



129th MAINE LEGISLATURE

SECOND SPECIAL SESSION-2020

Legislative Document

No. 2169

H.P. 1552

House of Representatives, July 28, 2020

**An Act To Correct Inconsistencies, Conflicts and Errors in the Laws
of Maine**

(EMERGENCY)

Reported by Representative BAILEY of Saco for the Revisor of Statutes pursuant to the Maine Revised Statutes, Title 1, section 94.

Received by the Clerk of the House on July 28, 2020. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

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

3 **Whereas,** acts of this and previous Legislatures have resulted in certain technical
4 inconsistencies, conflicts and errors in the laws of Maine; and

5 **Whereas,** these inconsistencies, conflicts and errors create uncertainties and
6 confusion in interpreting legislative intent; and

7 **Whereas,** it is vitally necessary that these uncertainties and this confusion be
8 resolved in order to prevent any injustice or hardship to the citizens of Maine; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. 4 MRSA §1051,** as amended by PL 2019, c. 59, §1 and c. 475, §49, is
15 repealed and the following enacted in its place:

16 **§1051. Legal holidays**

17 Court may not be held on Sunday or any day designated for the annual Thanksgiving;
18 New Year's Day, January 1st; Martin Luther King, Jr., Day, the 3rd Monday in January;
19 Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in
20 April; Memorial Day, the last Monday in May, but if the Federal Government designates
21 May 30th as the date for observance of Memorial Day, the 30th of May; the 4th of July;
22 Labor Day, the first Monday of September; Indigenous Peoples Day, the 2nd Monday in
23 October; Veterans Day, November 11th; or on Christmas Day. The Chief Justice of the
24 Supreme Judicial Court may order that court be held on a legal holiday when the Chief
25 Justice finds that the interests of justice and judicial economy in any particular case will
26 be served. The public offices in county buildings may be closed to business on the
27 holidays named in this section. When any one of the holidays named in this section falls
28 on Sunday, the Monday following must be observed as a holiday, with all the privileges
29 applying to any of the days named in this section.

30 **Sec. 2. 5 MRSA §1531, sub-§2,** as amended by PL 2019, c. 343, Pt. D, §2 and Pt.
31 III, §1, is repealed and the following enacted in its place:

32 **2. Average personal income growth.** "Average personal income growth" means
33 the average for the prior 10 calendar years, ending with the most recent calendar year for
34 which data is available, of the percent change in personal income in this State, as
35 estimated by the United States Department of Commerce, Bureau of Economic Analysis.
36 The average personal income growth is determined by October 1st, annually, by the State
37 Economist.

1 **Sec. 3. 5 MRSA §1710-D**, as amended by PL 2019, c. 343, Pt. D, §4 and Pt. III,
2 §2, is repealed and the following enacted in its place:

3 **§1710-D. Staffing**

4 The commission may receive staff support from the Department of Administrative
5 and Financial Services and the Department of Labor.

6 **Sec. 4. 5 MRSA §1710-I**, as amended by PL 2019, c. 343, Pt. D, §5 and Pt. III,
7 §3, is repealed and the following enacted in its place:

8 **§1710-I. Staffing**

9 The committee may receive staff assistance from the Department of Administrative
10 and Financial Services and, at the discretion of the Legislature, the Office of Fiscal and
11 Program Review. The committee may also utilize other professionals having revenue
12 forecasting, economic and fiscal expertise.

13 **Sec. 5. 5 MRSA c. 167**, as enacted by PL 2019, c. 471, §1 and c. 472, §1, is
14 repealed and the following enacted in its place:

15 **CHAPTER 167**

16 **MAINE PRESCRIPTION DRUG AFFORDABILITY BOARD**

17 **§2041. Maine Prescription Drug Affordability Board established**

18 **1. Board established.** The Maine Prescription Drug Affordability Board, as
19 established in section 12004-G, subsection 14-I and referred to in this chapter as "the
20 board," shall carry out the purposes of this chapter.

21 **2. Membership.** The board has 5 members with expertise in health care economics
22 or clinical medicine, who may not be affiliated with or represent the interests of a public
23 payor, as that term is defined in section 2042, and who are appointed as follows:

24 A. Two members by the President of the Senate. The President of the Senate shall
25 also appoint one alternate board member who will participate in deliberations of the
26 board in the event a member appointed by the President of the Senate elects to be
27 recused as provided in subsection 7, paragraph B;

28 B. Two members by the Speaker of the House of Representatives. The Speaker of
29 the House of Representatives shall also appoint one alternate board member who will
30 participate in deliberations of the board in the event a member appointed by the
31 Speaker of the House of Representatives elects to be recused as provided in
32 subsection 7, paragraph B; and

33 C. One member by the Governor. The Governor shall also appoint one alternate
34 board member who will participate in deliberations of the board in the event the
35 member appointed by the Governor elects to be recused as provided in subsection 7,
36 paragraph B.

