

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**

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
MEMORIALIZING THE
UNITED STATES
CONGRESS TO PROVIDE
ACCESS TO BANKING AND
INSURANCE SERVICES TO
LEGAL CANNABIS AND
CANNABIS-RELATED
BUSINESSES**

H.P. 1440

WE, your Memorialists, the Members of the One Hundred and Twenty-ninth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the members of the Congress of the United States as follows:

WHEREAS, despite being illegal at the federal level, cannabis is now legal in 33 states, the District of Columbia, Guam and the Commonwealth of Puerto Rico, which account for 68% of the population of the United States; and

WHEREAS, due to the conflict between state and federal law, the vast majority of financial institutions and insurers are unwilling to provide services to legal cannabis businesses, and those that do could be subject to severe criminal and civil penalties; and

WHEREAS, in addition to legal cannabis businesses being denied access to banking services, businesses that serve the cannabis industry, either directly or indirectly, may be denied banking services simply because they are being paid with money derived from cannabis sales; and

WHEREAS, lacking banking services, many legal cannabis businesses operate solely in cash, and cash-based systems are inefficient, expensive and opaque and make illicit activity more difficult for law enforcement agencies and state regulators to track; and

WHEREAS, lacking access to insurance, many legal cannabis businesses are unable to obtain sufficient coverage for business risks, leaving consumers, employees, vendors and owners without adequate financial protection; and

WHEREAS, a bipartisan group of 38 attorneys general has identified cash associated with the cannabis industry as a public safety concern; and

WHEREAS, despite guidance from the United States Department of the Treasury, Financial Crimes Enforcement Network to clarify federal Bank Secrecy Act expectations, federal banking regulators lack the legal authority to provide banks a safe harbor from federal law; and

WHEREAS, the Congress of the United States has the sole authority to solve the banking and insurance issue by enacting legislation that provides protections for insurers, including surety bond writers, and financial institutions that offer services to legal cannabis businesses and service providers for such businesses; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the Congress of the United States enact federal laws regarding the use and sale of cannabis that respect state law and promote public safety without compromising federal enforcement of money laundering laws against criminal enterprises; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

**Read and adopted by the House of Representatives
January 14, 2020 and the Senate January 21, 2020.**

**JOINT RESOLUTION
SUPPORTING THE MAINE
COMPLETE COUNT
COMMITTEE AND
COORDINATION OF
EFFORTS TO REDUCE THE
UNDERCOUNT OF MAINE
RESIDENTS IN THE 2020
FEDERAL DECENNIAL
CENSUS**

H.P. 1448

WHEREAS, Article I, Section 2 of the United States Constitution requires an enumeration of the population every 10 years to apportion congressional representation among the states; and

WHEREAS, pursuant to 13 United States Code, Section 141, the next Federal Decennial Census of the population will be taken beginning April 1, 2020 and concluding on July 31, 2020; and

WHEREAS, data derived from the census determines how approximately \$800 billion in federal spending to support education, transportation, publicly funded health care, law enforcement and other important public services is allocated among the states; and

WHEREAS, a complete and accurate count of Maine's population is essential because the census

SELECTED MEMORIALS AND JOINT RESOLUTIONS

count determines congressional representation and state redistricting and also determines federal formula grant allocations for Medicaid, the Children's Health Insurance Program, Title IV-E foster care, Title IV-E adoption assistance and the Child Care and Development Fund for an entire decade until the next Federal Decennial Census is taken; and

WHEREAS, Maine's fiscal loss in programs guided by Federal Medical Assistance Percentages was \$16,420 per person missed in the 2010 census over the 10-year census cycle; and

WHEREAS, the United States Department of Commerce, Bureau of the Census acknowledges the long-standing undercount of young children in the Federal Decennial Census and has spent years researching children who were missed in the 2010 census and creating resources in an attempt to reduce this undercount in the 2020 census; and

WHEREAS, it is vitally important to ensure that every Maine resident is counted in the 2020 census and that Maine gets its fair share of federal funds; and

WHEREAS, the Governor has, by Executive Order 12 FY 19/20, created the Maine Complete Count Committee, which, using the knowledge and expertise of Maine's administrative agencies, will develop and coordinate a census outreach program to increase awareness about the 2020 census and motivate residents in the community to respond; and

