

**2019 LD List - 1st Session of the 129th Maine Legislature
Prepared by the Maine Municipal Association**

Please note that bills are presented in reverse chronological order. For a sortable version of the LD List, please contact Laura Ellis at lellis@memun.org or 1-800-452-8786.

April 25, 2019

LD 1638 - This bill changes the appointing authority for four members of the Maine Charter School Commission from the State Board of Education to the Governor and increases the terms of those members from three years to four years.

LD 1637 - This bill: (1) Prohibits the State, or any agency or instrumentality of the State, from seeking payment from an Achieving a Better Life Experience (ABLE) Act of 2014 account or its proceeds for MaineCare benefits provided to a beneficiary, unless otherwise required by federal law; (2) Provides that funds held in an ABLE account must be disregarded when determining the designated beneficiary's eligibility for any means-tested public assistance program; and (3) Provides that earnings on funds held in an ABLE account are exempt from taxation by the State.

LD 1634 - This bill creates the Maine Clean Energy Fund within and with oversight from the Efficiency Maine Trust to support the development of renewable and clean energy technologies and infrastructure through providing financing support including loans, loan guarantees and other financial and risk mitigation products. The fund is administered by a 9-member board of directors consisting of certain government officials and members of the public appointed by the Governor. This bill also provides for a bond issue in the amount of \$100 million to be used to capitalize the Maine Clean Energy Fund.

LD 1631 - This resolution proposes to amend the Constitution of Maine to allow the Legislature to authorize a process to allow voting to occur in the same manner as on election day during a period immediately preceding an election. It also allows for voting by absentee ballot by citizens for reasons deemed sufficient without requiring in the Constitution of Maine that the citizens be absent or physically incapacitated. Additionally, this resolution allows the Legislature to authorize a process of voting by mail for all citizens of the State as an alternative to voting by absentee ballot.

April 23, 2019

LD 1627 - This bill defines an autocycle as a 3-wheeled motorcycle that has a steering wheel or handlebars, floor pedals for automotive-style controls and seating that does not require the operator to straddle or sit astride a seat and establishes provisions for registration and operator licensing.

LD 1626 - This bill implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination.

LD 1621 - This bill amends the Marijuana Legalization Act to allow delivery of adult use marijuana and adult use marijuana products by a marijuana store if the municipality or town, plantation or township in which the marijuana store is located authorizes the operation of delivery services and the marijuana store receives approval to operate the delivery service from the Department of Administrative and Financial Services. A marijuana store is allowed to maintain a separate storage facility approved by the department in which to store product or from which to conduct delivery service operations and which may be located in the same municipality as the retail facility of the marijuana store or another municipality subject to the approval of the other municipality. Delivery services are subject to the same testing, tracking, labelling and packaging requirements as retail sales of adult use marijuana and marijuana products, delivery service drivers are subject to the same requirements as the employees of a marijuana store, delivery recipients are subject to the same customer restrictions regarding age and state of intoxication as marijuana store customers and delivery service vehicles are subject to the same inspection requirements as the marijuana store's licensed premises and may not have an occupant under 21 years of age during the course of a delivery.

LD 1620 – This bill excludes bargained salary, wage increases or job promotion from the wage increase limitations used to calculate the average final compensation under the Maine Public Employees Retirement System.

LD 1619 – This bill gives a municipality the option of conditioning its approval of a liquor license issued to a Class A lounge on the type of liquor (e.g., spirits, wine and malt liquor) sold by the licensee.

LD 1610 - This resolve amends the deed transferring land from the state to the Town of Carrabassett Valley to remove the prohibition on camping in motor vehicles.

LD 1606 - This bill provides an additional \$1,500,000 per year for the cost of career and technical education. The bill also removes the so-called hold harmless provision that limits the amount of any decrease or increase in the total allocation for a career and technical education center or career and technical education region, effective January 1, 2020.

April 18, 2019

LD 1604 - The funds provided by this bond issue, in the amount of \$100 million in both 2019 and 2020, will be used for reconstruction and rehabilitation of highways and bridges and for facilities or equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, matching an estimated \$137 million per year in federal and other funds.

