redeemable coupons for the benefit of on-premises licensees.

6. It authorizes spirits manufacturers and suppliers to donate spirits to on-premises events in a similar manner as certificate of approval holders and wholesalers and expands the list of entities that may benefit from a donation of liquor to be auctioned or offered as a prize for fund-raising purposes or sold by a licensed on-premises retailer during a fund-raising event to include a county, city, town or municipal agency or department.

7. It allows a licensed on-premises retailer to deliver a serving or drinks containing up to four-and-one-half ounces of spirits to a person at one time.

8. It increases the number of allowable signs advertising the sale of liquor used by retail licensees from two to five and requires that agency liquor store licensees designate two of the five signs to advertise that the retail location is an agency liquor store. It clarifies that neither a sign in which the only reference to liquor is the name of the licensed premises or an image accompanying the name of the licensed premises nor a patio umbrella that bears the brand name or image of a liquor product and that is located in the outside seating area of a licensed premises count as one of the five allowable signs.

9. It authorizes a spirits supplier, foreign manufacturer of spirits or a spirits broker to conduct up to 10 spirits taste-testing events per year.

10. It repeals the requirements that sales representatives purchase from the State's wholesale liquor provider and pay taxes on spirits samples that the sales representative will provide to retail licensees and instead requires the sales representative obtain spirits that will be provided to retail licensees as samples from the bailment inventory of a supplier housed at the warehouse managed by the State's wholesale liquor provider.

11. It clarifies that revenue from the state tax on spirits must be transferred to the Liquor Operation Revenue Fund established in Title 30-A, section 6054 and to the General Fund.

LD 1837 **Resolve, Regarding Legislative Review of Chapter 1: Adult Use Marijuana, a Late-filed Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This resolve provides for legislative review of Chapter 1: Adult Use Marijuana, a major substantive rule of the Department of Administrative and Financial Services, office of marijuana policy that was filed outside the legislative rule acceptance period.

The substance of this resolve was incorporated in Public Law 2019, chapter 491 (LD 719).

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

Joint Standing Committee on Veterans and Legal Affairs

SUBJECT INDEX

Adult Use Marijuana

Enacted

LD 719	**An Act Regarding Adult Use Marijuana**	**PUBLIC 491**

Not Enacted

LD 720	**An Act Regarding Maine's Adult Use Marijuana Law**	**CARRIED OVER**
LD 999	**An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space**	**CARRIED OVER**
LD 1081	**An Act To Impose Further Restrictions on where Marijuana May Be Smoked**	**CARRIED OVER**
LD 1432	**An Act To Improve the Adult Use Marijuana Laws**	**CARRIED OVER**
LD 1444	**An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws**	**CARRIED OVER**
LD 1545	**An Act Regarding the Testing of Adult Use Marijuana and Marijuana Products**	**CARRIED OVER**
LD 1621	**An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store**	**CARRIED OVER**
LD 1837	**Resolve, Regarding Legislative Review of Chapter 1: Adult Use Marijuana, a Late-filed Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy**	**CARRIED OVER**

Alcoholic Beverages, Administration

Enacted

LD 25	**An Act To Implement the Recommendations of the Government Oversight Committee Regarding Bureau of Alcoholic Beverages and Lottery Operations Reporting Requirements**	**PUBLIC 13**
LD 1015	**An Act To Support Maine Craft Distillers**	**PUBLIC 168 EMERGENCY**

Not Enacted

LD 702	**An Act Regarding the Pricing of Spirits**	**Leave to Withdraw Pursuant to Joint Rule 310**

Alcoholic Beverages, Regulation

Enacted

LD 116	**An Act To Extend the Duration of Temporary Licenses for Sale and Consumption of Liquor**	**PUBLIC 8 EMERGENCY**
LD 217	**An Act To Aid Certain Veterans' Organizations**	**PUBLIC 44**
LD 254	**An Act To Clarify Liquor Label Approval and Registration Requirements**	**PUBLIC 46**
LD 365	**An Act To Allow Flexible Business Hours for Certain Agency Liquor Stores**	**PUBLIC 48**
LD 737	**An Act To Update Alcohol Taste-testing Requirements**	**PUBLIC 79 EMERGENCY**
LD 805	**An Act To Clarify the Laws Governing Taste Testing and Retail Sales of Liquor at Farmers' Markets and To Allow Retail Sales at Other Taste-testing Events**	**PUBLIC 360**
LD 853	**An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments**	**PUBLIC 122**
LD 1078	**An Act Regarding the Number of Agency Liquor Store Licenses Permitted in a Municipality**	**PUBLIC 74**
LD 1495	**Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes**	**RESOLVE 15**
LD 1619	**An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption**	**PUBLIC 167 EMERGENCY**
LD 1680	**An Act To Authorize Common Consumption Area Licenses for the Consumption of Alcoholic Beverages within Designated Entertainment Districts**	**PUBLIC 281**
LD 1734	**An Act To Create a Postsecondary Educational Institution Sampling License**	**PUBLIC 282**
LD 1761	**An Act To Assist Small Beer Manufacturers and Small Hard Cider Manufacturers**	**PUBLIC 529**

LD 1826	**An Act To Update the Laws Relating to Liquor Licensing and Enforcement**	**PUBLIC 404**

Not Enacted

LD 1020	**An Act to Modify the Number of Retail Liquor Licenses Allowed in Certain Municipalities**	**ONTP**
LD 1068	**An Act To Increase the Number of Agency Liquor Stores Permitted in Municipalities with 10,000 to 20,000 Residents**	**ONTP**
LD 1357	**An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption**	**Majority (ONTP) Report**

