

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 bargaining agent certified by the executive director of the board as the exclusive bargaining agent shall ~~be required to~~ represent all the public employees within the unit without regard to membership in the organization certified as bargaining agent, ~~provided~~ except that any public employee at any time may present ~~his~~ that public employee's grievance to the public employer and have such grievance adjusted without the intervention of the bargaining agent, if the adjustment is not inconsistent with the terms of a collective bargaining agreement then in effect and if the bargaining agent's representative has been given reasonable opportunity to be present at any meeting of the parties called for the resolution of such grievance.

See title page for effective date.

CHAPTER 136
S.P. 69 - L.D. 257

**An Act To Help Ensure That
the Legislature Has the
Information Necessary To Do
the Work of the People of
Maine**

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

Sec. 1. 5 MRSA §21201, as enacted by PL 1993, c. 675, Pt. C, §12, is amended to read:

§21201. Findings

The Legislature finds that difficulties in interactions among the ~~Executive Department~~ executive branch, the Legislature and the ~~Judicial Department~~ judicial branch often arise from the lack of understanding of the functions, structures, needs and perspectives of the 3 separate but coequal branches of government. Increased communication and coordination in daily activities as well as in long-range planning are possible to improve the effectiveness and efficiency of all 3 branches without the imposition of the views or directions of one or 2 branches upon another. The Legislature finds that active participation by the executive branch in the lawmaking process is essential to producing informed and effective legislation. The Legislature finds that the Constitution of Maine, Articles IV and V provide for shared participation in the lawmaking process and that shared responsibility has long been recognized and respected. The Legislature finds that a blanket policy by the executive branch that severely limits executive branch engagement and participation in the legislative process is contrary to these fundamental understandings and intentions underlying the Constitution of Maine and that the Governor should provide reasonably accessible information and expertise when the Legislature reasonably so requests.

See title page for effective date.

CHAPTER 137
H.P. 254 - L.D. 329

**An Act To Exempt from
Criminal Liability Persons
Reporting a Drug-related
Medical Emergency**

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

Sec. 1. 17-A MRSA §1111-B is enacted to read:

§1111-B. Exemption from criminal liability for reporting a drug-related medical emergency

A person who in good faith seeks medical assistance for another person experiencing a drug-related overdose or who is experiencing a drug-related overdose and is in need of medical assistance may not be arrested or prosecuted for a violation of section 1107-A, 1108, 1111 or 1111-A or a violation of probation as authorized by chapter 49 if the grounds for arrest or prosecution are obtained as a result of the person's seeking medical assistance or experiencing a drug-related overdose.

See title page for effective date.

CHAPTER 138
H.P. 429 - L.D. 585

**An Act To Allow the Adoption
of Ordinances Prohibiting the
Accumulation of Trash on
Private Property in Plantations**

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

Sec. 1. 30-A MRSA §7051, sub-§11, as amended by PL 2017, c. 3, §1, is further amended to read:

11. Ordinances. Chapter 141, but only with respect to animal control ordinances, subject to Title 7, section 3950, ~~and~~ the sale and use of consumer fireworks within the plantation, subject to Title 8, section 223-A, ~~and~~ the accumulation of garbage, refuse, rubbish or trash or unwanted or discarded material of any kind or source on private property.

See title page for effective date.