

# 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.**

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**Augusta, Maine  
2020**

(2) The name and address of the lobbyist, lobbyist associate or lobbying firm;

(3) The amount of the expenditure made or incurred by the lobbyist, lobbyist associate or lobbying firm either directly to or on behalf of a covered official or a covered official's immediate family member;

(4) A description of the goods or services purchased by the lobbyist, lobbyist associate or lobbying firm;

(5) The date and a description and location of an event paid for by the lobbyist, lobbyist associate or lobbying firm at which covered officials and the covered officials' immediate family members were in attendance; and

(6) The names of all covered officials and their immediate family members to whom the expenditures were directly made or on whose behalf the expenditures were made or who attended an event paid for by the lobbyist, lobbyist associate or lobbying firm.

C. A report under this subsection is due no later than 11:59 p.m. on the 15th calendar day of the month following the month in which the expenditure was made or incurred.

**Sec. 15. 3 MRSA §317, sub-§4, ¶A**, as enacted by PL 1993, c. 446, Pt. A, §14 and affected by §20, is amended to read:

A. With the lobbyist's last monthly report for that regular session a statement that the lobbyist and lobbyist associate will not engage in lobbying activities when the Legislature is not in session. The lobbyist is required to file a monthly report for lobbying activity conducted during a special session; or

**Sec. 16. 3 MRSA §317, sub-§4, ¶B**, as enacted by PL 1993, c. 446, Pt. A, §14 and affected by §20, is amended to read:

B. If the lobbyist or lobbyist associate is engaged in lobbying, if the lobbyist, lobbyist associate or employer conducts indirect lobbying or if the employer makes any expenditures directly to or on behalf of a covered official or a covered official's immediate family member in any of those months, a monthly report in the manner prescribed in subsection 1 even if compensation or reimbursement for expenses has not been received for the month.

**Sec. 17. 3 MRSA §321, sub-§9**, as enacted by PL 2017, c. 443, §5, is amended to read:

**9. Reject registrations.** The commission shall reject registrations that do not include certification of completion of training required under section 170-B or requests for extensions or exemptions pursuant to section 312-B.

**Sec. 18. Effective date.** This Act takes effect December 1, 2020.

Effective December 1, 2020.

**CHAPTER 588**

**H.P. 1366 - L.D. 1918**

**An Act To Amend the Laws Regarding the Reserve Funds of Certain School Organizational Structures**

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

**Sec. 1. 20-A MRSA §1312, sub-§1**, as amended by PL 1989, c. 132, §2, is further amended to read:

**1. Establishment.** A school administrative district may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or, financing the acquisition of a specific item or type of capital equipment or any of the expenditures listed under section 1485, subsection 1, paragraph A by including a request in the district budget, which must include a description of the purpose of the reserve fund, and receiving voter approval. The board of directors shall be is the trustee of the reserve fund. The reserve fund shall must be deposited or invested by the treasurer under the direction of the board.

**Sec. 2. 20-A MRSA §1312, sub-§3**, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**3. Expending moneys money from reserve funds.** The board of directors may expend the sum in the reserve fund when authorized to do so by a vote of the district at a district meeting or a district budget meeting, when an article for that purpose is set out in the warrant calling the meeting, ~~except that the board of directors may expend funds from a reserve fund by a vote of the board in accordance with the procedure in subsection 4:~~

A. In the event of an emergency that requires the immediate expenditure of funds and when, in responding to the emergency, a vote of the district for permission is cost-prohibitive; or

B. When such an expenditure is required by law.

**Sec. 3. 20-A MRSA §1312, sub-§4** is enacted to read:

**4. Procedure for expending money from reserve funds by vote of board.** The procedure for the board of directors to expend funds from the reserve fund pursuant to subsection 3, paragraph A or B must be as follows.

A. The board of directors shall provide public notice of the regular or special meeting at which the vote to expend funds from the reserve fund will be taken.

B. The board of directors shall hold a public hearing prior to the vote to expend funds from the reserve fund.

C. The vote to expend funds from the reserve fund must be recorded in the meeting minutes of the board of directors.

**Sec. 4. 20-A MRSA §1491, sub-§1**, as enacted by PL 2007, c. 240, Pt. XXXX, §13, is amended to read:

**1. Establishment.** A regional school unit may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment or any of the expenditures listed under section 1485, subsection 1, paragraph A by including a request in the regional school unit budget, which must include a description of the purpose of the reserve fund, and receiving voter approval. The regional school unit board is the trustee of the reserve fund. The reserve fund must be deposited or invested by the treasurer of the regional school unit under the direction of the regional school unit board.

**Sec. 5. 20-A MRSA §1491, sub-§3**, as enacted by PL 2007, c. 240, Pt. XXXX, §13, is amended to read:

**3. Expending money from reserve funds.** The regional school unit board may expend the sum in the reserve fund when authorized to do so by a vote of the regional school unit at a regional school unit meeting or a regional school unit budget meeting when an article for that purpose is set out in the warrant calling the meeting, except that the regional school unit board may expend funds from a reserve fund by a vote of the board in accordance with the procedure in subsection 4:

A. In the event of an emergency that requires the immediate expenditure of funds and when, in responding to the emergency, a vote of the regional school unit for permission is cost-prohibitive; or

B. When such an expenditure is required by law.

**Sec. 6. 20-A MRSA §1491, sub-§4** is enacted to read:

**4. Procedure for expending money from reserve funds by vote of board.** The procedure for the regional school unit board to expend funds from the reserve fund pursuant to subsection 3, paragraph A or B must be as follows.

A. The regional school unit board shall provide public notice of the regular or special meeting at which the vote to expend funds from the reserve fund will be taken.