1 **3. Terms.** Members are appointed to 5-year terms. Of the initial appointees, the
2 member appointed by the Governor serves an initial term of 5 years, one member
3 appointed by the President of the Senate and one member appointed by the Speaker of the
4 House of Representatives serve an initial term of 4 years and one member appointed by
5 the President of the Senate and one member appointed by the Speaker of the House of
6 Representatives serve an initial term of 3 years.

7 **4. Quorum.** A majority of board members constitutes a quorum.

8 **5. Chair.** The Governor shall name the chair.

9 **6. Meetings.** Beginning no later than March 1, 2020, the board shall meet in public
10 session at least every 12 weeks to review prescription drug information and to make
11 recommendations pursuant to section 2042. Meetings may be cancelled or postponed at
12 the discretion of the chair.

13 A. Each public meeting must be announced 2 weeks in advance, and materials for
14 the meeting must be made public at least one week in advance.

15 B. Each public meeting must provide opportunity for comment from the public in
16 attendance at the meeting, and the board shall provide the opportunity for the public
17 to submit written comments on pending decisions.

18 C. The board may allow expert testimony at public meetings and any meeting
19 conducted in executive session as permitted by paragraph D.

20 D. Notwithstanding the requirements of Title 1, section 405, the board may meet in
21 executive session, except that any decision of the board must be made in public.

22 **7. Conflicts of interest.** The following provisions govern any conflict of interest for
23 a member of the board, a member of the advisory council established pursuant to
24 subsection 10 or any staff member or contractor of the board.

25 A. When appointing a member of the board or the advisory council established
26 pursuant to subsection 10, the appointing authority shall consider any conflict of
27 interest disclosed by the prospective member. A member shall elect to be recused
28 from any board activity in the case in which the member or an immediate family
29 member of the member has a conflict of interest. For the purposes of this paragraph,
30 "conflict of interest" means an association, including a financial or personal
31 association, that has the potential to bias or have the appearance of biasing an
32 individual's decisions in matters related to the board or the conduct of the board's
33 activities.

34 B. A board member or staff or contractor of the board with a conflict of interest shall
35 elect to be recused. For purposes of this paragraph, "conflict of interest" means any
36 instance in which a member of the board or an immediate family member of the
37 member has received or could receive either of the following:

38 (1) A direct financial benefit of any amount deriving from the results or findings
39 of a study or determination by or for the board; or

1 (2) A financial benefit from individuals or companies that own or manufacture
2 prescription drugs, services or items to be studied by the board that in the
3 aggregate exceeds \$5,000 per year. For purposes of this subparagraph, "financial
4 benefit" includes honoraria, fees, stock or other financial benefit and the current
5 value of the member's or immediate family member's already existing stock
6 holdings, in addition to any direct financial benefit deriving from the results or
7 findings conducted under this section.

8 C. A conflict of interest must be disclosed in the following manner:

9 (1) By the board in the employment of board senior staff;

10 (2) By the Governor, President of the Senate or Speaker of the House of
11 Representatives when appointing members to the board and advisory council
12 established pursuant to subsection 10;

13 (3) By the board, describing any recusals as part of any final decision relating to
14 a prescription drug; and

15 (4) By the 5th day after a conflict is identified or, if a public meeting of the
16 board will occur within that 5-day period, in advance of the public meeting.

17 D. Conflicts of interest must be publicly posted on the website of the board. The
18 information disclosed must include the type, nature and magnitude of the interests of
19 the individual involved, except to the extent that the individual elects to be recused
20 from participation in any activity with respect to which the potential conflict exists.

21 E. The board, the advisory council established pursuant to subsection 10, a member
22 of the board or staff or a contractor of the board may not accept gifts, bequests or
23 donations of services or property that suggest a conflict of interest or have the
24 appearance of creating bias in the work of the board or advisory council.

25 F. A member of the advisory council established pursuant to subsection 10 who
26 accepts a gift, bequest or donation of services or property that suggests a conflict of
27 interest or has the appearance of creating bias in the work of the advisory council
28 shall disclose the gift, bequest or donation publicly.

29 8. Staff. The board may employ an executive director, whose salary, to the extent
30 feasible, must comport with state personnel rules and requirements.

31 9. Compensation. A member of the board and a member of the advisory council
32 appointed pursuant to subsection 10, paragraph L are entitled to legislative per diem and
33 reimbursement for expenses as provided in section 12004-G, subsection 14-I.

