

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

4. Circulator affidavit. A person who circulates a petition shall execute an affidavit that must include:

A. The circulator's printed name, the physical address at which the circulator resides and the date the circulator signed the affidavit;

B. That the circulator read the information provided by the Secretary of State pursuant to subsection 3 and understands the laws governing the circulation of petitions in the State;

C. That the circulator was a resident of the State and a registered voter in the State at the time of circulating the petition; and

D. That the circulator understands that the circulator can be prosecuted under section 904 for violating the laws governing the circulation of petitions, including the requirement that the circulator truthfully executed the affidavit.

The circulator shall file the affidavit with the Secretary of State at the time the petition is filed.

5. Circulator payment. A person or organization that pays individuals to circulate petitions, other than by reimbursing travel expenses, shall provide a list of those individuals to the Secretary of State along with information indicating the method by which the individuals are being compensated when the petitions are filed pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

Sec. 2. 21-A MRSA §903-C, sub-§1, ¶D, as enacted by PL 2015, c. 99, §2, is amended to read:

D. A list containing the names of all individuals hired by the petition organization to assist in circulating petitions or in organizing, supervising or managing the circulation. The list must include a statement indicating the method by which the individuals hired to assist in circulating petitions are being compensated. The list must be updated and resubmitted to the Secretary of State when the petitions are filed pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

Sec. 3. 21-A MRSA §904, sub-§4, as repealed and replaced by PL 2007, c. 455, §53, is amended to read:

4. Duplicate signature. Knowingly signs the person's name more than once on initiative or referendum petitions for the same measure; or

Sec. 4. 21-A MRSA §904, sub-§5, as enacted by PL 2007, c. 455, §53, is amended to read:

5. False swearing; signature made in circulator's presence. Circulates an initiative or referendum petition and willfully swears that a signature to the petition was made in the circulator's presence when it was not; or

Sec. 5. 21-A MRSA §904, sub-§6 is enacted to read:

6. Failure to truthfully execute and file circulator affidavit. Knowingly fails to truthfully execute and timely file a circulator affidavit under section 903-A, subsection 4.

See title page for effective date.

**CHAPTER 457
H.P. 582 - L.D. 777**

**An Act To Establish the
Permanent Commission on the
Status of Racial, Indigenous
and Maine Tribal Populations**

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

Sec. 1. 5 MRSA §12004-I, sub-§74-J is enacted to read:

74-J.

Racial, Indigenous and Maine Tribal Populations	Permanent Commission on the Sta- tus of Ra- cial, Indige- nous and Maine Trib- al Popula- tions	Not Au- thorized	5 MRSA §25001
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Sec. 2. 5 MRSA Pt. 31 is enacted to read:

**PART 31
RACIAL, INDIGENOUS AND MAINE TRIBAL
POPULATIONS
CHAPTER 631
PERMANENT COMMISSION ON THE STATUS
OF RACIAL, INDIGENOUS AND MAINE
TRIBAL POPULATIONS**

§25001. Commission established

The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established by section 12004-I, subsection 74-J and referred to in this chapter as "the commission," is an independent commission. The commission shall promote, implement and coordinate programs that create and improve opportunities and incorporate the goal of eliminating disparities for historically disadvantaged racial, indigenous and tribal populations in the State.

§25002. Membership

1. Membership. To the extent possible, the commission must consist of members who represent the diverse racial, indigenous and tribal populations in the State. In making appointments, the Governor, the President of the Senate and the Speaker of the House shall consider and appoint residents of the State who have a knowledge of problems facing racial, indigenous and tribal populations in the State, who have experience in advocacy relating to racial, indigenous and tribal populations' issues and who provide leadership in programs or activities that create and improve opportunities for racial, indigenous and tribal populations. The commission consists of the following members:

A. Members appointed by the President of the Senate:

(1) A representative of a statewide organization promoting civil rights that has racial justice or racial equity as its primary mission;

(2) A representative of an economic policy organization or other data-focused organization;

(3) A representative of an organization with expertise in legal and policy matters related to public benefit programs that assists individuals with low incomes;

(4) A faculty member of a college or university in this State specializing in the history, the culture or the civil and human rights of historically disadvantaged racial, indigenous and tribal populations; and

(5) A representative of organized labor with expertise in labor rights and working conditions;

B. Members appointed by the Speaker of the House:

(1) A representative of an immigrant or refugee rights organization;

(2) A representative from a housing or homelessness advocacy organization;

(3) A representative of a community development financial institution; and

(4) A representative of a historically disadvantaged racial population of the State;

C. Members appointed by the Governor:

(1) A member of the public representing the faith-based community; and

(2) A member of the public representing youth; and

D. Other members:

(1) A representative from each of the federally recognized Indian tribes in the State.

