

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

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

Augusta, Maine
2018

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
RECOGNIZING THE WEEK
OF JANUARY 7, 2018 AS
HUMAN TRAFFICKING
AWARENESS WEEK**

S.P. 663

WHEREAS, human trafficking is criminal recruiting, harboring, transporting, providing or obtaining a person for compelled labor or commercial sexual exploitation through the use of force, fraud or coercion, including but not limited to involuntary servitude, sex trafficking, debt bondage, domestic servitude and forced child labor, and can, but does not necessarily, include the physical transportation of a victim from one location to another; and

WHEREAS, human trafficking violates basic human rights, denies victims their personal freedom and knows no geographical boundaries; and

WHEREAS, traffickers target men, women and children, both United States citizens and foreign nationals, isolate them from society and exploit them for personal and monetary gain; and

WHEREAS, human trafficking is recognized as the fastest-growing criminal enterprise in the world, and the International Labour Organization estimates annual profits of \$150,000,000,000 from forced labor internationally; and

WHEREAS, the International Labour Organization estimated in 2012 that 26% of persons trafficked were children, and the National Center for Missing and Exploited Children estimated in 2014 that one out of every 6 endangered runaways in the United States reported to them was likely a child sex-trafficking victim; and

WHEREAS, victims of human trafficking suffer severe emotional, psychological and physical damage at the hands of their traffickers, who instill fear in their victims in order to keep them enslaved, resulting in complex post-traumatic stress disorder and increased rates of disease, drug addiction and other lifelong effects of trauma, and these experiences may require years of specialized health care and mental health services as part of a victim's recovery; and

WHEREAS, human trafficking exists in the State, and many state, federal and local agencies and organizations are working to prevent human trafficking, to intervene when human trafficking is discovered and to provide restorative care to victims; and

WHEREAS, no one person, organization, agency or community can eliminate human trafficking, but we can work together to educate our entire population about how we can all prevent human trafficking and

provide support to survivors of human trafficking and to their communities; and

WHEREAS, the State is committed to protecting the vulnerable and ending human trafficking through prevention, prosecution, education and awareness; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the week of January 7, 2018 as Human Trafficking Awareness Week.

Read and adopted by the Senate January 11, 2018 and the House of Representatives January 11, 2018.

**JOINT RESOLUTION
MEMORIALIZING
CONGRESS TO
STRENGTHEN LAWS
AGAINST MASS VIOLENCE
AND DOMESTIC
TERRORISM,
CONDEMNING THE
VIOLENCE IN
CHARLOTTESVILLE,
VIRGINIA AND
EXPRESSING THE
COMMITMENT OF THE
LEGISLATURE TO UPHOLD
CONSTITUTIONAL RIGHTS**

S.P. 711

WHEREAS, on the night of Friday, August 11, 2017, a day before a white nationalist demonstration was scheduled to occur in Charlottesville, Virginia, hundreds of torch-bearing white nationalists, white supremacists, Klansmen and neo-Nazis chanted racist, anti-Semitic and anti-immigrant slogans and violently engaged with counter-demonstrators on and around the grounds of the University of Virginia in Charlottesville; and

WHEREAS, on Saturday, August 12, 2017, ahead of the scheduled start time of the planned march, protestors and counter-demonstrators gathered at Emancipation Park in Charlottesville; and

WHEREAS, the extremist demonstration turned violent, culminating in the death of peaceful counter-demonstrator Heather Heyer and injuries to 19 other individuals after a reported neo-Nazi sympathizer drove a vehicle into a crowd, which resulted in a charge of 2nd-degree murder, 3 counts of malicious wounding and one count of hit and run; and

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WHEREAS, 2 Virginia State Police officers, Lieutenant Pilot H. Jay Cullen and Trooper Pilot Berke M. M. Bates, died in a helicopter crash as they patrolled the events occurring below them; and

WHEREAS, the Charlottesville community is engaged in a healing process following this horrific and violent display of bigotry; and

WHEREAS, the State fully supports the right to free speech, the right to assemble peaceably and the right to petition the government for a redress of grievances; however, the assembly in Charlottesville turned violent and it became clear that some in attendance were there to promote racial tensions, destroy our principles and do harm to the fabric of our nation; and

WHEREAS, any organization that perpetuates violence and terrorism has no place in a civil society; and

WHEREAS, any crimes committed by such organizations should be prosecuted to the fullest extent of the law; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to condemn the violence and the attack that took place during the events on August 11 and August 12, 2017 in Charlottesville, Virginia; recognize the first responders who lost their lives in the course of monitoring the events; offer our deepest condolences to the families and friends of those individuals who were killed; extend our deepest sympathy and support to those individuals injured in the violence; and express our support for the Charlottesville community; and be it further

