

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**

the number of available beds within that facility providing residential or inpatient services and for the reporting to be done through an online database approved by the department. The department may adopt rules that designate further information required for reporting emergency plans. Rules adopted pursuant to this subsection are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

PART L

Sec. L-1. Facilitation of voting for June 9, 2020 elections. Only for the elections scheduled to be held on June 9, 2020, the Governor may take any reasonable administrative actions the Governor considers necessary to facilitate voting by all residents registered to vote in this State in a manner that preserves and protects public health in response to COVID-19. Pursuant to the Constitution of Maine, Article II, Section 4, these administrative actions may include, but are not limited to, issuance and receipt of absentee ballots for the June 9, 2020 elections, as long as those actions are also designed to facilitate participation by all registered voters, protect the rights of those voters and safeguard the integrity of the election.

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

Effective March 18, 2020.

CHAPTER 618

H.P. 1547 - L.D. 2163

An Act To Address Funding Needs Related to COVID-19

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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. Transfer; Reserve for General Fund Operating Capital to a COVID-19 response fund. Notwithstanding any law to the contrary, the State Controller may transfer up to \$11,000,000 from

the balance available in the Reserve for General Fund Operating Capital to a COVID-19 response fund established by the State Controller to address funding needs related to the novel coronavirus, known as COVID-19, through January 15, 2021. Amounts transferred may be expended based on allotment established by financial order approved by the State Budget Officer and the Governor. The amounts transferred are considered adjustments to appropriations. The Governor shall inform the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs immediately upon such a transfer from the Reserve for General Fund Operating Capital. Any remaining balance in the COVID-19 response fund on January 16, 2021 must be transferred by the State Controller to the Reserve for General Fund Operating Capital.

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

Effective March 18, 2020.

CHAPTER 619

H.P. 310 - L.D. 401

An Act To Preserve State Landfill Capacity and Promote Recycling

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

Sec. 1. 38 MRSA §1303-C, sub-§6, as amended by PL 2011, c. 655, Pt. GG, §7 and affected by §70, is further amended to read:

6. Commercial solid waste disposal facility. "Commercial solid waste disposal facility" means a solid waste disposal facility except as follows:

A-2. A solid waste facility that is owned by a public waste disposal corporation under section 1304-B, subsection 5:

(1) As long as the public waste disposal corporation controls the decisions regarding the type and source of waste that is accepted, handled, treated and disposed of at the facility; and

(2) If the facility is a solid waste landfill, the facility accepts only waste ~~that is~~ generated within the State unless the commissioner finds that the acceptance of waste that is not waste generated within the State provides a substantial public benefit pursuant to section 1310-AA, subsection 1-A;

B-2. A solid waste facility that is owned by a municipality under section 1305: