

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**October 23, 2017 to November 6, 2017**

**SECOND REGULAR SESSION**  
**January 3, 2018 to May 2, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 5, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2018**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2018**

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PUBLIC LAWS OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST SPECIAL SESSION OF THE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
2017

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**CHAPTER 313**  
**H.P. 242 - L.D. 328**

**An Act To Encourage Regional  
Planning and Reorganization**

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

**Sec. 1. 30-A MRSA §6201, sub-§1**, as enacted by PL 2005, c. 266, §2, is amended to read:

**1. Commissioner.** "Commissioner" means the Commissioner of ~~Administrative and Financial Services~~ Economic and Community Development.

**Sec. 2. 30-A MRSA §6201, sub-§1-A** is enacted to read:

**1-A. Capital grant.** "Capital grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs for a capital grant as specified in subsection 5, paragraph C.

**Sec. 3. 30-A MRSA §6201, sub-§§2, 3 and 5**, as enacted by PL 2005, c. 266, §2, are amended to read:

**2. Cooperative services grant.** "Cooperative services grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs ~~of a qualifying project for a cooperative services grant as specified in subsection 5, paragraph B.~~

**3. Department.** "Department" means the Department of ~~Administrative and Financial Services~~ Economic and Community Development.

**5. Eligible costs.** "Eligible costs" means the actual and direct expenses incurred in implementing a cooperative services grant, a capital grant or a planning grant awarded under section 6208, including expenses incurred in connection with the following activities for cooperative services grants, capital grants and planning grants.

A. Eligible costs for a planning grant include the expense of:

- (1) Studies to examine alternative methods of achieving collaboration, including those adopted by other municipalities;
- (2) Cost-benefit studies; and
- (3) Facilitation of community meetings and public outreach and education.

B. Eligible costs for a cooperative services grant ~~includes~~ include the expense of:

- (1) Execution and implementation of an interlocal agreement under chapter 115, a tax base sharing arrangement or another regional government mechanism for achieving collaboration;
- (2) Joint strategic planning or comprehensive or capital investment planning;
- (3) Public outreach and education;
- (4) Collaboration or consolidation of offices or services;
- (5) Professional services, such as those provided by attorneys, consultants, facilitators and architects; and
- (6) Administrative services and costs, such as photocopying, printing, telephone service and travel costs.

C. Eligible costs for a capital grant include the expense of:

- (1) Site, facility, infrastructure or utility system acquisition;
- (2) Repair, rehabilitation or renovation of existing facilities;
- (3) New construction or expansion of existing facilities; and
- (4) Purchase of major equipment or systems.

Administrative and other costs of ongoing operations that would otherwise be budgeted by a municipality, county or regional government subdivision are not eligible costs.

**Sec. 4. 30-A MRSA §6205, first and last ¶¶**, as enacted by PL 2005, c. 266, §2, are amended to read:

In accordance with the request for proposals issued by the department under section 6209, an eligible applicant may apply for a planning grant, a capital grant or a cooperative services grant from the fund. In order to be eligible for a planning grant, a capital grant or a cooperative services grant, an eligible applicant must demonstrate in its application that the project for which it seeks a grant will be undertaken in cooperation with one or more municipalities, counties or regional government subdivisions.

In applying for a cooperative services grant or a capital grant, an eligible applicant must specify the type of qualifying project for which assistance is sought and how the project will reduce demand for property tax revenues.

**Sec. 5. 30-A MRSA §6206**, as amended by PL 2007, c. 662, §5, is further amended by adding after the first paragraph a new paragraph to read:

The department may require an eligible applicant to provide matching funds for a capital grant if suggested by the review panel during consultation required under section 6208, subsection 1.

**Sec. 6. 30-A MRSA §6207, sub-§2**, as enacted by PL 2005, c. 266, §2, is amended to read:

**2. Cooperative services grants; capital grants.** In evaluating and ranking each application for a cooperative services grant or a capital grant, the review panel established under section 6208 shall consider the aggregate reduction in the demand for property tax revenue in the geographical region covered by the municipalities, counties and regional government subdivisions cooperating in the qualifying project, the chance of success of the project and the ability to replicate the efficiency achieved by the project in other regions; and other related factors in accordance with a request for proposals issued by the department under section 6209.

**Sec. 7. 30-A MRSA §6208, sub-§1, ¶C**, as enacted by PL 2005, c. 266, §2, is amended to read:

C. A representative of the Department of ~~Economic and Community Development~~ Administrative and Financial Services, appointed by the Governor;

**Sec. 8. 30-A MRSA §6208, sub-§2**, as enacted by PL 2005, c. 266, §2, is amended to read:

**2. Review panel duties.** The review panel established in subsection 1 shall:

A. Determine whether each eligible applicant for a cooperative services grant, a capital grant or a planning grant meets the eligibility criteria under section 6205 and provide written notice to that applicant of its eligibility determination; and

B. In accordance with the request for proposals issued under section 6209, review and rank proposals from applicants eligible for cooperative services grants, capital grants and planning grants under section 6205 against the funding criteria defined in section 6207 and award cooperative services grants, capital grants or planning grants to proposals that best meet the funding criteria in section 6207 subject to availability of funding.

Prior to issuing the request for proposals as provided in section 6209, the department shall consult with the

review panel, which may suggest criteria for consideration by the department.

**Sec. 9. 30-A MRSA §6209**, as enacted by PL 2005, c. 266, §2, is amended to read:

**§6209. Request for proposals**

No later than November 1st of each year, the department shall issue a request for proposals in accordance with the Department of Administrative and Financial Services, Bureau of General Services Rules, Chapter 110 that includes the schedules for submission and action on applications for grants under this chapter; procedures for scoring and ranking those applications; and procedures and information requirements related to application submissions. The department shall provide reasonable notice to all eligible applicants about the availability of the fund and the solicitation of grant proposals.

See title page for effective date.

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**CHAPTER 314**

**S.P. 605 - L.D. 1648**

**An Act To Amend the Law  
Recognizing Local Control  
Regarding Food Systems and  
Require Compliance with  
Federal and State Food Safety  
Regulations**

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

**Whereas**, in the First Regular Session of the 128th Legislature, the Legislature enacted "An Act To Recognize Local Control Regarding Food Systems," which the Governor, on June 16, 2017, signed and which became Public Law 2017, chapter 215, effective November 1, 2017; and

**Whereas**, under provisions of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act, the United States Department of Agriculture, Food Safety and Inspection Service has questioned the State's authority under Public Law 2017, chapter 215 to enforce the requirements of the State's meat and poultry products inspection and licensing program set forth in the Maine Revised Statutes, Title 22, chapter 562-A in a manner that is at least equal to the standards imposed and enforced under the federal acts; and

**Whereas**, the Secretary of Agriculture of the United States has notified the Governor that, on or after November 1, 2017, Maine will become a so-called designated state for federal inspection of all the