RESOLVED: That We reaffirm our sworn oaths to defend the Constitution of the United States and the Constitution of Maine and reaffirm our solemn commitment to continue to protect and champion the rights and liberties of Maine citizens that are guaranteed under the state and federal constitutions, including freedom of expression; freedom of association, including the right to attend meetings without being illegally monitored and the right to belong to an organization without fear of reprisal; freedom from unreasonable searches and seizures; and the right to due process protections; and be it further

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to call upon our United States Representatives and Senators to review and, where warranted, strengthen laws to ensure law enforcement agencies have the necessary tools to prevent and prosecute acts of mass violence and domestic terrorism committed within the boundaries of our nation, as long as the laws do not infringe upon fundamental rights and liberties as rec-

ognized and enshrined in the United States Constitution and its amendments; and be it further

RESOLVED: That suitable copies of the resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Maine Congressional Delegation as well as the members of the Virginia Congressional Delegation.

Read and adopted by the Senate March 20, 2018 and the House of Representatives March 22, 2018.

JOINT RESOLUTION SUPPORTING THE NATIONAL PARK SYSTEM

S.P. 737

WHEREAS, America's National Park System is a living testament to our citizens' valor and our nation's hardships, our victories and our traditions as Americans and has been called "America's best idea"; and

WHEREAS, the National Park System preserves the diversity, culture and heritage of all Americans and serves as a living classroom for future generations; and

WHEREAS, the National Park Service celebrated its centennial in 2016 and currently manages more than 400 nationally significant sites and an invaluable collection of more than 75,000 natural and cultural assets that span 84,000,000 acres across all 50 states, the District of Columbia and several United States territories and insular areas; and

WHEREAS, the National Park Service's mission is to preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education and inspiration of this and future generations; and

WHEREAS, in 2016, the National Park System had more than 331,000,000 visits, more than 3,000,000 alone to Acadia National Park in Maine; and

WHEREAS, it is estimated that in 2016 park visitors spent more than \$18,400,000,000 at national park sites, including more than \$275,000,000 in Maine's communities adjacent to Acadia National Park; and

WHEREAS, the National Park Service has the obligation to preserve our nation's history, promote access to national parks for all citizens, stimulate revenue to sustain itself and nearby communities, educate the public about America's natural, cultural and historical resources and provide safe facilities and environs for the enjoyment of these resources; and

WHEREAS, in 2016, the National Park Service estimated a deferred maintenance backlog of nearly

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\$11,300,000,000, which includes repairs to aging historical structures, trails, sewers, drainage and thousands of miles of roads, bridges, tunnels and other vital infrastructure, more than \$70,000,000 of which is in Maine; and

WHEREAS, it is important that America's national parks be maintained to ensure our natural places and our history are preserved and documented for future generations and for the adjacent communities that rely on the direct and indirect economic benefits generated by visits to national park sites; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to express our support for the creation of a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System, including Acadia National Park; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to each Member of the Maine Congressional Delegation.

Read and adopted by the Senate April 17, 2018 and the House of Representatives April 17, 2018.

**JOINT RESOLUTION
COMMEMORATING
MARTIN LUTHER KING,
JR. DAY IN THE YEAR OF
THE 50TH ANNIVERSARY
OF HIS DEATH**

H.P. 1234

WHEREAS, January 15, 2018 marks the national and state holiday in honor of Martin Luther King, Jr., commemorating his birth on January 15, 1929; and

WHEREAS, Martin Luther King, Jr., advocated the furtherance of civil and human rights for Americans through nonviolent acts of civil disobedience; and

WHEREAS, this man of powerful voice and spirit showed this country a dream of "an oasis of freedom and justice"; and

WHEREAS, for his tireless work to ensure equality and justice, Dr. King was awarded the Nobel Peace Prize, a high and honorable distinction, in 1964; and

WHEREAS, his eloquence, his perseverance and his faith moved mountains and brought about sweeping changes by appealing to the better instincts and consciences of his fellow human beings; and

WHEREAS, this year marks the 50th anniversary of the Memphis sanitation workers strike, which lasted

from February 11, 1968 to April 16, 1968 and which Dr. King declared to be a major part of the Poor People's Campaign, an effort to gain economic justice for poor Americans of diverse backgrounds; and

WHEREAS, during the strike, Dr. King delivered to the strikers his last speech, "I've Been to the Mountaintop," calling for unity, economic actions, boycotts and nonviolent protest while challenging the United States to live up to its ideals; and

WHEREAS, the life of Martin Luther King, Jr., which ended so tragically on April 4, 1968, is a shining example to Americans and citizens of the world at large of uncompromising dedication to democratic values; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to acknowledge the extraordinary life and works of this teacher, reformer and humanitarian, Dr. Martin Luther King, Jr., and pause in our deliberations to recognize and commemorate the occasion of his birth.