LD 1600 - This bill adds corrections officers and E-9-1-1 dispatchers to the list of employees for whom there is a rebuttable presumption under the laws governing workers' compensation that when the employee is diagnosed by a licensed psychiatrist or psychologist as having post-traumatic stress disorder resulting from work stress that was extraordinary and unusual, the post-traumatic stress disorder is presumed to have arisen out of and in the course of the worker's employment.

LD 1594 - This bill provides for the establishment of a stewardship program for consumer batteries, including both single-use and rechargeable batteries and certain products containing

these batteries. Under the bill, a producer of consumer batteries or an organization composed of one or more producers of such batteries must submit a plan for the establishment of a battery stewardship program to the Commissioner of Environmental Protection for approval. Once approved, the program must operate to provide convenient, free statewide collection opportunities for discarded batteries, and the batteries collected through the program must be recycled or otherwise responsibly managed. The bill also amends and repeals existing laws relating to certain battery types to avoid statutory conflict with the stewardship program for consumer batteries.

LD 1593 - This bill makes changes to the laws governing energy conservation improvements at school administrative unit facilities, including amending the definition of "energy services company" and removing the requirement that an agreement with an energy services company must have a total contract cost of less than \$2,500,000 in order for the agreement to be deemed a professional service and not subject to competitive bidding requirements.

LD 1592 - This bill provides the steps necessary for a regional school unit composed of only one municipality to dissolve, including petitioning to dissolve the regional school unit, holding elections in the municipality, the provision of educational services for students and the disposition of outstanding indebtedness if the vote is to dissolve the regional school unit.

LD 1589 - This bill establishes the Maine Liberty Act, which governs the relationship of state and local law enforcement agencies, including correctional facilities, with federal immigration authorities, including: (1) Prohibiting a law enforcement agency from stopping, investigating, interrogating, arresting or detaining a person solely for immigration enforcement purposes, including in response to a hold request, immigration detainer or administrative warrant issued by the United States Department of Homeland Security, or allowing the federal agency to access to inmates, inmate information or law enforcement agency facilities or providing law enforcement agency resources or personnel to assist immigration enforcement activities; (2) Clarifying that a law enforcement agency upon a request from the federal agency may arrest and detain a person and perform other law enforcement duties due to suspected criminal activity or other reasons not solely based on the person's immigration status; (3) Establishing the permissible scope of collaboration of a law enforcement agency with a joint law enforcement task force and requiring reporting to the Attorney General on all arrests made by the task force, including all arrests made for immigration enforcement purposes; (4) Requiring a law enforcement agency to release as soon as possible and detain no longer than 48 hours a person determined to be held solely for immigration enforcement purposes; (5) establishing duties and prohibitions for law enforcement agencies regarding immigration issues of inmates, including requiring the agency to inform an inmate of the inmate's rights prior to interview by an immigration authority and whether the agency intends to comply with a hold request and prohibiting an agency from restricting access to educational programming and good conduct credits or determining an inmate's custodial status based upon the inmate's immigration status; (6) Requiring the Attorney General to publish a model policy regarding limiting assistance to immigration authorities in public facilities and publish guidance, audit criteria and training recommendations to ensure that a database operated by a state or local law enforcement agency limits the availability of database information to immigration authorities; and (7) Requiring a law enforcement agency to record certain information regarding hold requests and certain other information from immigration authorities received by the agency and to report quarterly to the Attorney General on this information.

LD 1587 - This bill amends the provisions regarding the election and appointment of county

commissioners in the following ways: (1) It requires that, in the case when a party is eligible to choose a candidate or nominee for a primary, general or special election for county commissioner by political committee, the members of the county political committee who reside within the boundaries of the district subject to the election make the choice of candidate or nominee; (2) It clarifies that, in the case of a vacancy during the term of office of a county commissioner that occurs prior to the general election held in the second year of the term, a special election must be held to elect a new county commissioner for that district for the last two years of the term, and requires that the election be held within the boundaries that existed at the time of the original election for that term; (3) It requires that when a county commissioner appointed by the Governor to fill a vacancy must be enrolled in the same political party as the commissioner whose term is vacant, the Governor is required to choose from any recommendations submitted by the members of the county committee of the political party from which the appointment is to be made who reside within the boundaries of the district with the vacancy that existed at the time of the initial election for that term; (4) It requires that, for the apportionment plan of county districts after a decennial census, the plan take effect on the second year after the decennial census for the year 2020 and every 20 years thereafter and the plan take effect on the fourth year after the decennial census for the year 2030 and every 20 years thereafter; and (5) It amends the provisions creating each county's commissioner districts to eliminate staggered terms of commissioners so that, beginning in 2022, each four-year commissioner term expires in a year in which there is a gubernatorial election.

