

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

Whereas, the Department of Health and Human Services must begin a review of child welfare case loads 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

Sec. 1. Department of Health and Human Services to review case load standards. Resolved: That the Department of Health and Human Services shall review case load standards for child welfare caseworkers and develop standard case load recommendations with input from child welfare caseworkers and the Public Consulting Group contracted by the department under contract number CBH-19-9000. The department shall submit an initial report with its findings and recommendations on staffing in the department's child welfare program in relation to the standard case load recommendations no later than October 1, 2019 and subsequent annual reports by January 31st of each year beginning in 2020 and ending in 2030 to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint legislative committee established to oversee program evaluation and government accountability matters.

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

Effective May 21, 2019.

CHAPTER 35

H.P. 836 - L.D. 1147

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Study Registration Fees for All-terrain Vehicles and Snowmobiles

Sec. 1. Registration fees for all-terrain vehicles and snowmobiles. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall, in consultation with interested parties, review the registration fees in the Maine Revised Statutes, Title 12, section 13104, subsection 4 and section 13155, subsection 5 to determine if there are alternatives to the current fee structure. In considering alternatives, the commissioner shall also consider how any change may affect revenues. The commissioner shall submit a report to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2020 detailing the alternatives that were considered and the possible ef-

fects on revenue that these alternatives may have. The report must include recommendations regarding registration fees for all-terrain vehicles and snowmobiles and a list of interested parties that participated in any discussions on this topic. The committee may report out a bill to the Second Regular Session of the 129th Legislature based on the report.

See title page for effective date.

CHAPTER 36

H.P. 515 - L.D. 710

Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses

Sec. 1. Department of Environmental Protection to study the establishment of a product stewardship program for mattresses. Resolved: That the Department of Environmental Protection, referred to in this resolve as "the department," shall study the establishment of a new stewardship program in the State for mattresses, in accordance with the Maine Revised Statutes, Title 38, chapter 18.

Sec. 2. Reporting date established. Resolved: That the department shall report the findings of its study in section 1, including recommendations and recommended legislation, to the Joint Standing Committee on Environment and Natural Resources by December 4, 2019. The joint standing committee may report out a bill relating to the subject matter of this report to the Second Regular Session of the 129th Legislature.

See title page for effective date.

CHAPTER 37

H.P. 746 - L.D. 1004

Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees

Preamble. Whereas, the Legislature finds that permitting state employees to telework is likely to reduce carbon emissions in the State by eliminating or substantially reducing the physical commutes to and from state employees' usual work sites; and

Whereas, the Legislature finds that permitting state employees to telework will have benefits and costs for the State and its employees; and

Whereas, the Legislature desires more information on the costs and benefits to the State and its employees; now, therefore, be it

Sec. 1. Department of Administrative and Financial Services directed to study telework for state employees. Resolved: That the Department of Administrative and Financial Services, referred to in this resolve as "the department," shall study the costs and benefits of telework to the State and its employees. For purposes of this resolve, "telework" means a flexible work arrangement under which an employee performs the duties and responsibilities of the employee's position from a location other than an office or location provided by the employer.

Sec. 2. Scope of study. Resolved: That the department in conducting the study under section 1 shall:

1. Review all executive branch positions, by agency, and identify those positions for which presence in a specific location on a regular basis is not an essential component of the position;

2. For those positions identified under subsection 1, identify the total number of employees and the number of employees by position and by agency;

3. Survey all employees in positions identified under subsection 1 to determine the total weekly mileage of those employees;

4. Survey all employees in positions identified under subsection 1 to determine the total number of employees interested in telework and the number of those employees by position and agency;

5. Evaluate the potential effects of telework on the executive branch and its employees on matters such as:

- a. Employee productivity;
- b. Office or workspace required that is provided by the executive branch;
- c. Use of state fleet vehicles;
- d. Employee health and morale;
- e. Employee retention;
- f. Size of the applicant pool;
- g. Supervisory interactions and effectiveness;
- h. Communications among supervisory and other employees;
- i. Security and confidentiality concerns;
- j. Workers' compensation liability; and
- k. Access to services by the public;

6. Assess lessons learned from the experience of other states or large employers with telework;

7. Identify and evaluate key obstacles to the implementation of telework;

8. Estimate savings achieved or costs incurred and the overall net impact of telework; and

9. Evaluate the potential and develop a timeline for a telework pilot program.

Sec. 3. Reporting date. Resolved: That the department shall report its findings from the study under section 1, including recommendations and recommended legislation, to the joint standing committee of the Legislature having jurisdiction over state and local government matters by October 1, 2020. The joint standing committee is authorized to submit a bill to the First Regular Session of the 130th Legislature related to the subject matter of the report.

See title page for effective date.

CHAPTER 38

S.P. 451 - L.D. 1471

Resolve, To Name the Route 7 Bridge in Corinna in Honor of PFC Paul Earl Sudsbury

Sec. 1. Corinna Bridge renamed. Resolved: That the Department of Transportation shall designate Bridge 2177 in the Town of Corinna, currently known as the Corinna Bridge, the PFC Paul Earl Sudsbury Bridge.

See title page for effective date.

CHAPTER 39

H.P. 1102 - L.D. 1510

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services and Appendices B, C, D, E and F, a Late-filed Major Substantive Rule of the Department of Health and Human Services

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