Ballot Qualifications

Not Enacted

LD 95	**An Act To Clarify Residency Requirements for Legislative Candidates**	**Majority (ONTP) Report**
LD 517	**An Act To Facilitate Fair Ballot Representation for All Candidates**	**HELD BY GOVERNOR**
LD 722	**An Act To Require Presidential and Vice-Presidential Candidates To Disclose Their Federal Income Tax Returns**	**Majority (ONTP) Report**

Campaign Finance, Generally

Enacted

LD 256	**An Act To Ensure Responsible Operation of Political Action Committees**	**PUBLIC 21**
LD 780	**An Act To Change Municipal Campaign Contribution Limits**	**PUBLIC 51**

Not Enacted

LD 361	**An Act To Amend the Laws Governing Political Action Committees**	**Majority (ONTP) Report**
LD 1187	**An Act To Apply the Same Auditing Standards to All Legislative Candidates**	**CARRIED OVER**

Campaign Finance, Maine Clean Election Act

Enacted

LD 23	**Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices**	**RESOLVE 6 EMERGENCY**

Not Enacted

LD 11	**An Act Regarding the Acceptance of Maine Clean Election Act Campaign Contributions on State Websites**	**Majority (ONTP) Report**
LD 202	**An Act To Increase the Required Number of Qualifying Contributions Gubernatorial Candidates Must Obtain To Qualify as Maine Clean Election Act Candidates**	**Majority (ONTP) Report**
LD 218	**An Act To Prohibit a Person from Collecting Contributions under the Maine Clean Election Act at a Polling Place**	**ONTP**
LD 411	**Resolve, Directing the Commission on Governmental Ethics and Election Practices To Allow Maine Clean Election Act Funds To Be Used for Election Recounts**	**ONTP**
LD 874	**An Act To Conform the Clean Election Financing Laws to the Judicially Determined Procedures**	**ONTP**
LD 878	**An Act To Make Clean Election Filing Deadlines Consistent for All Candidates**	**Majority (ONTP) Report**
LD 929	**An Act Regarding the Use of Maine Clean Election Act Funds for Salaries**	**Majority (ONTP) Report**
LD 1686	**An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts**	**Majority (ONTP) Report**

Commission on Governmental Ethics and Election Practices

Enacted

LD 1721	**An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act**	**PUBLIC 323**

Conduct of Elections

Enacted

LD 514	**An Act To Amend the Laws Governing the Political Party Representation of Election Clerks**	**PUBLIC 64**

LD 1026	**Resolve, Directing the Secretary of State To Examine Best Practices in Elections**	**RESOLVE 48**
LD 1626	**An Act To Implement a Presidential Primary System in Maine**	**PUBLIC 445**
LD 1663	**An Act To Clarify Ranked-choice Voting Laws**	**PUBLIC 320**
LD 1730	**An Act To Amend the Laws Governing Elections**	**PUBLIC 371**

<u>Not Enacted</u>

LD 114	**An Act To Establish Open Primaries for Certain Federal and State Offices**	**Majority (ONTP) Report**
LD 211	**An Act To Open Maine's Primaries and Permit Unenrolled Voters To Cast Ballots in Primary Elections**	**Majority (ONTP) Report**
LD 245	**An Act To Reestablish a Presidential Primary System in Maine**	**ONTP**
LD 272	**An Act To Allow Voting by Mail**	**ONTP**
LD293	**An Act Regarding Early Voting in Person**	**ONTP**
LD 418	**An Act To Implement the National Popular Vote for President**	**ONTP**
LD 619	**RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting**	**CARRIED OVER**
LD 667	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That the Governor Be Elected by a Majority Vote**	**ONTP**
LD 753	**An Act To Allow Voters To Choose Ongoing Absentee Voter Status**	**ONTP**
LD 816	**An Act To Implement the National Popular Vote for President of the United States**	**Died Between Houses**
LD 845	**An Act To Secure the Integrity of Elections When the Secretary of State Is a Candidate**	**Leave to Withdraw Pursuant to Joint Rule 310**
LD 1083	**An Act To Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine**	**CARRIED OVER**

LD 1196	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting**	**ONTP**
LD 1213	**An Act To Repeal the Ranked-choice Voting Law**	**Majority (ONTP) Report**
LD 1332	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require State and Congressional Elections To Be Decided by a Plurality of Votes Cast**	**Majority (ONTP) Report**
LD 1365	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Election of the Governor by Majority Vote**	**ONTP**
LD 1447	**An Act To Simplify Voting in Maine by Placing a Moratorium on Ranked-choice Voting**	**Majority (ONTP) Report**
LD 1454	**An Act Concerning Elections in Maine Congressional Districts**	**Majority (ONTP) Report**
LD 1477	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Use of Ranked-choice Voting for Governor and Members of the Legislature**	**CARRIED OVER**
LD 1631	**RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting, Voting by Absentee Ballot and Voting by Mail**	**ONTP**

Defense, Veterans and Emergency Management

Enacted

LD 1806	**An Act To Amend the Laws Governing Veterans' Services**	**PUBLIC 377**
LD 1807	**An Act To Amend Certain Laws Related to Members of the Military and the Maine National Guard**	**PUBLIC 341**

Gambling, Beano and Games of Chance

Enacted

LD 34	**An Act To Clarify Game of Chance Licensing Requirements**	**PUBLIC 60**
LD 131	**An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit**	**PUBLIC 24 EMERGENCY**
LD 158	**An Act To Amend the Laws Governing Beano**	**PUBLIC 56**
LD 253	**An Act To Clarify the Requirements for High-hand Competitions in Games of Chance Tournament Games**	**PUBLIC 119**