April 16, 2019

LD 1585 - This bill authorizes the City of Augusta to adjust the definition of "original assessed value" for the City of Augusta's Performance Food Group municipal tax increment financing district and to validate the assessment, commitment and collection of property taxes dedicated for the Performance Food Group municipal tax increment financing district for the fiscal years 2018-19 and 2019-20.

LD 1583 - This bill establishes the Maine Citizens' Initiatives Clean Election Act. It provides a public financing mechanism for committees that are Maine-chartered nonprofits or groups whose principal officers are Maine citizens and are formed to support or oppose a direct initiative of legislation or a people's veto or to support a competing measure to a direct initiative of legislation. The funding process is similar to that provided for clean election candidates. It provides for limits on the amount of funds that committees seeking public funding may raise and spend prior to qualifying for public funding and the amount of qualifying contributions that a committee must raise to be certified to receive public funding, and it establishes the amounts that certified committees may receive. It also establishes procedures governing financial reporting and accounting, appeals of decisions, penalties for violations and other procedural matters to ensure the integrity of the process. In addition to other available funds, including qualifying contributions raised by committees and voluntary contributions through a tax checkoff program, funding for certified committees is provided by an annual appropriation of \$3 million.

LD 1581 - This bill provides specificity for the use and expenditure of funds by county governments by: (1) Limiting the payment of expenditures for the priority-designated social service of transportation to transportation for access to health care services; (2) Limiting grants that are paid to agencies outside of the regular county departments to those that have been statutorily authorized; (3) Requiring the Office of the State Auditor, when conducting an audit of a county, to report any transaction not authorized by statute to the district attorney for that

county; (4) Specifying that the ability of county commissioners to approve county expenditures is limited to those expenditures that are statutorily authorized.

LD 1579 - This bill allows a municipality to stock fish in an inland water of the municipality, subject to a determination by the Department of Inland Fisheries and Wildlife, Bureau of Resource Management that the species of fish is appropriate to be stocked in that inland water and to the public notification requirements that apply when the bureau proposes to stock an inland water with fish.

LD 1575 - The purpose of this bill is to enhance access to public records without imposing undue burdens on the efficient and effective functioning of government. This bill makes the following changes to the Freedom of Access Act. (1) Current law defines public records that are subject to the Freedom of Access Act as matter in the possession or custody of an agency or public official that has been received or prepared for use in connection with, or that contains information relating to, the transaction of public or governmental business. This bill defines "public or governmental business" as the administration of public policy and the exercise of governmental power through laws, rules, ordinances, regulations and the equivalent. (2) The bill requires that, when requesting to inspect or to receive a copy of a public record, a person must provide to the agency or official with custody of the record sufficient information to identify the record sought. Under the bill, a request for a public record must include, at a minimum, the specific subject matter contained in the record and the date or dates upon which the record was created or a range of dates within which the record may have been created. (3) Current law requires that, within "a reasonable time" of receiving a request for information, the agency or official must provide a good faith, nonbinding estimate of the time within which the agency or official will comply. This bill instead requires that the agency or official, within 30 days of receiving the request, provide to the requester an update on progress on the request and, within 30 days of providing the update, fulfill the request. If the agency or official is unable to fulfill the entirety of the request within the specified time period, the agency or official must provide to the requester an explanation of the reason or reasons it was unable to comply, fulfill those portions of the request that it can fulfill and provide a written estimate of the expected date of compliance with the remainder of the request. (4) The bill directs the Right To Know Advisory Committee to examine the specific challenges of ensuring public access to public records in the face of new and emerging technologies and to develop recommendations that are designed to preserve communications that can be accessed by the public. The Right To Know Advisory Committee is directed to report its findings and recommendations to the Joint Standing Committee on Judiciary, which is authorized to report out a bill to the Second Regular Session of the 129th Legislature.