Read and adopted by the House of Representatives January 16, 2018 and the Senate January 18, 2018.

**JOINT RESOLUTION
MEMORIALIZING THE
PRESIDENT OF THE
UNITED STATES AND THE
UNITED STATES
CONGRESS TO EXCLUDE
THE STATE OF MAINE
FROM OFFSHORE OIL AND
GAS DRILLING AND
EXPLORATION
ACTIVITIES**

H.P. 1279

WE, your Memorialists, the Members of the One Hundred and Twenty-eighth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, the United States Department of the Interior, Bureau of Ocean Energy Management 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program has already been released and the programmatic environmental impact statement could be released as early as May 2018; and

WHEREAS, over 46,319 jobs and more than \$2,300,000,000 of the State's gross domestic product depend on clean, oil-free water and beaches and abundant fish and wildlife; and

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WHEREAS, over 65% of the State's ocean-derived income stems from our tourism and recreation sector, contributing over \$1,200,000,000 to the State's economy, and this economic sector benefits from and depends upon a healthy ocean and coast; and

WHEREAS, offshore oil and gas drilling and exploration activities place coastal communities at economic and ecological risk from oil spills and the pollution brought by routine drilling operations and onshore industrialization, threatening the quality of life and livelihoods of the State's citizens and important industries, such as tourism and recreation and commercial and recreational fishing, and small businesses that rely on a clean and healthy ocean and beaches; and

WHEREAS, the State recognizes that our communities and industries depend on a healthy coastal environment for the benefit of current and future residents, property owners and visitors; now, therefore, be it

RESOLVED: That We, your Memorialists, believe that offshore oil and gas drilling and exploration risks our economic and ecological health and therefore oppose any plan or legislation that encourages oil and gas exploration offshore that would negatively affect the citizens of the State; and be it further

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States and the United States Congress direct the United States Department of the Interior, Bureau of Ocean Energy Management to exclude the State and its offshore areas from the 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Donald J. Trump, President of the United States, to Secretary of the Interior Ryan Zinke, to National Oil and Gas Leasing Program Development and Coordination Branch Chief Kelly Hammerle, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

Read and adopted by the House of Representatives February 15, 2018 and the Senate March 1, 2018.

**JOINT RESOLUTION
RECOGNIZING VIETNAM
VETERANS APPRECIATION
DAY ON MARCH 29, 2018**

H.P. 1329

WHEREAS, the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975 and the

United States Armed Forces became involved in Vietnam to provide direct military support for the Republic of South Vietnam to defend itself against the growing communist threat from North Vietnam; and

WHEREAS, according to the United States Department of Veterans Affairs, 8,744,000 military personnel served on active duty during the Vietnam War and 2,594,000 personnel served within the borders of South Vietnam between January 1, 1965 and March 28, 1973; and

WHEREAS, on March 29, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam; and

WHEREAS, the State of Maine has 343 names etched on the black granite wall of the Vietnam Veterans Memorial in the Nation's capital, and 11 of our soldiers are still missing in Southeast Asia; and

WHEREAS, March 30th of each year is Vietnam War Remembrance Day in Maine, in honor of the service and sacrifice of those veterans of the United States Armed Forces who served during the Vietnam War; and

WHEREAS, as with veterans returning from today's battlefields, those who served in Vietnam came home with both physical and unseen injuries of war, and many of those unseen injuries went undiagnosed and were not as well initially understood by the medical community and citizenry as they are now; and

WHEREAS, we must continue to honor the millions of men and women who served with valor during the Vietnam War, including those who suffered unseen injuries; and

WHEREAS, Vietnam Veterans Appreciation Day specifically honors the 7,200,000 living Vietnam War veterans and the 9,000,000 family members of those veterans; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to join in the observance of Vietnam Veterans Appreciation Day in order to honor the contributions of living veterans who served in the United States Armed Forces in Vietnam; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Defense, Veterans and Emergency Management.

Read and adopted by the House of Representatives March 29, 2018 and the Senate March 29, 2018.