LD 352	**An Act Regarding Licensing Fees for Certain Tournament Games**	**PUBLIC 63**
LD 1154	**An Act To Increase the Betting Limit on Games of Chance at Fairs and Festivals and To Expand Allowed Operation**	**PUBLIC 117 EMERGENCY**
LD 1268	**An Act To Update and Clarify the Laws Governing Raffles**	**PUBLIC 129**

Not Enacted

LD 1456	**An Act To Amend the Laws Governing Raffles**	**ONTP**
LD 1493	**An Act To Exempt Cribbage and Other Card Games from Licensing and Regulation When Conducted by Certain Organizations**	**ONTP**

Gambling, Casinos and Slot Machines

Not Enacted

LD 661	**An Act To Increase Gaming Opportunities for Charitable Veterans' Organizations**	**CARRIED OVER**
LD 715	**An Act To Change the Allocation Formula for Revenue from Slot Machines**	**ONTP**
LD 1144	**An Act To Authorize Tribal Gaming**	**CARRIED OVER**
LD 1244	**An Act To Authorize the Gambling Control Board To Accept an Application from the Passamaquoddy Tribe To Operate 50 Slot Machines in the Tribe's High-stakes Beano Facility**	**CARRIED OVER**

Gambling, Generally

Not Enacted

LD 1633	**An Act To Legalize Keno and Historical Instant Racing**	**Majority (ONTP) Report**

Gambling, Lottery

Not Enacted

LD 631	**An Act To Fund the Operations of the Tick Identification Laboratory in the University of Maine Cooperative Extension Diagnostic and Research Laboratory**	**ONTP**

Gambling, Sports and Fantasy Contests

Not Enacted

LD 553	**An Act To Ensure Proper Oversight of Sports Betting in the State**	**HELD BY GOVERNOR**
LD 1348	**An Act To Authorize Sports Wagering**	**ONTP**
LD 1515	**An Act To Allow Sports Wagering in Maine**	**ONTP**
LD 1571	**An Act To Establish the Exclusive Right of the Federally Recognized Indian Tribes in the State To Conduct All Sports Betting in Maine**	**ONTP**
LD 1642	**An Act Regarding the Regulation of Sports Wagering**	**ONTP**
LD 1656	**An Act To Provide for the Regulation of Sports Wagering**	**ONTP**
LD 1657	**An Act To Regulate Sports Wagering**	**ONTP**

Harness Racing and Off-track Betting

Not Enacted

LD 1797	**An Act To Amend the Advance Deposit Wagering Laws**	**CARRIED OVER**

Initiatives and Referenda

Enacted

LD 499	**An Act To Collect Data Regarding How Payment Is Made for Collection of Signatures for Direct Initiatives and People's Veto Referendums**	**PUBLIC 456**
LD 534	**An Act To Make Ballot Questions Easier To Read and Understand for Maine Voters**	**PUBLIC 414 EMERGENCY**

LD 1437	**RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities**	**CON RES 1**

Not Enacted

LD 252	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit New or Increased Fees or Taxes by Means of Direct Initiatives of Legislation**	**Majority (ONTP) Report**
LD 255	**Resolution, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District**	**Died Between Houses**
LD 294	**An Act To Require the Fiscal Impact Estimate of a Direct Initiative of Legislation To Be Included on the Ballot**	**ONTP**
LD 374	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each State Senatorial District**	**Majority (ONTP) Report**
LD 1255	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Referenda To Receive 60 Percent of the Vote To Become Law**	**Majority (ONTP) Report**
LD 1438	**An Act To Clarify the Intent of Referendum Questions for Voters**	**ONTP**
LD 1565	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Protect Voter-approved Measures**	**ONTP**
LD 1583	**An Act To Enact the Maine Citizens' Initiatives Clean Election Act**	**Majority (ONTP) Report**
LD 1669	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Help Ensure That Direct Initiatives of Legislation Are Compatible with the Constitution of Maine and Statutory Law**	**Report A (ONTP)**

Lobbying and Lobbyists

Enacted

LD 76	**An Act To Strengthen the Integrity of the Legislature**	**PUBLIC 57**

Not Enacted

LD 54	**An Act To Limit the Influence of Lobbyists by Expanding the Prohibition on Accepting Political Contributions**	**HELD BY GOVERNOR**

Maine National Guard

Not Enacted

LD 1805	**An Act To Amend the Laws Governing Military Leave for Officials and State Employees**	**Leave to Withdraw Pursuant to Joint Rule 310**

Veterans

Enacted

LD 184	**An Act To Amend the Veterans' Homelessness Prevention Coordination Program**	**PUBLIC 504 EMERGENCY**

Not Enacted

LD 171	**Resolve, To Establish a Pilot Project To Evaluate and Address the Transportation Needs of Maine's Veterans**	**CARRIED OVER**
LD 501	**An Act To Provide Funding for the Homeless Veterans Center in Caribou**	**ONTP**
LD 510	**An Act To Authorize Funding for Transitional Housing for Women Veterans and Their Families**	**CARRIED OVER**
LD 835	**An Act To Increase Funding for Case Managers for Veterans**	**CARRIED OVER**
LD 1226	**An Act To Make Criteria for State Veterans' Benefits Consistent within the Maine Revised Statutes**	**ONTP**

Voter Qualifications and Registration

Enacted

LD 1463	**An Act To Create an Automatic Voter Registration System**	**PUBLIC 409**

