

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

the basic training course must include 8 hours of training in how to identify, understand and respond to signs of mental illnesses and substance use disorder that is provided by a trainer who is certified by a nationally recognized organization that provides evidence-based mental health first aid training.

Sec. 2. Jails, prisons and correctional facilities to incrementally train corrections personnel in mental health first aid. Every jail, prison and state correctional facility shall ensure that 20% of corrections officers at the jail, prison or state correctional facility are trained in mental health first aid by 2022. For purposes of this section, "corrections officer" has the same meaning as in the Maine Revised Statutes, Title 25, section 2801-A, subsection 2.

Sec. 3. Report. Every jail, prison and state correctional facility shall report to the Commissioner of Corrections when personnel at the facility have received mental health first aid training at the Maine Criminal Justice Academy as required by section 2. When all jails, prisons and state correctional facilities in the State have reported to the commissioner, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters that the provisions of section 2 have been met.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
Criminal Justice Academy 0290**

Initiative: Provides an allocation to provide 8 hours of mental health first aid training as part of basic corrections training.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$30,265
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$30,265

See title page for effective date.

**CHAPTER 437
S.P. 557 - L.D. 1584**

**An Act To Expand the Local
Foods Economy by Promoting
Local Foods Procurement**

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

Sec. 1. 7 MRSA c. 8-A, sub-c. 3 is enacted to read:

SUBCHAPTER 3

LOCAL FOODS PROCUREMENT PROGRAM

§220. Local foods procurement program; local foods access

In accordance with this section, the commissioner shall establish and promote a local foods procurement program with the goal that no later than 2025, 20% of all food and food products procured by state institutions be local food or food products.

1. Guidelines. The commissioner shall establish guidelines to assist state institutions to assess their ability to procure local foods or food products while minimizing costs for that procurement.

2. Education and outreach. The commissioner shall provide education and outreach for the purpose of supporting local foods providers, such as farms, farmers' markets, community supported agriculture and seafood providers, to further the goal established in this section.

3. Access to local foods for recipients of benefits. The commissioner shall improve access to local foods for recipients of benefits under any food supplement program administered by the Department of Health and Human Services under Title 22 by:

A. Expanding opportunities for farmers to sell local foods to recipients of food supplement program benefits by promoting the use of electronic benefits transfer cards at farmers' markets and, in partnership with a statewide federation of farmers' markets, encouraging participation in community supported agriculture by recipients of food supplement program benefits;

B. Assisting farmers' markets in accepting payments through the electronic benefits transfer system by helping them secure equipment, including equipment that does not require the use of electricity, for processing payments through the electronic benefits transfer system; and

C. In partnership with the Commissioner of Health and Human Services, educating recipients of food supplement program benefits of the opportunity to use the benefits at farmers' markets and the advantages of such use.

4. Rules. The commissioner shall adopt rules necessary to carry out the provisions of this subchapter. The rules must include, but are not limited to, definitions of "local foods" and "local foods providers" that are consistent with the provisions of this chapter and must establish a method and baseline to determine the percentage of local foods or food products procured by state institutions based on dollars spent. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Report. The commissioner shall include a description of the progress toward reaching the goal under this section in the biennial report submitted to the Legislature pursuant to section 2, subsection 5.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Division of Quality Assurance and Regulation 0393

Initiative: Provides an appropriation for one Planning and Research Associate II position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$76,032
All Other	\$0	\$2,500
GENERAL FUND TOTAL	\$0	\$78,532

Division of Quality Assurance and Regulation 0393

Initiative: Provides an appropriation for education and outreach, for artwork, printing and distribution of promotional material and for data and research to prepare an annual report.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$85,000
GENERAL FUND TOTAL	\$0	\$85,000

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$0	\$163,532
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$163,532

See title page for effective date.

**CHAPTER 438
S.P. 561 - L.D. 1597**

An Act To Exempt from Sales Tax the Fee Associated with the Paint Stewardship Program

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

Sec. 1. 36 MRSA §1752, sub-§14, ¶B, as repealed and replaced by PL 2015, c. 494, Pt. A, §44, is amended to read:

B. "Sale price" does not include:

- (1) Discounts allowed and taken on sales;
- (2) Allowances in cash or by credit made upon the return of merchandise pursuant to warranty;
- (3) The price of property returned by customers, when the full price is refunded either in cash or by credit;
- (4) The price received for labor or services used in installing or applying or repairing the property sold, if separately charged or stated;
- (5) Any amount charged or collected, in lieu of a gratuity or tip, as a specifically stated service charge, when that amount is to be disbursed by a hotel, restaurant or other eating establishment to its employees as wages;
- (6) The amount of any tax imposed by the United States on or with respect to retail sales, whether imposed upon the retailer or the consumer, except any manufacturers', importers', alcohol or tobacco excise tax;
- (7) The cost of transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, provided that those charges are separately stated and the transportation occurs by means of common carrier, contract carrier or the United States mail;
- (8) Any amount charged or collected by a person engaged in the rental of living quarters as a forfeited room deposit or cancellation fee if the prospective occupant of the living quarters cancels the reservation on or before the scheduled date of arrival;
- (9) Any amount charged for the disposal of used tires;
- (10) Any amount charged for a paper or plastic single-use carry-out bag; ~~or~~
- (11) Any charge, deposit, fee or premium imposed by a law of this State; or