B. The regional school unit board shall hold a public hearing prior to the vote to expend funds from the reserve fund.

C. The vote to expend funds from the reserve fund must be recorded in the meeting minutes of the regional school unit board.

**Sec. 7. 20-A MRSA §1706, sub-§1**, as enacted by PL 1989, c. 132, §3, is amended to read:

**1. Establishment.** A community school district may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment or any of the expenditures listed under section 1485, subsection 1, paragraph A by including a request in the district budget, which must include a description of the purpose of the reserve fund, and receiving voter approval.

The district school committee ~~shall be~~ is the trustee of the reserve fund. The reserve fund ~~shall~~ must be deposited or invested by the treasurer under the direction of the school committee.

**Sec. 8. 20-A MRSA §1706, sub-§3**, as enacted by PL 1989, c. 132, §3, is amended to read:

**3. Expending money from reserve funds.** The district school committee may expend the sum in the reserve fund when authorized to do so by a vote of the district at a district meeting or a district budget meeting, when an article for that purpose is set out in the warrant calling the meeting, except that the district school committee may expend funds from a reserve fund by a vote of the committee in accordance with the procedure in subsection 4:

A. In the event of an emergency that requires the immediate expenditure of funds and when, in responding to the emergency, a vote of the district for permission is cost-prohibitive; or

B. When the expenditure is required by law.

**Sec. 9. 20-A MRSA §1706, sub-§4** is enacted to read:

**4. Procedure for expending money from reserve funds by vote of committee.** The procedure for the district school committee to expend funds from the reserve fund pursuant to subsection 3, paragraph A or B must be as follows.

A. The district school committee shall provide public notice of the regular or special meeting at which the vote to expend funds from the reserve fund will be taken.

B. The district school committee shall hold a public hearing prior to the vote to expend funds from the reserve fund.

C. The vote to expend funds from the reserve fund must be recorded in the meeting minutes of the district school committee.

**Sec. 10. 20-A MRSA §8468, sub-§1**, as corrected by RR 1991, c. 2, §64 and amended by PL 2003, c. 545, §5, is further amended to read:

**1. Establishment.** A career and technical education region may establish a reserve fund for a school construction project, the acquisition or reconstruction of a specific item or type of capital improvement or, the acquisition of a specific item or type of capital equipment or any of the expenditures listed under section 1485, subsection 1, paragraph A by establishing such a reserve fund including a request in the region budget, which must include a description of the purpose of the reserve fund, pursuant to this chapter. The cooperative board is the trustee of such a reserve fund.

**Sec. 11. 20-A MRSA §8468, sub-§3**, as amended by PL 1991, c. 518, §32, is further amended to read:

**3. Expending money from a reserve fund funds.** The cooperative board may expend a sum in a reserve fund if permitted by the conditions of any indebtedness secured by the reserve fund and if approved in the region budget. A separate article for that purpose must be included in the region budget proposal. The cooperative board may expend funds from the reserve fund by a vote of the board without the expenditure's having to be included in the region budget or region budget proposal in accordance with the procedure in subsection 4:

A. In the event of an emergency that requires the immediate expenditure of funds and when, in responding to the emergency, a vote of the region for permission is cost-prohibitive; or

B. When the expenditure is required by law.

**Sec. 12. 20-A MRSA §8468, sub-§4** is enacted to read:

**4. Procedure for expending money from reserve funds by vote of board.** The procedure for the cooperative board to expend funds from the reserve fund pursuant to subsection 3, paragraph A or B must be as follows.

A. The cooperative board shall provide public notice of the regular or special meeting at which the vote to expend funds from the reserve fund will be taken.

B. The cooperative board shall hold a public hearing prior to the vote to expend funds from the reserve fund.

C. The vote to expend funds from the reserve fund must be recorded in the meeting minutes of the cooperative board.

See title page for effective date.

**CHAPTER 589**

**S.P. 724 - L.D. 2051**

**An Act To Amend the Qualifications for the State Nuclear Safety Inspector**

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

**Sec. 1. 22 MRSA §663-A, sub-§1**, as enacted by PL 2007, c. 539, Pt. KK, §2, is amended to read:

**1. Qualifications.** The State Nuclear Safety Inspector must be an individual knowledgeable in the field of commercial nuclear power production and possess, at a minimum, a ~~master's~~ bachelor's degree with major work in nuclear, mechanical, electrical or chemical engineering and have at least ~~3~~ 4 years' experience in nuclear operations.

See title page for effective date.

**CHAPTER 590**

**H.P. 1461 - L.D. 2057**

**An Act To Ensure an Efficient Contracting Process for the Department of Health and Human Services**

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

**Sec. 1. 5 MRSA §20002, sub-§3**, as amended by PL 2011, c. 657, Pt. AA, §5, is further amended to read:

**3. Tobacco use by juveniles.** To enforce the State's laws relating to the sale and use of tobacco products by juveniles and to coordinate state and local activities related to those provisions. The department shall take all necessary actions to ensure compliance with the Synar Act, 42 United States Code, Section 300X-26, including the preparations of reports for the signature of the Governor. All law enforcement agencies, all state departments, including the Department of Public Safety, and municipalities shall cooperate with the department in these efforts.

The department may enter into any contracts or agreements necessary or incidental to the performance of its duties under this section, subject to section 20005, subsection 6 and ~~Title 22-A, section 20005-A 214~~. The department shall provide or assist in the provision of voluntary training programs regarding the sales of tobacco products to juveniles; and

**Sec. 2. 5 MRSA §20005-A**, as amended by PL 2017, c. 407, Pt. A, §§26 and 27, is repealed.