LD 1574 - This bill allows a seaplane to land on and take off from Katahdin Lake in Baxter State Park.

LD 1572 - This bill establishes the Maine Fair Chance Housing Act, the purpose of which is to ensure that a person is not denied housing based solely on the existence of a history of criminal convictions. This bill prohibits a housing provider from considering an applicant's criminal history until after the housing provider determines that the applicant meets all other qualifications for tenancy. A person who is aggrieved by a violation of the Maine Fair Chance Housing Act by a housing provider may file a grievance with the Maine Human Rights Commission and, if it is a violation by a private housing provider, may bring a civil action in court.

LD 1570 - This bill allows online application for voter registration by an eligible resident of Maine through the Secretary of State's publicly accessible website. The information required to be submitted to the Secretary includes the applicant's legal name, residence, date of birth, most recent prior residence, choice of political party, identification number on a state issued driver's license or non-driver's card, affirmation by the applicant that the information provided is valid and any other information the Secretary determines necessary. After verifying the information, the Secretary must notify the register of the voting district in which the applicant resides, revise the central voter registration system and send conformation of the registration to the applicant either electronically or by mail.

LD 1569 - This bill regulates the manufacture, distribution and possession of so-called ghost guns and so-called 3-D printed guns or 3-D guns, which are fully functioning firearms that can be made at home by unlicensed firearm manufacturers, sellers and distributors either by purchasing the necessary parts separately, or as part of mail order gun kits, and then assembling them at home or by downloading a computer code from the internet that allows the user to manufacture the gun using a 3-D printer. This bill provides definitions of "undetectable firearm" and "untraceable firearm" and prohibits the manufacture, import, sale, transfer and possession of such firearms with certain exceptions. This bill also prohibits, with certain exceptions, the dissemination of downloadable gun code from which untraceable firearms can be manufactured.

LD 1568 - This bill provides for the deorganization of Magalloway Plantation in Oxford County, subject to approval at local referendum and execution of a withdrawal agreement from Regional School Unit No. 78.

LD 1565 - This resolution proposes an amendment to the Constitution of Maine to allow the Legislature to change a direct initiative approved by the voters at referendum if the change clarifies or further advances the original intent of the direct initiative. A change to such a direct initiative made by the Legislature no later than one year after the direct initiative takes effect that frustrates the effectuation or implementation of the direct initiative does not go into effect until submitted to the voters at referendum and approved by a majority of those voting on the question. The resolution also authorizes the Legislature to provide a process for the review of a direct initiative before petition forms are furnished or approved by the Secretary of State.

LD 1564 - This bill allows a public authority, defined as the Maine Turnpike Authority or any officer, board, commission or agency of the state authorized by law to enter into contracts for the construction of public works, to require a project labor agreement for a public works project when that public authority determines that it is in the public's interest to require such an agreement.

LD 1563 – This concept bill draft proposes to establish the Maine Broadband Initiative to encourage, promote, stimulate, invest in and support universal high-speed broadband to unserved and underserved areas of the state. The bill would also establish the Maine Broadband Initiative Fund to provide ongoing funding for high-speed broadband through funding sources that would be identified in the bill.

LD 1562 - This bill: (1) Establishes as a goal for the Renewable Energy Program requiring that by January 1, 2050, 100% of the energy consumed in this State will be supplied by renewable resources; (2) Directs that, no later than January 1, 2030, all electricity purchased by state agencies must be supplied by renewable resources and that, no later than January 1, 2050, all heating, ventilation and air conditioning systems in state-owned or state-leased buildings must be

electrical and the electricity must be supplied by renewable resources; (3) Directs that, no later than January 1, 2050, all vehicles acquired for the state vehicle fleet must be electric vehicles.

LD 1561 - This bill amends the laws governing the Maine Land Use Planning Commission (LUPC) by removing the existing locally-led process for regional planning and mandating the commission to start regional planning activities at the request of two municipalities in a region, adds four gubernatorial appointments to the LUPC causing four counties with the least Unorganized Territory acreage to lose their representation, and limits the types of municipal expertise for the appointments to experience only in communities next to the Unorganized Territories, favoring expertise in conservation and forest economy over municipal perspectives. The bill also directs the LUPC to conduct a land use structure inventory by July 1, 2020 and drive future development into organized communities when possible.