§25003. Term of office

Members of the commission are appointed for 2-year terms. A member may serve multiple terms.

Members of the commission may serve after the expiration of their terms until their successors have taken office. The Governor, the President of the Senate and the Speaker of the House may terminate the membership of their respective appointees for good cause. The reason for the termination must be communicated in writing to a member whose membership is terminated. The membership of any member of the commission must be terminated if the member is absent from 3 consecutive meetings without communicating good cause to a chair of the commission.

§25004. Vacancies

A member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed serves only for the remainder of that term and must be appointed by the same appointing authority. Any vacancy on the commission does not affect its powers.

§25005. Chair

The commission shall select 3 chairs from among the members of the commission. The chairs are authorized to appoint subcommittees.

§25006. Department input

The commission shall seek input from the Department of Labor, the Department of Health and Human Services, the Department of Economic and Community Development and the Department of Education, as well as any other experts, in carrying out its duties.

§25007. Duties and powers

1. Commission duties. The commission shall:

A. Carry out research necessary to determine the status of historically disadvantaged racial, indigenous and tribal populations, including the study of income levels of and opportunities available to historically disadvantaged racial, indigenous and tribal populations and the examination of quantitative and qualitative data associated with those populations regarding business ownership, household assets, debts and income, housing, employment, education, health care and access to wealth, capital and benefits;

B. Seek public input by conducting public hearings annually to obtain information about the needs of and solutions to the problems faced by historically disadvantaged racial, indigenous and tribal populations; and

C. Beginning January 1, 2020, and biennially thereafter, report to the Governor and the Legislature concerning the work and interests of the commission, including a summary of public comments obtained pursuant to paragraph B.

2. Commission powers. The commission may:

A. Promote and coordinate activities on state and local levels designed to meet the problems faced by historically disadvantaged racial, indigenous and tribal populations;

B. Inform the public about the presence or absence of opportunities for historically disadvantaged racial, indigenous and tribal populations;

C. Conduct additional public hearings, conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to the problems faced by historically disadvantaged racial, indigenous and tribal populations;

D. Submit to the Legislature, at the start of each regular session, such legislation as the commission determines appropriate for improving opportunities and eliminating disparities for historically disadvantaged racial, indigenous and tribal populations in the State;

E. Advise and consult with the Chief Justice of the Supreme Judicial Court and other officials of the State and the Federal Government with respect to state and federal policies, programs and other activities affecting or relating to historically disadvantaged racial, indigenous and tribal populations; and

F. Advise and consult with the Governor and the Legislature about, and assist them in improving, opportunities for historically disadvantaged racial, indigenous and tribal populations.

§25008. Meetings

The commission shall meet at the call of the chairs not less than 4 times each year.

§25009. Administrative support

The Commissioner of Labor shall provide administrative support to the commission as required.

§25010. Federal and state funds

The commission may accept funds from the Federal Government, from a political subdivision of the State or from an individual, a foundation or a corporation and may expend funds for purposes that are consistent with this chapter. Funds received under this section must be deposited in a nonlapsing Other Special Revenue Funds account within the Department of Labor to support the work of the commission.

Sec. 3. Initial members. Notwithstanding the Maine Revised Statutes, Title 5, section 25003, of those public members first appointed to the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, one appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House must be appointed for one-year terms. The term of office of each member must be designated at the time of appointment.

Sec. 4. Initial report. No later than January 1, 2020, the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J shall submit a report that includes the commission's findings and recommendations on the commission's research and consideration of policy proposals pursuant to Title 5, section 25007, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF
Racial, Indigenous and Maine Tribal Populations
N329**

Initiative: Allocates funds to allow expenditure of any revenues received.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 458

S.P. 425 - L.D. 1370

An Act To Address Dangerous Behavior in the Classroom

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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