

# 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**

~~For any employment to which the minimum wage is applicable, the~~ The director may not issue to an employer for ~~any~~ a person with a disability a special certificate authorizing the employer to pay that person a wage less than the minimum wage, based on the ability of the person to perform the duties required for that employment in comparison to the ability of a person who does not have a disability to perform the same duties. ~~The director may hold hearings and conduct investigations as necessary for the purpose of fixing the special minimum wage for the person. A certificate is valid for 2 years from the date of issue and may be renewed by the director. The director may issue a certificate to cover several employees with disabilities as long as the employer provides documentation justifying the special minimum wage. An employer may not pay less than the minimum wage to a person by virtue of that person's having a mental or physical disability. A special certificate authorizing the payment of less than minimum wage to a person with a mental or physical disability issued pursuant to a law of this State or to a federal law is without effect.~~

See title page for effective date.

**CHAPTER 633**

**H.P. 1355 - L.D. 1889**

**An Act To Protect the Products of Maine Farmers**

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

**Sec. 1. 22 MRSA §2512, sub-§2, ¶O**, as enacted by PL 1999, c. 777, §1, is amended to read:

O. Establish conditions for storage and handling of livestock products and poultry products by persons engaged in the business of buying, selling, freezing, storing or transporting these products in or for intrastate commerce to ensure that these products are not adulterated or misbranded when delivered to the consumer; ~~and~~

**Sec. 2. 22 MRSA §2512, sub-§2, ¶P**, as amended by PL 2003, c. 20, Pt. E, §1, is further amended to read:

P. Establish the method for providing voluntary inspection and withdrawal of inspection of exotic animals, wild game, domesticated deer and domestic rabbits. These rules may also provide for the inspection of meat and meat food products derived from those animals. The commissioner shall provide voluntary inspection of bison, domesticated deer and ratite produced in the State, including the inspection of meat and meat food products derived from bison, domesticated deer and ratite, for which the commissioner shall charge a fee of \$35 per hour. The commissioner shall charge \$35 per hour

per inspection of meat and meat food products processed in the State but derived from bison, domesticated deer and ratite produced outside the State; ~~and~~

**Sec. 3. 22 MRSA §2512, sub-§2, ¶Q** is enacted to read:

Q. Establish procedures for the disposition of inspected meat, meat products, poultry and poultry products that have been found to be misbranded but not found to be adulterated.

See title page for effective date.

**CHAPTER 634**

**S.P. 651 - L.D. 1899**

**An Act To Amend Certain Motor Vehicle Laws**

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

**Sec. 1. 5 MRSA §12004-G, sub-§33-C**, as enacted by PL 1995, c. 376, §1, is repealed.

**Sec. 2. 29-A MRSA §101, sub-§27-B, ¶C**, as enacted by PL 2019, c. 335, §1, is amended to read:

C. Has a manufacturer's gross vehicle weight ~~rating~~ of 70,000 pounds or more;

**Sec. 3. 29-A MRSA §556, first ¶**, as amended by PL 2013, c. 530, §2, is further amended to read:

A motor vehicle is exempt from this subchapter, except sections 555, 555-A, 558-A, ~~and~~ 560 ~~and~~ 562, as follows:

**Sec. 4. 29-A MRSA §562**, as amended by PL 2017, c. 327, §§16 and 17, is repealed.

**Sec. 5. 29-A MRSA §1401, sub-§9**, as amended by PL 2017, c. 27, §3 and affected by §10, is further amended to read:

**9. Use of biometric technology.** The Secretary of State may use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a license or nondriver identification card and may use facial recognition technology to search its image records to provide information, including digital images, to law enforcement agencies only to aid in emergency circumstances involving an immediate threat to the life of a person or pursuant to rules adopted under this subsection. A person, agency or entity other than the Secretary of State may not use biometric technology to search the Secretary of State's image records.