LD 1555 - This bill amends current law to allow vehicles engaged in highway maintenance or in emergency rescue operations by emergency management and public safety agencies and public service vehicles to be equipped with auxiliary lights that emit a combination of amber and white lights or any shade between amber and white. It also allows the use of green lighting for any highway maintenance vehicle that is operating under the direction of the Department of Transportation or the Maine Turnpike Authority. This bill also amends current law to allow the Maine Turnpike Authority to remove a vehicle from the Maine Turnpike if it is improperly parked, abandoned or interfering with snow removal in the same manner that the Department of Transportation may remove such a vehicle on a road under its jurisdiction. It also clarifies that a 3rd-party agent such as an independent contractor working for the Department of Transportation or the Maine Turnpike Authority is entitled to the same immunity from liability for these removals as employees of the department or authority.

April 11, 2019

LD 1553 - This bill requires that, notwithstanding any applicable notice requirements, each of the towns of Abbot, Atkinson, Bradford, Cambridge, Dexter, Dover-Foxcroft, Guilford, Milo, Monson, Parkman, Sangerville, Sebec and Willimantic hold an advisory vote no later than April 30, 2019 on the proposed merger of Hospital Administrative District No. 4 with Northern Light Health. Unless a town's charter otherwise provides, the vote must be taken at a town meeting. The results of the vote in each town must be declared by the municipal officers of the town and transmitted to the board of directors of Hospital Administrative District No. 4.

LD 1549 - This bill increases, from \$3,000 to \$9,000, the supplement paid to a teacher who has attained certification from the National Board for Professional Teaching Standards and who is employed in a school in which at least 50% of students qualify for a free or reduced-price lunch during the year that the supplement is provided.

LD 1547 - This bill directs the Public Utilities Commission, Emergency Services Communication Bureau to use 10% of the statewide E-9-1-1 surcharges to fund certain staff positions and capital equipment projects of public safety answering points operated by county governments or other local units of government. **DEAD**

LD 1545 - This bill amends the provisions regarding the testing of adult use marijuana and adult 21 use marijuana products by: (1) Requiring that any testing conform to any applicable state or federal process, protocol or standard for the testing of tobacco; and (2) Providing that if a testing facility does not test adult use marijuana or an adult use marijuana product within five days of

receiving the marijuana or marijuana product from a licensee, the licensee may sell or distribute the marijuana or marijuana product if the marijuana or marijuana product is labeled "Untested." If upon testing a testing facility determines that the marijuana or marijuana product exceeds the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required, the testing facility is required to immediately notify the Department of Administrative and Financial Services and the licensee. The licensee is required to recover, document, quarantine and hold the marijuana or marijuana product for either remediation and retesting or destruction by the department.

LD 1543 - This bill amends provisions regarding the Maine Uniform Building and Energy Code by requiring the Technical Building Codes and Standards Board to adopt and maintain an appendix to the Maine Uniform Building and Energy Code that contains energy conservation and efficiency requirements that exceed the requirements in the code, to make the appendix available for voluntary adoption by municipalities and to maintain a list of those municipalities on the board's publicly accessible website.

LD 1542 - This bill provides a process to allow a municipality to choose a single transmission and distribution utility via a referendum when that municipality is served by more than one utility. The decision to hold a referendum must be made by a majority vote of the municipal officials. A referendum to choose a single utility must occur during a gubernatorial or presidential election in November and must be called, advertised and conducted according to the law relating to municipal elections. The bill also requires the choice of a single utility to be approved by the Public Utilities Commission. The commission is required to approve the choice if the commission finds that the chosen utility is willing to furnish service to the entire municipality, has the financial ability to meet its obligations and is willing and able to pay a fair and reasonable price, as determined by the commission, for the assets of the 2nd utility needed to furnish service to the entire municipality. Upon approval, the commission is directed to order the second utility to sell its assets used to serve the municipality to the chosen transmission and distribution utility. This bill also allows the commission to adopt routine technical rules to implement these provisions.

LD 1537 - This bill increases the portion of retirement benefits of retired state employees, teachers and beneficiaries of either to which the cost-of-living adjustment applies from \$20,000 to \$30,000 effective July 1, 2020.