Not Enacted

LD 186	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors**	**Died Between Houses**
LD 322	**An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting**	**Majority (ONTP) Report**
LD 1372	**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Voting Rights Belong Only to Citizens in Municipal or Other Local Elections**	**Died Between Houses**

LD 1570	**An Act To Allow Residents To Register Online To Vote**	**ONTP**
LD 1665	**An Act To Automatically Change a Voter Registration Address upon Change of Address for a Driver's License**	**ONTP**
LD 1722	**Resolve, Directing the Secretary of State To Develop a Plan for Implementation of Automatic Registration of Nonregistered Persons Qualified To Vote through Records of the Bureau of Motor Vehicles**	**ONTP**

APPENDIX A

APPENDIX A

SESSION STATISTICS

OVERALL AND
BY INDIVIDUAL COMMITTEE

129th LEGISLATURE
FIRST REGULAR SESSION

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of All Bills/Papers
A. Bills referred to Committee		
Bills referred and voted out and not carried over	1416	76.7%
Bills and Joint Resolutions Carried Over to next session	409 *	22.2%
Total Bills referred	**1825**	98.9%
B. Bills reported out by law or joint order and not referred back to committee	**8**	0.4%
C. Bills introduced without reference	**10**	0.5%
D. Bills referred, but not reported out	**3** **	
Total Bills considered by Legislature	**1846**	100.0%
E. Orders and Resolutions Referred to Committee		
Joint Study Orders	0	0.0%
Joint Resolutions/Orders referred and voted out	2	0.1%
Total Orders and Resolutions Referred	**2**	0.1%

II. BILLS AND PAPERS REPORTED OUT OF COMMITTEES	Number	% of All Committee Reports
A. Unanimous committee reports		
Ought to Pass	86	5.5%
Ought to Pass as Amended	489	31.2%
Leave to Withdraw	53	3.4%
Ought Not to Pass	543	34.7%
Total unanimous reports	**1171**	**74.7%**
B. Divided committee reports		
Two-way reports	380	24.3%
Three-way reports	16	1.0%
Four-way reports	0	0.0%
Total divided reports	**396**	**25.3%**
Total Committee reports	**1567** ***	**85.4%**
III. CONFIRMATION HEARINGS	**95**	**N/A**

IV. FINAL DISPOSITION	Number	% of All Bills/Rules
A. Bills and Papers enacted or finally passed		
Joint Study Orders	0	0.0%
Public laws	530	28.7%
Private and Special Laws	14	0.8%
Resolves	107	5.8%
Constitutional Resolutions	1	0.1%
Total Enacted or Finally Passed	**652**	**35.3%**
B. Resolves to authorize major substantive rules		
Rules authorized without legislative changes	7	43.8%
Rules authorized with legislative changes	8	50.0%
Rules not authorized by the Legislature	1	6.3%
Total number of rules reviewed	**16**	**100.0%**
C. Bills vetoed or held by Governor		
Vetoes over-ridden	0	0.0%
Vetoes sustained	8	0.4%
Held by the Governor	39	2.1%
Total	**47**	**2.5%**

* Total number of bills carried over to any regular or special session, or both, by H.P. 1322 is 411 bills, but 2 bills, LDs 1839 and 1842, were never referred to committee. Of the 411 bills, 260 were carried over in committee, 142 were carried over on the Special Appropriations Table, 3 were carried over on the Special Study Table and 6 were carried over on the floor.

** Bills referred, but not reported out: LD 1296 in the HCIFS Committee and LD 1449 and LD 1589 in the JUD Committee.

*** Total includes two joint resolutions, SP 105 and HP 264, referred to the SLG Committee and voted out.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
AGRICULTURE, CONSERVATION AND FORESTRY

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	57	78.1%	3.1%
Bills Carried Over to next session	16 *	21.9%	0.9%
Total Bills referred	**73**	**100.0%**	**4.0%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**73**	**100.0%**	**4.0%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	6	9.4%	0.4%
Ought to Pass as Amended	20	31.3%	1.3%
Leave to Withdraw	3	4.7%	0.2%
Ought Not to Pass	17	26.6%	1.1%
Total unanimous reports	**46**	**71.9%**	**2.9%**
B. Divided committee reports			
Two-way reports	18	28.1%	1.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**18**	**28.1%**	**1.1%**
Total committee reports	**64**	**87.7%**	**4.1%**
III. CONFIRMATION HEARINGS	**11**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	21	28.8%	1.1%
Private and Special Laws	0	0.0%	0.0%
Resolves	8	11.0%	0.4%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**29**	**39.7%**	**1.6%**
B. Major substantive rules			
Authorized without legislative changes	0	0.0%	0.0%
Authorized with legislative changes	0	0.0%	0.0%
Rules carried over to next session	0		
Not authorized by the Legislature	1	100.0%	6.3%
Total number of rules reviewed	**1**	**100.0%**	**6.3%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	3	4.1%	0.2%
Total	**3**	4.1%	**0.2%**

* Total number of bills carried over by H.P. 1322 includes 6 bills reported out of the ACF Committee and then carried over on the Special Appropriations Table and 1 bill reported out of committee and then carried over on the floor.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
APPROPRIATIONS AND FINANCIAL AFFAIRS

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	4	8.3%	0.2%
Bills Carried Over to next session	44 *	91.7%	2.4%
Total Bills referred	**48**	**100.0%**	**2.6%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**48**	**100.0%**	**2.6%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	0.0%

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	0	0.0%	0.0%
Ought to Pass as Amended	1	20.0%	0.1%
Leave to Withdraw	2	40.0%	0.1%
Ought Not to Pass	0	0.0%	0.0%
Total unanimous reports	**3**	**60.0%**	**0.2%**
B. Divided committee reports			
Two-way reports	1	20.0%	0.1%
Three-way reports	1	20.0%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**2**	**40.0%**	**0.1%**
Total committee reports	**5 ****	**10.4%**	**0.3%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	2	4.2%	0.1%
Private and Special Laws	0	0.0%	0.0%
Resolves	0	0.0%	0.0%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**2**	**4.2%**	**0.1%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

* Total number of bills carried over by H.P. 1322 includes 1 bill reported out of the AFA Committee and then carried over on the floor.

