

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION**

NON-EMERGENCY LAWS IS

NOVEMBER 25, 2019

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION**

NON-EMERGENCY LAWS IS

JUNE 16, 2020

**PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.**

**Augusta, Maine
2020**

erable in a civil action. In assessing a civil penalty under this subsection, the commissioner shall consider, among other things, whether the person made a bona fide effort to comply with the requirements of this section, whether the violation occurred as the result of an error by a vendor, consultant or other party outside the control of the person and whether evidence is present that the person intended to conceal or misrepresent its financial activities.

See title page for effective date.

CHAPTER 565

H.P. 1341 - L.D. 1875

An Act Regarding the Naming of Bridges and Designating Bridge 5818 as the Specialist Wade A. Slack Memorial Bridge

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

Sec. 1. 23 MRSA §356 is enacted to read:

§356. Parallel bridge naming

When designating a bridge in this State with a specific name, the Department of Transportation shall deem separate bridges that run parallel to one another on the same highway as one bridge for the purposes of that designation.

Sec. 2. Interstate 95 bridge in Waterville named. The Department of Transportation shall designate Bridge 5818 on Interstate 95, which crosses Main Street in the City of Waterville, the Specialist Wade A. Slack Memorial Bridge and shall erect an appropriate sign or signs to proclaim this designation.

See title page for effective date.

CHAPTER 566

H.P. 1349 - L.D. 1883

An Act Regarding the Recommendations of the Federal Traumatic Brain Injury State Partnership Program Concerning the Membership of the Acquired Brain Injury Advisory Council

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

Sec. 1. 34-B MRSA §19001, sub-§4, as enacted by PL 2007, c. 239, §2, is amended to read:

4. Membership. The commissioner shall appoint ~~16~~ 25 persons to serve as members of the council and shall annually appoint one person to serve as chair. Members serve 2-year terms. Members must represent the following persons and interests:

- A. ~~Two~~ Five members with acquired brain injuries must represent persons with acquired brain injuries;
- B. ~~Two~~ Five members must represent families of persons with acquired brain injuries;
- C. Two members must represent advocates for persons with acquired brain injuries;
- D. Five members must represent providers of services to persons with acquired brain injuries; ~~and~~
- E. Five members must represent state agencies with expertise in the areas of education, employment, prevention of brain injuries, homelessness, corrections and services to veterans. Members of the council who represent state agencies serve ex officio, without the right to vote, and shall provide data, information and expertise to the council; ~~;~~
- F. One member must represent an aging and disability resource center;
- G. One member must represent a center for independent living; and
- H. One member must be the long-term care ombudsman under Title 22, section 5107-A or a representative of the long-term care ombudsman.

See title page for effective date.

CHAPTER 567

S.P. 688 - L.D. 1986

An Act To Clarify the Law Protecting Job Applicants from Identity Theft

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

Sec. 1. 26 MRSA §598-A, as enacted by PL 2019, c. 47, §1, is amended to read:

§598-A. Prospective employee's social security number

~~Beginning~~ Except as required by federal law, beginning January 1, 2020, an employer may not request a social security number from a prospective employee on an employment application or during the application process for employment except for the purposes of substance ~~abuse~~ use testing under subchapter 3-A or a preemployment background check. This section does not apply to an employer's request for a social security number after the employee has been hired.

See title page for effective date.

CHAPTER 568

H.P. 1495 - L.D. 2098

**An Act To Remove Nighttime
Restrictions on Lobster Fishing
in a Certain Area in the Bay of
Fundy**

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

Sec. 1. 12 MRSA §6440, as amended by PL 2017, c. 32, §1, is further amended by adding at the end a new paragraph to read:

Notwithstanding subsection 1, a person may raise or haul any lobster trap from September 1st to October 31st, both days inclusive, during any time of the day in an area in the Bay of Fundy that encompasses approximately 210 square miles around Machias Seal Island where there are overlapping claims of sovereignty by the United States and Canada if that person is authorized to fish in the lobster management zone established pursuant to section 6446 in which the area described is located. The commissioner shall define this area in rule to ensure that the boundaries of this area are clearly delineated. Rules adopted pursuant to this section regarding the boundaries of the area are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 569

S.P. 719 - L.D. 2029

**An Act To Make March Maine
Childhood Cancer Awareness
Month**

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 has one of the highest rates of childhood cancer in the nation; and

Whereas, federal funding for childhood cancer research is historically less than 5% of the total amount allocated for cancer research; and

Whereas, Public Law 2019, chapter 433, "An Act To Advance Children's Cancer Research in Maine," added an option on Maine's tax return form allowing a Maine taxpayer entitled to a tax refund to designate a portion of that refund to be paid into the Maine Children's Cancer Research Fund; and

Whereas, many Maine taxpayers will file tax forms before the expiration of the 90-day period; and

Whereas, if this Act becomes effective before March 1st, the Governor will issue a proclamation in March that will increase the public's awareness of childhood cancer and may elicit contributions by taxpayers to the Maine Children's Cancer Research Fund; 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. 1 MRSA §150-O is enacted to read:

**§150-O. Maine Childhood Cancer Awareness
Month**

The month of March of each year is designated as Maine Childhood Cancer Awareness Month, and the Governor shall annually issue a proclamation inviting and urging the people of the State to observe the month through appropriate activities and to become informed about childhood cancer.

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

Effective February 25, 2020.

CHAPTER 570

H.P. 1362 - L.D. 1908

**An Act To Establish First
Responders Day on September
11th**

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

Sec. 1. 1 MRSA §150-O is enacted to read:

§150-O. First Responders Day

September 11th of each year is designated as First Responders Day, and the Governor shall annually issue a proclamation inviting and urging the people of the State to observe the day in schools and other suitable places and with appropriate ceremony, celebration and activity. First Responders Day commemorates and honors the significant contributions of those who put their lives in danger to keep the people of this State safe, including law enforcement officers, firefighters, emergency medical personnel, game wardens, forest rangers and marine patrol officers.

See title page for effective date.