

# 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**

**Sec. 8. Transfer of Personal Services allocations between programs and departments.**

Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, available balances in the Highway Fund for Personal Services in fiscal year 2019-20 and fiscal year 2020-21 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

**Sec. 9. Authorization for reimbursement of costs associated with contract resolution.**

The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

**Sec. 10. Payment for settlement agreement.**

Payments to affected executive branch employees made in accordance with overtime pay settlements between the State of Maine and the Maine State Troopers Association, the Maine State Law Enforcement Association, the American Federation of State, County and Municipal Employees and the Maine State Employees Association must be made within available balances in the General Fund and Highway Fund for Personal Services in fiscal year 2019-20 for those affected departments and agencies. Such payments for positions supported from sources other than the General Fund and the Highway Fund must be funded from those other sources. When available balances are insufficient in the General Fund and Highway Fund, the Salary Plan program, General Fund account within the Department of Administrative and Financial Services may be used as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor in fiscal year 2019-20. Transfers from the Salary Plan program pursuant to this settlement may not exceed \$2,100,000 in fiscal year 2019-20.

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

Effective June 28, 2019.

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**CHAPTER 506****H.P. 50 - L.D. 49**

**An Act Authorizing the  
Issuance on Request of  
Acquired Brain Injury  
Identification Cards**

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

**Sec. 1. 29-A MRSA §1410-A** is enacted to read:

**§1410-A. Acquired brain injury identification cards**

Beginning January 1, 2020, the Secretary of State shall issue, on the request of a person who elects to receive it, an acquired brain injury identification card in accordance with this section.

**1. Issuance.** Upon receipt of a completed application and payment of a fee of \$5 by an applicant, the Secretary of State shall issue a wallet-sized acquired brain injury identification card to the applicant. For the purposes of this section, "acquired brain injury" has the same meaning as in Title 22, section 3086. Each acquired brain injury identification card must contain:

A. The name and address of the person to whom the card is issued;

B. The seal of the State;

C. A statement that the card holder has an acquired brain injury; and

D. Any additional information about acquired brain injury as determined by the Secretary of State under subsection 3.

The issuance of an acquired brain injury identification card does not license, permit or privilege a person to operate a motor vehicle and may not be used for official identification purposes in place of a driver's license or nondriver identification card.

**2. Application.** A completed application for an acquired brain injury identification card must contain the following:

A. The name, date of birth, address and telephone number of the person requesting the card; and

B. Any appropriate documentation that a person has an acquired brain injury as determined by the Secretary of State by rule.

**3. Additional information.** The Secretary of State may determine by rule any additional information about acquired brain injury that must be placed on an acquired brain injury identification card.

**4. Rulemaking.** Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 507  
H.P. 120 - L.D. 138**

**An Act Regarding the Maine  
Coworking Development Fund**

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

**Sec. 1. 5 MRSA §13056-G, sub-§3, ¶B,** as enacted by PL 2015, c. 362, §1, is amended to read:

B. The department shall solicit applications for grants or loans from the fund through a ~~request for proposals~~ competitive application process, which must include, at a minimum, the following criteria for the submission of applications:

- (1) A description of the parties involved in the project, including the professional expertise and qualifications of the principals;
- (2) A description of the scope of work that will be undertaken by each party involved in the project;
- (3) The proposed budget, including verification of funding from other sources;
- (4) A statement of the project objective, including specific information on how the project will promote the use of the space as a collaborative workspace;
- (5) A statement that sets forth the implementation plan, the facilities and resources available or needed for the project and the proposed commencement and termination dates of the project;
- (6) A description of the expected significance of the project, including a description of the market demand for the type of collaborative workspace proposed in the region in which the space will be located and the number of tenants and participants that will be served as a result of the project;
- (7) Guidelines for the review and approval of applications that include preferences for applications that propose to redevelop existing properties located in the downtown area of a municipality, dedicate at least 25% of accessible space to collaborative use and support a cluster of at least 5 separate tenants;

(8) A description of the ability of the collaborative workspace business to carry out the provisions of this section;

(9) A summary of the proposed economic impact of the collaborative workspace on the community;

(10) A description of plans for conformance with regional and local economic development plans, if such plans exist; and

(11) A statement of the proximity of the collaborative workspace to an accredited Maine community college, college or university, as defined in Title 20-A, section 12541, subsection 1.

**Sec. 2. 5 MRSA §13056-G, sub-§5,** as enacted by PL 2015, c. 362, §1, is amended to read:

**5. Report.** Beginning February 1, ~~2016~~ 2020, the department shall annually provide a report to the Governor, ~~the President of the Senate and the Speaker of the House of Representatives and the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters~~ that must include, but is not limited to:

- A. The number of applications for collaborative workspace submitted to the department;
- B. The number of applications for collaborative workspace approved by the department;
- C. The number of collaborative workspaces created through the fund;
- D. The numbers of tenants and participants engaged in each collaborative workspace;
- E. The number of jobs provided by each collaborative workspace;
- F. The occupancy rate of each collaborative workspace; and
- G. The number of tenants that have left collaborative workspace and that are operating in the State and the number of jobs they have provided.

See title page for effective date.

**CHAPTER 508  
S.P. 38 - L.D. 151**

**An Act To Align State Law  
with Current Practice  
Regarding Required School  
Attendance**

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