** Total number of committee reports includes 1 bill reported out of the AFA Committee and then carried over on the floor by H.P. 1322.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
CRIMINAL JUSTICE AND PUBLIC SAFETY

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	93	76.9%	5.0%
Bills Carried Over to next session	27 *	22.3%	1.5%
Total Bills referred	**120**	**99.2%**	**6.5%**
B. Bills reported out by law or joint order and not referred back to committee	**1**	**0.8%**	**0.1%**
Total Bills considered by Committee	**121**	**100.0%**	**6.6%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions/Orders referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	4	4.0%	0.3%
Ought to Pass as Amended	33	33.0%	2.1%
Leave to Withdraw	3	3.0%	0.2%
Ought Not to Pass	38	38.0%	2.4%
Total unanimous reports	**78**	**78.0%**	**5.0%**
B. Divided committee reports			
Two-way reports	21	21.0%	1.3%
Three-way reports	1	1.0%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**22**	**22.0%**	**1.4%**
Total committee reports	**100**	**82.6%**	**6.4%**
III. CONFIRMATION HEARINGS	**2**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	37	30.6%	2.0%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	1.7%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**39**	**32.2%**	**2.1%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	3	2.5%	0.2%
Total	**3**	2.5%	**0.2%**

* Total number of bills carried over by H.P. 1322 includes 5 bills reported out of the CJPS Committee and then carried over on the Special Appropriations Table, 1 bill reported out of committee and then carried over on the floor and 1 bill reported out of committee and then carried over on the study table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
EDUCATION AND CULTURAL AFFAIRS

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	141	84.9%	7.6%
Bills Carried Over to next session	25 *	15.1%	1.4%
Total Bills referred	**166**	**100.0%**	**9.0%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**166**	**100.0%**	**9.0%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	2	1.3%	0.1%
Ought to Pass as Amended	43	27.7%	2.7%
Leave to Withdraw	4	2.6%	0.3%
Ought Not to Pass	49	31.6%	3.1%
Total unanimous reports	**98**	**63.2%**	**6.3%**
B. Divided committee reports			
Two-way reports	56	36.1%	3.6%
Three-way reports	1	0.6%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**57**	**36.8%**	**3.6%**
Total committee reports	**155**	**93.4%**	**9.9%**
III. CONFIRMATION HEARINGS	**25**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	47	28.3%	2.5%
Private and Special Laws	0	0.0%	0.0%
Resolves	17	10.2%	0.9%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**64**	**38.6%**	**3.5%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	25.0%	6.3%
Rules authorized with legislative changes	3	75.0%	18.8%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**4**	**100.0%**	**25.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	3	1.8%	0.2%
Total	**3**	1.8%	**0.2%**

* Total number of bills carried over by H.P. 1322 includes 14 bills reported out of the EDU Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
ENVIRONMENT AND NATURAL RESOURCES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	70	76.1%	3.8%
Bills Carried Over to next session	22 *	23.9%	1.2%
Total Bills referred	**92**	**100.0%**	**5.0%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**92**	**100.0%**	**5.0%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	8	11.0%	0.5%
Ought to Pass as Amended	18	24.7%	1.1%
Leave to Withdraw	2	2.7%	0.1%
Ought Not to Pass	30	41.1%	1.9%
Total unanimous reports	**58**	**79.5%**	**3.7%**
B. Divided committee reports			
Two-way reports	15	20.5%	1.0%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**15**	**20.5%**	**1.0%**
Total committee reports	**73**	**79.3%**	**4.7%**
III. CONFIRMATION HEARINGS	**5**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	30	32.6%	1.6%
Private and Special Laws	0	0.0%	0.0%
Resolves	4	4.3%	0.2%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**34**	**37.0%**	**1.8%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	100.0%	6.3%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**1**	**100.0%**	**6.3%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	1	1.1%	0.1%
Held by the Governor	0	0.0%	0.0%
Total	**1**	1.1%	**0.1%**

* Total number of bills carried over by H.P. 1322 includes 3 bills reported out of the ENR Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
ENERGY AND UTILITIES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	84	87.5%	4.6%
Bills Carried Over to next session	11 *	11.5%	0.6%
Total Bills referred	**95**	**99.0%**	**5.1%**
B. Bills reported out by law or joint order and not referred back to committee	**1**	**1.0%**	**0.1%**
Total Bills considered by Committee	**96**	**100.0%**	**5.2%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	6	7.1%	0.4%
Ought to Pass as Amended	31	36.5%	2.0%
Leave to Withdraw	3	3.5%	0.2%
Ought Not to Pass	18	21.2%	1.1%
Total unanimous reports	**58**	**68.2%**	**3.7%**
B. Divided committee reports			
Two-way reports	23	27.1%	1.5%
Three-way reports	4	4.7%	0.3%
Four-way reports	0	0.0%	0.0%
Total divided reports	**27**	**31.8%**	**1.7%**
Total committee reports	**85**	**88.5%**	**5.4%**
III. CONFIRMATION HEARINGS	**5**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	36	37.5%	2.0%
Private and Special Laws	4	4.2%	0.2%
Resolves	11	11.5%	0.6%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**51**	**53.1%**	**2.8%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	2	100.0%	12.5%
Rules carried over to next session	0		
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**2**	**100.0%**	**12.5%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	2	2.1%	0.1%
Held by the Governor	0	0.0%	0.0%
Total	**2**	2.1%	**0.1%**

* Total number of bills carried over by H.P. 1322 includes 1 bill reported out of the EUT Committee and then carried over on the floor.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
HEALTH AND HUMAN SERVICES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	141	66.8%	7.6%
Bills Carried Over to next session	68 *	32.2%	3.7%
Total Bills referred	**209**	**99.1%**	**11.3%**
B. Bills reported out by law or joint order and not referred back to committee	**2**	**0.9%**	**0.1%**
Total Bills considered by Committee	**211**	**100.0%**	**11.4%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	10	5.3%	0.6%
Ought to Pass as Amended	87	46.5%	5.6%
Leave to Withdraw	5	2.7%	0.3%
Ought Not to Pass	49	26.2%	3.1%
Total unanimous reports	**151**	**80.7%**	**9.6%**
B. Divided committee reports			
Two-way reports	36	19.3%	2.3%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**36**	**19.3%**	**2.3%**
Total committee reports	**187**	**88.6%**	**11.9%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	44	20.9%	2.4%
Private and Special Laws	0	0.0%	0.0%
Resolves	27	12.8%	1.5%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**71**	**33.6%**	**3.8%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	4	80.0%	25.0%
Rules authorized with legislative changes	1	20.0%	6.3%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**5**	**100.0%**	**31.3%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	6	2.8%	0.3%
Total	**6**	2.8%	**0.3%**

* Total number of bills carried over by H.P. 1322 includes 46 bills reported out of the HHS Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	87	79.1%	4.7%
Bills Carried Over to next session	23 *	20.9%	1.2%
Total Bills referred	**110 ****	**100.0%**	**6.0%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**110**	**100.0%**	**6.0%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	5	5.6%	0.3%
Ought to Pass as Amended	32	35.6%	2.0%
Leave to Withdraw	3	3.3%	0.2%
Ought Not to Pass	35	38.9%	2.2%
Total unanimous reports	**75**	**83.3%**	**4.8%**
B. Divided committee reports			
Two-way reports	15	16.7%	1.0%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**15**	**16.7%**	**1.0%**
Total committee reports	**90**	**81.8%**	**5.7%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	44	40.0%	2.4%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	1.8%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**46**	**41.8%**	**2.5%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	100.0%	6.3%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**1**	**100.0%**	**6.3%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

***** Total number of bills carried over by H.P. 1322 includes 3 bills reported out of the HCIFS Committee and then carried over on the Special Appropriations Table.

****** Total number of bills referred and voted out does not include 1 bill, LD 1296, which was referred to the committee, but was not reported out and died on adjournment.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
INLAND FISHERIES AND WILDLIFE

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	52	86.7%	2.8%
Bills Carried Over to next session	8	13.3%	0.4%
Total Bills referred	**60**	**100.0%**	**3.3%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**60**	**100.0%**	**3.3%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	3	5.7%	0.2%
Ought to Pass as Amended	23	43.4%	1.5%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	25	47.2%	1.6%
Total unanimous reports	**51**	**96.2%**	**3.3%**
B. Divided committee reports			
Two-way reports	2	3.8%	0.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**2**	**3.8%**	**0.1%**
Total committee reports	**53**	**88.3%**	**3.4%**
III. CONFIRMATION HEARINGS	**7**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	23	38.3%	1.2%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	3.3%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**25**	**41.7%**	**1.4%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

* Total number of bills carried over by H.P. 1322 includes 1 bill reported out of the IFW Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
INNOVATION, DEVELOPMENT AND ECONOMIC ADVANCEMENT AND COMMERCE

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	71	84.5%	3.8%
Bills Carried Over to next session	11 *	13.1%	0.6%
Total Bills referred	**82**	**97.6%**	**4.4%**
B. Bills reported out by law or joint order and not referred back to committee	**2**	**2.4%**	**0.1%**
Total Bills considered by Committee	**84**	**100.0%**	**4.6%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	5	6.7%	0.3%
Ought to Pass as Amended	16	21.3%	1.0%
Leave to Withdraw	5	6.7%	0.3%
Ought Not to Pass	34	45.3%	2.2%
Total unanimous reports	**60**	**80.0%**	**3.8%**
B. Divided committee reports			
Two-way reports	15	20.0%	1.0%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**15**	**20.0%**	**1.0%**
Total committee reports	**75**	**89.3%**	**4.8%**
III. CONFIRMATION HEARINGS	**6**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	24	28.6%	1.3%
Private and Special Laws	1	1.2%	0.1%
Resolves	2	2.4%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**27**	**32.1%**	**1.5%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	1	1.2%	0.1%
Total	**1**	**1.2%**	**0.1%**

* Total number of bills carried over by H.P. 1322 includes 4 bills reported out of the IDEA Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
JUDICIARY