LD 1536 – This bill makes several changes to the laws regulating the discontinuance and abandonment of municipal roads. The bill: (1) further amends the discontinuation process. Under existing statutes, municipalities may not discontinue a town way that is abutted by property not otherwise accessible by a public way, unless the municipal officers have provided the abutters one year to work out private easements allowing for abutter travel along the way. If after a year, the abutters have not worked out private easements, the municipality may proceed with the discontinuance, provided a public easement is retained. The bill would continue to allow a municipality to discontinue a road and retain a public easement, but on the condition that the municipality specifies the allowable uses on the public easement and provides sufficient public maintenance of the public easement to allow the specified use; (2) Modifies the road abandonment law to provide that the presumption of abandonment is removed if: (a) the municipality received Local Road Assistance Program funds on any mile of the way during any portion of the 30 or more consecutive years of apparent discontinuance; or (b) intentionally ceases to maintain a way as a means of creating a presumption of abandonment. A municipal is also prevented from asserting a presumption of abandonment for any way that was discontinued

prior to Sept. 3, 1965 that resulted in a public easement; (3) requires a town to maintain any town public right-of-way used as part of a United States postal route in passable condition for postal service delivery. If the postal service route is seasonal, the right-of-way must be maintained for the applicable season and, if the mail route is year-round, it must be maintained year-round; and (4) provides that a failure of a town to meet the snow removal and other maintenance requirements of state statutes is deemed a failure to maintain a way, for which “those (municipal officials) liable may be indicted, convicted and a reasonable fine imposed therefor.”

April 9, 2019

LD 1532 - This bill prohibits a retail establishment from using single-use carry-out bags to bag products at the point of sale or otherwise make single-use carry-out bags available to customers, with exemptions for certain types and uses of plastic and paper bags. Retail establishments may provide recyclable paper bags to bag products at the point of sale for at least 5¢ per bag, with exceptions to the fee requirement for certain types of retail establishments. The prohibition is effective April 22, 2020.

LD 1530 - This bill provides an income tax credit of up to \$1,000 for individuals for certain student loan payments made during the tax year if the individuals were first employed in Maine on or after January 1, 2020. The credit is equal to the lesser of 50% of the loan payments actually made and 50% of income tax liability in the first year in which the credit is claimed declining to 10% of income tax liability in the 5th and final year in which the credit is claimed. The credit may not exceed 50% of the individual's outstanding student loan debt and may not be claimed if the individual claims the credit for educational opportunity.

LD 1529 - This bill prohibits employers from requiring agreements that prevent an employee or prospective employee from disclosing or discussing discrimination, including harassment, occurring between employees or between an employer and an employee. The bill prohibits settlement agreements, unless requested by the employee, prospective employee or former employee, from including a provision that prevents the disclosure of factual information relating to a claim of discrimination, including harassment. Agreements may not explicitly or implicitly limit an individual's ability to provide testimony or evidence, file claims or make reports to any federal or state agency that enforces employment or discrimination laws, including, but not limited to, the Maine Human Rights Commission and the Department of Labor. An employee, prospective employee or former employee is not liable for damages for breaching a prohibited nondisclosure agreement or a settlement agreement.

LD 1528 - This bill: (1) Increases the one-time fee for an out-of-rotation registration plate and for a reserved registration number from \$15 to \$25, the same as for a vanity registration plate fee; (2) Increases the registration transfer fee for a trailer under 2,000 pounds from \$5 to \$8, making the fee the same as for other registration transfers; (3) Increases the motorcycle rider education school and instructor license fees to match fees for other business licenses issued by the Department of the Secretary of State, Bureau of Motor Vehicles, such as certain dealer licenses; (4) Increases driver education school and instructor license fees to match other business license fees; (5) Increases the fee for a duplicate registration certificate from \$2 to \$5; and (6) Reduces the driver's license fees for persons 65 years of age and over by \$1 to provide equity in the fees assessed on driver's licenses issued to this demographic.

LD 1527 - This bill prohibits the operation of a motor vehicle at a speed of 40 miles per hour or more on a public way with a load of solid precipitation, including snow, ice, hail and sleet, on the

motor vehicle. Failure to clear a motor vehicle is a traffic infraction subject to a \$250 fine for a first offense and \$500 for a second or subsequent offense. Commercial trucks are exempted from the provision.

LD 1525 - This bill prohibits the owner of a motorboat of more than 75 horsepower from operating or allowing operation of the motorboat in the inland or tidal waters of the state without insurance on the motorboat similar to the financial responsibility provisions regarding motor vehicles. The bill requires the operator of the motorboat to provide proof of insurance, which may be in an acceptable electronic format, to a law enforcement officer upon request or, if the motorboat is in an accident, to all persons involved in the accident. An operator of a motorboat who fails to provide proof of insurance commits a civil penalty unless proof of insurance is produced before adjudication of the violation, and an owner who fails to insure a motorboat that is then involved in an accident commits a Class D crime.

LD 1524 - This bill addresses wage theft by an employer by creating additional remedies, including injunctive relief, treble damages to be paid to affected employees and a stop-work order against an employer who is engaging in wage theft. These remedies are in addition to any existing penalties, and the actions may be combined. "Wage theft" is defined as a violation of specific statutes that include the requirements of timely and full payment of wages, payment of wages upon cessation of employment, payments defined as "unfair agreements" and fringe benefits.

LD 1520 - This bill supports employee-owned businesses and cooperatives in the following ways. (1) It excludes from Maine income tax the amount of gain, up to a maximum of \$750,000 recognized by a business owner in transferring the business to an employee stock ownership plan, eligible worker-owned cooperative, consumer cooperative or affordable housing cooperative. (2) It excludes from Maine income tax interest from loans that finance transfers of ownership from a business to an employee stock ownership plan, eligible worker-owned cooperative, consumer cooperative or affordable housing cooperative. (3) It requires the Department of Economic and Community Development, Office of Business Development to encourage and assist employee-owned businesses by requiring the office to: develop educational programs, including convening an annual conference on employee ownership issues; provide information about employee ownership and technical assistance to retiring business owners, employees of plants threatened with closure and entrepreneurs interested in creating businesses with broadly shared ownership; link Maine businesses interested in implementing employee partnership to available financial, technical and legal resources; and help businesses interested in implementing some form of employee ownership to obtain financing, as well as undertake other duties. (4) It requires the Commissioner of Economic and Community Development to give priority to employee-owned businesses, either established or in the process of becoming employee-owned, when providing loans or grants from funds or programs maintained by the department. (5) It requires the Maine Public Employees Retirement System to conduct a study to determine how funds held by the system may be invested responsibly in employee-owned businesses in this State and to report its findings to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, which is authorized to report out a bill to the Second Regular Session of the 129th Legislature based on the study and recommendations of the system.

LD 1519 - This bill creates a statutory framework that allows a corporation to elect to become a benefit corporation by explicitly stating in its articles of incorporation that it has a purpose of creating general public benefit and allows such a corporation to state in its articles of

incorporation one or more specific public benefit purposes, which are other than maximizing shareholder value. "General public benefit" means a material positive impact on society and the environment, taken as a whole, assessed against a 3rd-party standard, from the business and operations of the benefit corporation. A specific public benefit can be providing goods and services to underserved individuals and communities, the promotion of economic opportunities, protecting the environment, improving human health or other particular benefits to society or the environment. A benefit corporation may be subject to a benefit enforcement proceeding for failing to pursue or create general public benefit or a specific public benefit as set forth in its articles of incorporation, or for a violation of any obligation, duty or standard of conduct imposed. A benefit corporation must make its annual benefit report available publicly.

LD 1518 – Of greatest municipal significance, this bill requires a political subdivision seeking to ban the use of a pesticide registered by the U.S. Environmental Protection Agency to submit a request to the Board of Pesticides Control for review and determination of whether the pesticide should be further regulated. The board's review must include participation from the officers of the political subdivision, board staff, and experts and other interested parties the board determines appropriate. The board is also required to investigate complaints of violations of local, state and federal pesticide laws. This bill establishes the Tick Laboratory and Pest Management Fund administered by the University of Maine Cooperative Extension to fund the tick laboratory and other pest management research and projects and directs the extension's pest management unit to study browntail moths as the first of a series of pest research projects to be determined every 3 years by a committee designated by the University of Maine. The fund is funded by a pesticide container fee of 20¢ per container administered by the State Tax Assessor.