

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

examine the books and records of broker-dealers and investment advisers as otherwise provided by law.

See title page for effective date.

**CHAPTER 18
H.P. 56 - L.D. 59**

**An Act To Permit Plantations
To Fill Vacancies of Town
Officials**

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

Whereas, plantations conduct official business that must be attended to on a daily basis, mostly by a small group of officials; and

Whereas, the inability to fill a vacancy when an official is unable or unwilling to fulfill the duties required of the office directly affects the ability of the plantation to conduct its official business, which has a negative effect on the public interest and is of a direct concern to the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 30-A MRSA §7006, sub-§1, ¶B, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. Laws relating to the election, appointment, hiring, qualification, filling of vacancies, duties, powers, compensation, liabilities and penalties for official neglect and misconduct of town officials and employees.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 5, 2019.

**CHAPTER 19
S.P. 155 - L.D. 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**

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

Sec. 1. 12 MRSA §10105, sub-§18 is enacted to read:

18. Extend a trapping season. The commissioner, based on sound scientific wildlife management principles, may 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.

See title page for effective date.

**CHAPTER 20
S.P. 72 - L.D. 260**

**An Act To Permit Disability
Insurance To Be Offered
through the Surplus Lines
Market**

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

Whereas, Maine residents who work in certain professions and occupations are unable to obtain adequate disability insurance coverage; and

Whereas, this bill would allow disability insurance to be offered through the surplus lines market if other admitted insurance is not available; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 24-A MRSA §2002-A, sub-§1, ¶B, as enacted by PL 1993, c. 153, §16, is amended to read:

B. Health insurance, except disability insurance;
or

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 5, 2019.

CHAPTER 21
S.P. 68 - L.D. 256

**An Act To Ensure Responsible
Operation of Political Action
Committees**

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

Sec. 1. 21-A MRSA §1054-B, as enacted by PL 2017, c. 98, §1, is amended to read:

§1054-B. Payments to Legislators by political action committees

If a Legislator is a principal officer or treasurer of a political action committee or is one of the individuals primarily responsible for raising contributions or making decisions for the political action committee, the committee may not compensate the Legislator for services provided to the committee. The committee may not make payments or distribute, loan, advance, deposit or gift money or anything of value to or compensate a business owned or operated by the Legislator. The committee may reimburse the Legislator for expenses incurred in the proper performance of the duties of the Legislator, for purchases made on behalf of the committee and for travel expenses associated with volunteering for the committee. Allowable reimbursement for expenses does not include payments from the committee that are determined by the commission to be for the purpose of personal financial enrichment of the Legislator. The funds of the committee may not be commingled with the personal funds of the Legislator or the funds of a business owned or operated by the Legislator.

See title page for effective date.

CHAPTER 22
H.P. 133 - L.D. 170

**An Act To Prohibit Questions
Regarding Criminal History on
Certain State Employment
Applications**

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

Sec. 1. 5 MRSA §792 is enacted to read:

§792. Application forms for employment

An application form for employment for a position in State Government may not include any questions regarding an applicant's criminal history except when, due to the nature and requirements of the position, a person who has a criminal history may be disqualified from eligibility for the position. For purposes of this section, "position in State Government" means a position in the legislative, executive or judicial branch of State Government or a position with a quasi-independent state entity or public instrumentality of the State. "Position in State Government" does not include a position in a school administrative unit, municipality, county or other political subdivision of the State.

See title page for effective date.

CHAPTER 23
H.P. 377 - L.D. 520

**An Act To Resolve Tie Votes
by the Washington County
Budget Advisory Committee**

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

Whereas, county budget advisory committees perform a valuable public service in the development of the budgets of their respective counties; and

Whereas, it serves the public interest for county budget advisory committees to resolve disagreements and issues regarding deliberations concerning county budgets and recommendations made by the committees; and

Whereas, it is difficult, and sometimes impossible, for a budget advisory committee to perform its duties and issue recommendations with an even number of voting members, as an impasse can result; and

Whereas, currently the Washington County Budget Advisory Committee has an even number of voting members and, in order to properly perform its duties regarding the 2019 county budget, a mechanism to prevent future tie votes needs to be in place prior to September of this year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,