

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

**CHAPTER 43
H.P. 202 - L.D. 239**

**Resolve, Directing the
Department of Health and
Human Services To Explore
the Development of a
Behavioral Health Unit at the
Cumberland County Jail**

Sec. 1. Department of Health and Human Services and Cumberland County Sheriff's Office to explore development of behavioral health unit at the Cumberland County Jail. Resolved: That the Department of Health and Human Services and the Cumberland County Sheriff's Office shall jointly explore the development of a behavioral health unit at the Cumberland County Jail to determine the competency of inmates to stand trial.

Sec. 2. Report. Resolved: That the Department of Health and Human Services and the Cumberland County Sheriff's Office shall submit a joint report and recommendations, including recommended legislation, resulting from the directive under section 1 to the Joint Standing Committee on Health and Human Services no later than January 10, 2020. The Joint Standing Committee on Health and Human Services may report out legislation based upon the study and recommendations to the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 44
S.P. 402 - L.D. 1306**

**Resolve, To Examine Issues
Relating to Bullying in Schools**

Sec. 1. Stakeholder group. Resolved: That the Commissioner of Education shall form a stakeholder group to comprehensively examine issues associated with bullying in schools and in particular how the State's laws relating to bullying should be improved. The stakeholder group must include educators, administrators, students and experts on bullying in schools. The stakeholder group shall provide the commissioner with information on how administrators are currently handling bullying situations, the difficulties in enforcing current laws and the effects of the lack of comprehensive relevant data. By February 1, 2020, the commissioner shall report on the findings and recommendations of the stakeholder group as well as the commissioner's recommendations for changes to laws relating to bullying to the Joint Standing Committee on Education and Cultural Affairs. The committee may report out a bill on the subject of the report

to the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 45
H.P. 398 - L.D. 541**

**Resolve, To Reduce Food
Waste in Schools**

Sec. 1. Food sharing policy. Resolved: That, by January 1, 2020, the Department of Education shall develop a school food sharing policy to encourage schools and food banks to work together to collect whole and packaged school cafeteria surplus or leftover food and share it with the community. In developing the policy, the department shall consult the food recovery database maintained by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, section 2137-A, which includes materials relating to the development and implementation of programs for the sharing of surplus or leftover food, including, but not limited to, share tables and food donation practices and programs.

Sec. 2. Food share table guidance. Resolved: That the Department of Education and the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall collaborate to revise the Department of Health and Human Services, Maine Center for Disease Control and Prevention's health inspection program guidance titled "Food Sharing Tables - Guidance for Schools" in a manner that is less restrictive than current guidance and meets the requirements of the United States Department of Agriculture's Food and Nutrition Service guidance for the use of share tables in school nutrition programs. The Department of Education and the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall disseminate the revised state guidance for the use of share tables, by January 1, 2020, to public school food service programs throughout the State.

See title page for effective date.

**CHAPTER 46
S.P. 288 - L.D. 998**

**Resolve, Requiring the
Collection of Data on the
Marriage of Minors**

Sec. 1. Maine Center for Disease Control and Prevention to report. Resolved: That the Department of Health and Human Services, Maine Center for Disease Control and Prevention through its

division of data, research and vital statistics shall report by December 4, 2019 to the Joint Standing Committee on Judiciary on data on the incidence of marriage of minors in the State.

Sec. 2. Joint standing committee may report out a bill. Resolved: That the Joint Standing Committee on Judiciary may report out a bill based on the subject matter of the report under section 1 to the Second Regular Session of the 129th Legislature.

See title page for effective date.

CHAPTER 47

S.P. 296 - L.D. 1017

Resolve, To Direct the Department of Labor To Develop a Framework for Encouraging Employers To Identify Safer Alternatives to Hazardous Chemicals

Sec. 1. Development of framework for safer alternatives to hazardous chemicals. Resolved: That the Department of Labor shall, in collaboration with interested parties and employers and employees in industries that are likely to utilize hazardous chemicals, develop a framework for identifying hazardous chemicals used in the workplace and identify safer alternatives to those hazardous chemicals. The department shall submit a report to the Joint Standing Committee on Labor and Housing by December 20, 2019 that includes a proposed framework, a list of participants who participated in developing the proposed framework and a summary of the process used to develop the framework. 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 48

H.P. 756 - L.D. 1026

Resolve, Directing the Secretary of State To Examine Best Practices in Elections

Sec. 1. Study of post-election ballots and recounts. Resolved: That the Secretary of State shall conduct a study of best practices in post-election ballot audits, recounts and the intersection of audits with recounts. In conducting the study, the Secretary of State may consult with state and municipal election officials, election security advocates and other experts in the field of election audits and recounts. The Secretary of State, by December 6, 2023 shall submit a re-

port of the findings and recommendations of the study, including any recommended legislation, to the joint standing committee of the Legislature having jurisdiction over election matters. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 49

H.P. 768 - L.D. 1038

Resolve, To Convene a Stakeholder Group on Funding and Training for the State's Hazardous Materials Emergency Response Teams and the Acquisition of Equipment

Sec. 1. Review of funding and training for hazardous materials emergency response teams and the acquisition of equipment. Resolved: That the Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management shall convene a stakeholder group to review and make recommendations regarding the funding currently provided to the hazardous materials emergency response teams in the Department of Environmental Protection, including the 8 regional response teams and the 7 decontamination strike teams, funding options, the training of the teams and the acquisition of equipment. The director shall invite to the stakeholder group representatives of the Maine Fire Chiefs' Association, fire chiefs from municipalities with regional response teams and decontamination strike teams and other persons who express interest in the work of the stakeholder group. The recommendations of the stakeholder group must be compatible with the strategic plan of the State Emergency Response Commission.

Sec. 2. Report. Resolved: That the Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management shall present the findings and recommendations of the stakeholder group pursuant to section 1 to the Joint Standing Committee on Criminal Justice and Public Safety by November 6, 2019. Following receipt of the report, the joint standing committee may report out legislation based on the report to the Second Regular Session of the 129th Legislature.

See title page for effective date.