The Secretary of State may adopt rules establishing additional circumstances in which it will provide infor-

mation, including digital images, produced by searching its records using facial recognition technology to law enforcement agencies. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 29-A MRSA §2458, sub-§2, ¶V**, as enacted by PL 2017, c. 327, §21, is amended to read:

V. Has exceeded the motor carrier adverse safety limits established by the Secretary of State using the methodology developed pursuant to section 562, subsection 3 by the bureau.

**Sec. 7. 29-A MRSA §2458, sub-§6, ¶B**, as enacted by PL 1997, c. 111, §2, is repealed.

**Sec. 8. 29-A MRSA §2458, sub-§6, ¶E**, as enacted by PL 1997, c. 111, §2, is amended to read:

E. Any entity that would have been suspended as a related entity but for the failure or refusal of the suspended person or named entity or its officers, directors or partners to disclose the required information is nevertheless suspended and subject to the same penalties and sanctions as the suspended person or the named entity for violation of the suspension. If an entity becomes a related entity or is created after the Secretary of State has made the decision to suspend or after the Motor Carrier Review Board makes its recommendation to suspend, the Secretary of State may immediately suspend the related entity.

See title page for effective date.

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## CHAPTER 635

### S.P. 654 - L.D. 1902

#### An Act To Define the Term "Caucus Political Action Committee"

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

**Sec. 1. 1 MRSA §1002, sub-§1-A**, as amended by PL 2019, c. 323, §1, is further amended to read:

**1-A. Membership.** The Commission on Governmental Ethics and Election Practices, established by Title 5, section 12004-G, subsection 33 and referred to in this chapter as the "commission," consists of 5 members appointed as follows.

A. By December 1, 2001 and as needed after that date, the appointed leader from each political party in the Senate caucus leaders and the appointed leader from each political party in the House of Representatives House caucus leaders jointly shall establish and advertise a 30-day period to allow

members of the public and groups and organizations to propose qualified individuals to be nominated for appointment to the commission.

B. By January 1, 2002 and as needed after that date, the appointed leader from each political party in the Senate caucus leaders and the appointed leader from each political party in the House of Representatives House caucus leaders each shall present a list of 3 qualified individuals to the Governor for appointment of 4 members to the commission. The appointed leadership from each party in both bodies of the Legislature Senate caucus leaders and House caucus leaders jointly shall present a list of 3 qualified individuals to the Governor for appointment of a 5th member to the commission.

C. By March 15, 2002, the Governor shall appoint the members of the commission selecting one member from each of the lists of nominees presented in accordance with paragraph A. These nominees are subject to review by the joint standing committee of the Legislature having jurisdiction over legal affairs and confirmation by the Legislature. No more than 2 commission members may be enrolled in the same party.

D. Two initial appointees are appointed for one-year terms, 2 are appointed for 2-year terms and one is appointed for a 3-year term, according to a random lot drawing under the supervision of the Secretary of State. Subsequent appointees are appointed to serve 3-year terms. A person may not serve more than 2 consecutive terms, except that if a person is appointed to fill the unexpired portion of a term to fill a vacancy under paragraph F and that portion is less than 2 years, the person may serve 2 consecutive full terms thereafter.

E. The commission members shall elect one member to serve as chair for at least a 2-year term.

F. Upon a vacancy during an unexpired term, the term must be filled as provided in this paragraph for the unexpired portion of the term only. The nominee must be appointed by the Governor from a list of 3 qualified candidates provided by the Senate caucus leader or House caucus leader of the party from the body of the Legislature that suggested the appointee who created the vacancy. If the vacancy during an unexpired term was created by the commission member who was appointed from the list of candidates presented to the Governor by the leaders of each party of each body of the Legislature Senate caucus leaders and House caucus leaders jointly, the nominee must be appointed from a list of 3 qualified candidates provided jointly by the leaders of each party of each body of the Legislature Senate caucus leaders and House caucus leaders. If the list of 3 qualified candidates required by this paragraph to be presented to the