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	113	77.4%	6.1%
Bills Carried Over to next session	33 *	22.6%	1.8%
Total Bills referred	**146 ****	**100.0%**	**7.9%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**146**	**100.0%**	**7.9%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions/Orders referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	8	6.7%	0.5%
Ought to Pass as Amended	32	26.9%	2.0%
Leave to Withdraw	7	5.9%	0.4%
Ought Not to Pass	30	25.2%	1.9%
Total unanimous reports	**77**	**64.7%**	**4.9%**
B. Divided committee reports			
Two-way reports	39	32.8%	2.5%
Three-way reports	3	2.5%	0.2%
Four-way reports	0	0.0%	0.0%
Total divided reports	**42**	**35.3%**	**2.7%**
Total committee reports	**119**	**81.5%**	**7.6%**
III. CONFIRMATION HEARINGS	**18**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	57	39.0%	3.1%
Private and Special Laws	0	0.0%	0.0%
Resolves	3	2.1%	0.2%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**60**	**41.1%**	**3.3%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules carried over to the next session	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	1	0.7%	0.1%
Held by the Governor	9	6.2%	0.5%
Total	**10**	6.8%	**0.5%**

* Total number of bills carried over by H.P. 1322 includes 4 bills reported out of the JUD Committee and then carried over on the Special Appropriations Table, 1 bill reported out of committee and then carried over on the floor and 1 bill reported out of committee and then carried over on the study table.

** Total number of bills referred and voted out does not include 2 bills, LD 1449 and LD 1589, which were referred to the committee, but were not reported out and died on adjournment.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
LABOR AND HOUSING

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	113	85.6%	6.1%
Bills Carried Over to next session	18 *	13.6%	1.0%
Total Bills referred	**131**	**99.2%**	**7.1%**
B. Bills reported out by law or joint order and not referred back to committee	**1**	**0.8%**	**0.1%**
Total Bills considered by Committee	**132**	**100.0%**	**7.2%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	1	0.8%	0.1%
Ought to Pass as Amended	12	9.9%	0.8%
Leave to Withdraw	4	3.3%	0.3%
Ought Not to Pass	52	43.0%	3.3%
Total unanimous reports	**69**	**57.0%**	**4.4%**
B. Divided committee reports			
Two-way reports	51	42.1%	3.3%
Three-way reports	1	0.8%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**52**	**43.0%**	**3.3%**
Total committee reports	**121**	**91.7%**	**7.7%**
III. CONFIRMATION HEARINGS	**5**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	34	25.8%	1.8%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	1.5%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**36**	**27.3%**	**2.0%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	3	2.3%	0.2%
Held by the Governor	5	3.8%	0.3%
Total	**8**	6.1%	**0.4%**

* Total number of bills carried over by H.P. 1322 includes 8 bills reported out of the LBHS Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
MARINE RESOURCES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	30	90.9%	1.6%
Bills Carried Over to next session	3	9.1%	0.2%
Total Bills referred	**33**	**100.0%**	**1.8%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**33**	**100.0%**	**1.8%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	2	6.5%	0.1%
Ought to Pass as Amended	10	32.3%	0.6%
Leave to Withdraw	1	3.2%	0.1%
Ought Not to Pass	12	38.7%	0.8%
Total unanimous reports	**25**	**80.6%**	**1.6%**
B. Divided committee reports			
Two-way reports	6	19.4%	0.4%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**6**	**19.4%**	**0.4%**
Total committee reports	**31**	**93.9%**	**2.0%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	13	39.4%	0.7%
Private and Special Laws	0	0.0%	0.0%
Resolves	1	3.0%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**14**	**42.4%**	**0.8%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

* Total number of bills carried over by H.P. 1322 includes 1 bill reported out of the MAR Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
STATE AND LOCAL GOVERNMENT

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	81	88.0%	4.4%
Bills Carried Over to next session	11 *	12.0%	0.6%
Total Bills referred	**92**	**100.0%**	**5.0%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**92**	**100.0%**	**5.0%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	2	100.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**2**	**100.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	5	5.8%	0.3%
Ought to Pass as Amended	32	37.2%	2.0%
Leave to Withdraw	1	1.2%	0.1%
Ought Not to Pass	31	36.0%	2.0%
Total unanimous reports	**69**	**80.2%**	**4.4%**
B. Divided committee reports			
Two-way reports	17	19.8%	1.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**17**	**19.8%**	**1.1%**
Total committee reports	**86 ****	**91.5%**	**5.5%**
III. CONFIRMATION HEARINGS	**0**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	31	33.7%	1.7%
Private and Special Laws	7	7.6%	0.4%
Resolves	5	5.4%	0.3%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**43**	**46.7%**	**2.3%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

* Total number of bills carried over by H.P. 1322 includes 2 bills reported out of the SLG Committee and then carried over on the Special Appropriations Table and 1 bill reported out of committee and then carried over on the study table.

** Total includes two joint resolutions, SP 105 and HP 264, referred to the SLG Committee and voted out.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
TAXATION

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	85	61.2%	4.6%
Bills Carried Over to next session	54 *	38.8%	2.9%
Total Bills referred	**139**	**100.0%**	**7.5%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**139**	**100.0%**	**7.5%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	7	5.8%	0.4%
Ought to Pass as Amended	46	38.0%	2.9%
Leave to Withdraw	1	0.8%	0.1%
Ought Not to Pass	46	38.0%	2.9%
Total unanimous reports	**100**	**82.6%**	**6.4%**
B. Divided committee reports			
Two-way reports	21	17.4%	1.3%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**21**	**17.4%**	**1.3%**
Total committee reports	**121**	**87.1%**	**7.7%**
III. CONFIRMATION HEARINGS	**0**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	20	14.4%	1.1%
Private and Special Laws	1	0.7%	0.1%
Resolves	4	2.9%	0.2%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**25**	**18.0%**	**1.4%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	1	0.7%	0.1%
Held by the Governor	5	3.6%	0.3%
Total	**6**	4.3%	**0.3%**

* Total number of bills carried over by H.P. 1322 includes 36 bills reported out of the TAX Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
TRANSPORTATION

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	90	84.9%	4.9%
Bills Carried Over to next session	16 *	15.1%	0.9%
Total Bills referred	**106**	**100.0%**	**5.7%**
B. Bills reported out by law or joint order and not referred back to committee	**0**	**0.0%**	**0.0%**
Total Bills considered by Committee	**106**	**100.0%**	**5.7%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	12	13.2%	0.8%
Ought to Pass as Amended	27	29.7%	1.7%
Leave to Withdraw	6	6.6%	0.4%
Ought Not to Pass	45	49.5%	2.9%
Total unanimous reports	**90**	**98.9%**	**5.7%**
B. Divided committee reports			
Two-way reports	1	1.1%	0.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**1**	**1.1%**	**0.1%**
Total committee reports	**91**	**85.8%**	**5.8%**
III. CONFIRMATION HEARINGS	**3**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	26	24.5%	1.4%
Private and Special Laws	1	0.9%	0.1%
Resolves	11	10.4%	0.6%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**38**	**35.8%**	**2.1%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**0**	**0.0%**	**0.0%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

* Total number of bills carried over by H.P. 1322 includes 1 bill reported out of the TRA Committee and then carried over on the Special Appropriations Table.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

129th LEGISLATURE
VETERANS AND LEGAL AFFAIRS

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out and not carried over	104	83.9%	5.6%
Bills and Joint Resolutions Carried Over to next session	19 *	15.3%	1.0%
Total Bills referred	**123**	**99.2%**	**6.7%**
B. Bills reported out by law or joint order and not referred back to committee	**1**	**0.8%**	**0.1%**
Total Bills considered by Committee	**124**	**100.0%**	**6.7%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	2	1.8%	0.1%
Ought to Pass as Amended	26	23.4%	1.7%
Leave to Withdraw	3	2.7%	0.2%
Ought Not to Pass	32	28.8%	2.0%
Total unanimous reports	**63**	**56.8%**	**4.0%**
B. Divided committee reports			
Two-way reports	43	38.7%	2.7%
Three-way reports	5	4.5%	0.3%
Four-way reports	0	0.0%	0.0%
Total divided reports	**48**	**43.2%**	**3.1%**
Total committee reports	**111**	**89.5%**	**7.1%**
III. CONFIRMATION HEARINGS	**4**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	37	29.8%	2.0%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	1.6%	0.1%
Constitutional Resolutions	1	0.8%	0.1%
Total Enacted or Finally Passed	**40**	**32.3%**	**2.2%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	50.0%	6.3%
Rules authorized with legislative changes	1	50.0%	6.3%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**2**	**100.0%**	**12.5%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	3	2.4%	0.2%
Total	**3**	2.4%	**0.2%**

* Total number of bills carried over by H.P. 1322 includes 6 bills reported out of the VLA Committee and then carried over on the Special Appropriations Table and 1 bill reported out of committee and then carried over on the floor.

Prepared by the Office of Policy and Legal Analysis
129th Legislature, First Regular Session

APPENDIX B

APPENDIX B

INDEX OF BILLS

NOT REFERRED TO COMMITTEE

BILLS NOT REFERRED:
COMMITTEE WHERE SUMMARY MAY BE FOUND

LD	TITLE	COMMITTEE
410	An Act To Eliminate the Subminimum Wage for Workers with Disabilities and Agricultural and Tipped Workers	Labor and Housing
663	An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish and To Exempt Them from Vehicle Registration Fees	Inland Fisheries and Wildlife
785	Resolve, Directing the Board of Pesticides Control To Educate the Public on the Proper Use of Pesticides and To Promote Integrated Pest Management	Agriculture, Conservation and Forestry
877	An Act To Equalize the Distribution of Gasoline Tax Revenues between Snowmobiles and All-terrain Vehicles	Inland Fisheries and Wildlife
1495	Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes	Veterans and Legal Affairs
1508	An Act To Respect the Will of Maine Voters by Funding Education at 55 Percent	Education and Cultural Services
1747	An Act To Strengthen Maine's Hemp Program	Agriculture, Conservation and Forestry
1833	An Act Establishing a Review Process for Measures with a Potential Economic Impact and Directing the Department of Economic and Community Development To Develop a Strategic Economic Plan	Innovation, Development, Economic Advancement and Business
1834	An Act Regarding Prostitution	Criminal Justice and Public Safety
1838	Resolve, Requiring the Department of Health and Human Services To Examine Options for Upper Payment Limit Adjustments for MaineCare Services	Health and Human Services

BILLS NOT REFERRED:
COMMITTEE WHERE SUMMARY MAY BE FOUND

LD	TITLE	COMMITTEE
1839	Resolve, To Provide Sustainable Funding for Assisted Living Facilities	Health and Human Services
1840	Resolve, To Continue until August 3, 2019 Limited-period Positions Expiring in June 2019	Appropriations and Financial Affairs
1841	Resolve, Directing the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Barriers to Credentialing	Innovation, Development, Economic Advancement and Business
1842	An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan	Labor and Housing
1843	An Act To Provide Funding for Two Positions in the Department of Agriculture, Conservation and Forestry	Agriculture, Conservation and Forestry
1844	Resolve, Directing the Public Utilities Commission To Evaluate the Ownership of Maine's Power Delivery Systems	Energy, Utilities and Technology
1845	An Act To Fund Collective Bargaining Agreements with Executive Branch Employees	Labor and Housing
1846	An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees	Judiciary