WHEREAS, such complete count committees have also been established by Maine's tribal and local governments and community organizations, faith-based groups, schools, libraries, businesses, the media and others, which will play a key role in educating and motivating residents to participate in the 2020 census; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to support the Maine Complete Count Committee and Maine's tribal, county and municipal governments in the work to develop, recommend and assist in the administration of a census outreach strategy to encourage full participation in the 2020 Federal Decennial Census; and be it further

RESOLVED: That We also support the development of additional outreach programs and partnerships with nonprofit and community organizations, faith-based groups, schools, libraries, businesses, the media and others to encourage full participation in the 2020 Federal Decennial Census, including a multilingual, multimedia campaign designed to ensure an accurate and complete count of Maine's population.

Read and adopted by the House of Representatives January 23, 2020 and the Senate January 28, 2020.

**JOINT RESOLUTION
RECOGNIZING THE 75TH
ANNIVERSARY OF THE
LIBERATION OF THE
AUSCHWITZ
CONCENTRATION CAMP
AND THE WORKING
DEFINITION OF
ANTISEMITISM ADOPTED
BY THIRTY-ONE MEMBER
COUNTRIES OF THE
INTERNATIONAL
HOLOCAUST
REMEMBRANCE
ALLIANCE**

S.P. 733

WHEREAS, January 27, 2020 is International Holocaust Remembrance Day and marks the 75th anniversary of the liberation of the Auschwitz concentration camp; and

WHEREAS, on this anniversary, the Legislature recommits itself to combating the global rise in anti-semitism; and

WHEREAS, on May 26, 2016, 31 member countries of the International Holocaust Remembrance Alliance, of which the United States is a member, adopted a legally nonbinding working definition of antisemitism; and

WHEREAS, the working definition reads as follows: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities"; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the 75th anniversary of the liberation of the Auschwitz concentration camp and the working definition of antisemitism.

Read and adopted by the Senate January 23, 2020 and the House of Representatives January 28, 2020.

**JOINT RESOLUTION
SUPPORTING THE
DESIGNATION OF THE
YORK RIVER AND ITS
MAJOR TRIBUTARIES AS A
PARTNERSHIP WILD AND
SCENIC RIVER IN THE
NATIONAL WILD AND
SCENIC RIVERS SYSTEM**

H.P. 1509

WHEREAS, the York River, located in southern Maine, with watershed lands in the towns of Eliot, Kittery, South Berwick and York, was evaluated for inclusion in the National Wild and Scenic Rivers System; and

WHEREAS, the National Wild and Scenic Rivers System was established in 1968 to protect rivers with outstanding values for the benefit and enjoyment of present and future generations, and rivers that flow through private lands and are eligible for designation are included in the national system as "partnership" rivers, maintaining all local control of land and river use, subject to existing local and state laws; and

WHEREAS, the York River's water quality, ecological and cultural resources and many outstanding values with national and regional significance make it eligible for Partnership Wild and Scenic River designation; its healthy river habitats and salt marshes support important Gulf of Maine species and improve resilience to climate change impacts; and its vibrant working waterfront contributes to the economy and to community character; and

WHEREAS, the 4 watershed communities strongly support pursuing inclusion of the York River in the National Wild and Scenic Rivers System as a partnership river and accepting the York River Watershed Stewardship Plan, as evidenced by affirmative votes by the people of Eliot and York on November 6, 2018 and adoption of resolutions by town councils in Kittery and South Berwick on November 26, 2018 and December 11, 2018, respectively; and

WHEREAS, with the York River being designated as a partnership river, the 4 York River watershed communities will have access to financial and technical assistance from the National Park Service and will be able to proactively and collaboratively address issues and priorities for the benefit of the watershed region, the State of Maine and the Gulf of Maine environment; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the eligibility and suitability of the York River and its tributaries for designation as a Partnership Wild and Scenic

River in the National Wild and Scenic Rivers System and acknowledge the strong community support for designation; and be it further

RESOLVED: That We recognize the benefits and opportunities of Partnership Wild and Scenic River designation to better enable watershed communities to work collaboratively to address important river preservation issues for the long-term benefit of current and future generations of Maine citizens.

**Read and adopted by the House of Representatives
February 25, 2020 and the Senate February 27,
2020.**
