

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**

after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. B-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in June 2020. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a \$15,000,000 bond issue to invest in high-speed internet infrastructure for unserved and underserved areas, to be used to match up to \$30,000,000 in federal, private, local or other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.

Effective pending referendum.

CHAPTER 674

H.P. 1538 - L.D. 2148

An Act To Implement the Recommendations of the Department of Environmental Protection Regarding the State's Plastic Bag Reduction Law

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

Sec. 1. 38 MRSA §1611, sub-§1, ¶H, as enacted by PL 2019, c. 346, §2, is amended to read:

H. "Single-use carry-out bag" means a bag that is made of plastic, paper or other material provided by a retail establishment ~~at the point of sale~~ within

the retail establishment for the purpose of transporting merchandise away from the retail establishment or for packaging, protecting or otherwise containing merchandise within the retail establishment and that is not a recycled paper bag or a reusable bag.

See title page for effective date.

CHAPTER 675

H.P. 1545 - L.D. 2161

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2020-21

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2020-21 is as follows:

Fiscal Administration - Office of the State Auditor	\$245,718
Education	12,923,626
Forest Fire Protection	150,000
Human Services - General Assistance	65,000
Property Tax Assessment - Operations	1,175,334
Maine Land Use Planning Commission - Operations	599,144

TOTAL STATE AGENCIES	\$15,158,822
County Reimbursements for Services:	
Aroostook	\$1,660,229
Franklin	1,178,763
Hancock	236,850
Kennebec	12,125
Oxford	1,396,537
Penobscot	1,597,454
Piscataquis	1,347,370
Somerset	1,828,286
Washington	1,348,371
TOTAL COUNTY SERVICES	<u>\$10,605,985</u>
COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND	
Tax Increment Financing Payments	\$3,721,137
TOTAL REQUIREMENTS	<u>\$29,485,944</u>
COMPUTATION OF ASSESSMENT	
Requirements	\$29,485,944
Less Revenue Deductions:	
General Revenue	
State Revenue Sharing	\$100,000
Miscellaneous Revenues	10,000
Transfer from Fund Balance	819,663
TOTAL GENERAL REVENUE DEDUCTIONS	<u>\$929,663</u>
Educational Revenue	
Land Reserve Trust Interest	\$80,000
Tuition/Travel	150,000
Special - Teacher Retirement	230,000
TOTAL EDUCATION REVENUE DEDUCTIONS	<u>\$460,000</u>
TOTAL REVENUE DEDUCTIONS	<u>\$1,389,663</u>
TAX ASSESSMENT BEFORE COUNTY TAXES and OVERLAY (Title 36 §1602)	<u>\$28,096,281</u>

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

Effective March 18, 2020.

CHAPTER 676

S.P. 482 - L.D. 1545

**An Act Regarding the
Collection of Samples for
Testing of Adult Use
Marijuana and Adult Use
Marijuana Products**

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

Whereas, licenses to authorize the cultivation, manufacturing, testing and sale of adult use marijuana and adult use marijuana products are expected to be issued in the spring of 2020; and

Whereas, the changes to the adult use marijuana laws proposed in this legislation must take effect prior to the issuance of such licenses; 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. 28-B MRSA §102, sub-§29, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

29. Marijuana establishment. "Marijuana establishment" means a cultivation facility, a products manufacturing facility, a testing facility or a marijuana store or a sample collector licensed under this chapter.

Sec. 2. 28-B MRSA §102, sub-§50, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

50. Sample. "Sample" means:

A. An amount of marijuana or an amount of a marijuana product provided to a testing facility by a marijuana establishment or other person for testing or research and development purposes in accordance with subchapter 6;

B. An amount of adult use marijuana or an amount of an adult use marijuana product collected from a licensee by the department for the purposes of testing the marijuana or marijuana product for product quality control purposes pursuant to section 512, subsection 2;