

# 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.**

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**Augusta, Maine**  
**2019**

serving on the commission immediately prior to the effective date of this Act continue to serve as members of the commission for the terms for which they were appointed until the Governor appoints their successors.

See title page for effective date.

**CHAPTER 151**

**H.P. 1074 - L.D. 1467**

**An Act To Implement  
Recommendations of the  
Department of Environmental  
Protection Regarding the  
State's Cellular Telephone  
Recycling Law**

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

**Sec. 1. 38 MRSA §2143, sub-§4**, as amended by PL 2013, c. 315, §8, is repealed.

See title page for effective date.

**CHAPTER 152**

**H.P. 873 - L.D. 1209**

**An Act To Require Legislative  
Hearings on Citizen-initiated  
Legislation**

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

**Sec. 1. 21-A MRSA §907** is enacted to read:

**§907. Public hearing on direct initiatives**

A petition for direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18 that is determined valid by the Secretary of State pursuant to section 905, subsection 1 and is submitted to the Legislature in accordance with the procedure established in the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 1 must be afforded a public hearing conducted by the joint standing committee of the Legislature having jurisdiction over the subject matter of the petition or by a special legislative committee established for that purpose by the Legislative Council. The public hearing must be conducted in the same manner as other public hearings. The requirement to hold a public hearing may be waived by a vote of 2/3 of the members present in each House of the Legislature.

See title page for effective date.

**CHAPTER 153**

**H.P. 407 - L.D. 563**

**An Act To Help Municipalities  
Prepare for Sea Level Rise**

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

**Sec. 1. 30-A MRSA §4312, sub-§3, ¶J**, as amended by PL 2015, c. 349, §1, is further amended to read:

J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters; ~~and~~

**Sec. 2. 30-A MRSA §4312, sub-§3, ¶K**, as enacted by PL 2015, c. 349, §2, is amended to read:

K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and

**Sec. 3. 30-A MRSA §4312, sub-§3, ¶L** is enacted to read:

L. To plan for the effects of the rise in sea level on buildings, transportation infrastructure, sewage treatment facilities and other relevant state, regional, municipal or privately held infrastructure, property or resources.

**Sec. 4. 30-A MRSA §4326, first ¶**, as amended by PL 2001, c. 578, §13, is further amended to read:

A growth management program must include at least a comprehensive plan, as described in subsections 1 to ~~4~~ 4-A, and an implementation program as described in subsection 5.

**Sec. 5. 30-A MRSA §4326, sub-§4-A** is enacted to read:

**4-A. Addressing sea level rise.** A municipality or multimunicipal region that is in the coastal area may include in its comprehensive plan projections regarding changes in sea level and potential effects of the rise in sea level on buildings, transportation infrastructure, sewage treatment facilities and other relevant municipal, multimunicipal or privately held infrastructure or property and may develop a coordinated plan for addressing the effects of the rise in sea level. For the purposes of this subsection, "coastal area" has the same meaning as in Title 38, section 1802, subsection 1.