34 10. Advisory council. A 12-member advisory council is established to advise the
35 board on establishing annual spending targets pursuant to section 2042, subsection 1 and
36 determining methods for meeting those spending targets pursuant to section 2042,
37 subsection 3. The advisory council consists of:

38 A. The Governor or the Governor's designee;

39 B. The Commissioner of Administrative and Financial Services or the
40 commissioner's designee;

- 1 C. The Commissioner of Corrections or the commissioner's designee;
2 D. The Commissioner of Health and Human Services or the commissioner's
3 designee;
4 E. The Attorney General or the Attorney General's designee;
5 F. The Executive Director of Employee Health and Benefits, within the Department
6 of Administrative and Financial Services, Bureau of Human Resources, or the
7 executive director's designee;
8 G. A representative from the Maine State Employees Association, appointed by the
9 Governor, based on a nomination by the association;
10 H. A representative from the Maine Education Association, appointed by the
11 Governor, based on a nomination by the association;
12 I. A representative from the Maine Municipal Association, appointed by the
13 Governor, based on a nomination by the association;
14 J. A representative from the University of Maine System, appointed by the
15 Governor, based on a nomination by the system;
16 K. A representative from the Maine Community College System, appointed by the
17 Governor, based on a nomination by the system; and
18 L. A representative of consumer interests, appointed by the Governor, who serves a
19 3-year term.

20 **11. Funds and grants.** The board may apply for and receive funds, grants or
21 contracts from public and private sources.

22 **12. Assessment.** The board may recommend that a public payor, as defined in
23 section 2042, subsection 1, pay an annual assessment to support the administrative costs
24 of the board.

25 **§2042. Powers and duties of the board**

26 **1. Prescription drug spending targets.** The board has the following powers and
27 duties. For the purposes of this section, the term "public payor" means any division of
28 state, county or municipal government that administers a health plan for employees of
29 that division of state, county or municipal government or an association of state, county
30 or municipal employers that administers a health plan for its employees, except for the
31 MaineCare program. The board shall:

32 A. Beginning for the year 2021 and in consultation with the advisory council
33 established under section 2041, subsection 10, determine annual spending targets for
34 prescription drugs purchased by public payors based upon a 10-year rolling average
35 of the medical care services component of the United States Department of Labor,
36 Bureau of Labor Statistics Consumer Price Index medical care services index plus a
37 reasonable percentage for inflation and minus a spending target determined by the
38 board for pharmacy savings;

1 B. Determine spending targets on specific prescription drugs that may cause
2 affordability challenges to enrollees in a public payor health plan; and

3 C. Determine which public payors are likely to exceed the spending targets
4 determined under paragraph A.

5 **2. Prescription drug spending data.** The board may consider the following data to
6 accomplish its duties under this section:

7 A. A public payor's prescription drug spending data, which the 3rd-party
8 administrator or insurer for the public payor's health plan shall provide to the board
9 on behalf of the public payor upon request notwithstanding any provision of law to
10 the contrary, including:

11 (1) Expenditures and utilization data for prescription drugs for each plan offered
12 by a public payor;

13 (2) The formulary for each plan offered by a public payor and prescription drugs
14 common to each formulary;

15 (3) Pharmacy benefit management services and other administrative expenses of
16 the prescription drug benefit for each plan offered by a public payor; and

17 (4) Enrollee cost sharing for each plan offered by a public payor; and

18 B. Data compiled by the Maine Health Data Organization under Title 22, chapter
19 1683.

20 Prescription drug spending data provided to the board under this subsection is
21 confidential to the same extent it is confidential while in the custody of the entity that
22 provided the data to the board.

23 **3. Recommendations.** Based upon the prescription drug spending data received
24 under subsection 2, the board, in consultation with a representative of each public payor
25 identified under subsection 1, paragraph A, shall determine methods for the public payor
26 to meet the spending targets established under subsection 1. The board shall determine
27 whether the following methods reduce costs to individuals purchasing prescription drugs
28 through a public payor and allow public payors to meet the spending targets established
29 under subsection 1:

30 A. Negotiating specific rebate amounts on the prescription drugs that contribute most
31 to spending that exceeds the spending targets;

32 B. Changing a formulary when sufficient rebates cannot be secured under paragraph
33 A;

34 C. Changing a formulary with respect to all of the prescription drugs of a
35 manufacturer within a formulary when sufficient rebates cannot be secured under
36 paragraph A;

37 D. Establishing a common prescription drug formulary for all public payors;

38 E. Prohibiting health insurance carriers in the State from offering on their
39 formularies a prescription drug or any of the prescription drugs manufactured by a

1 particular manufacturer when the methods described in paragraph B or C are
2 implemented;

3 F. Purchasing prescription drugs in bulk or through a single purchasing agreement
4 for use among public payors;

5 G. Collaborating with other states and state prescription drug purchasing consortia to
6 purchase prescription drugs in bulk or to jointly negotiate rebates;

7 H. Allowing health insurance carriers providing coverage to small businesses and
8 individuals in the State to participate in the public payor prescription drug benefit for
9 a fee;

10 I. Procuring common expert services for public payors, including but not limited to
11 pharmacy benefit management services and actuarial services; and

12 J. Any other method the board may determine.

13 **4. Report.** The board shall report its recommendations, including prescription drug
14 spending targets, and the progress of implementing those recommendations to the joint
15 standing committee of the Legislature having jurisdiction over health coverage and
16 insurance matters no later than October 1, 2020 and on January 30th annually thereafter.
17 The joint standing committee may report out legislation based upon the report.

18 **Sec. 6. 5 MRSA c. 168** is enacted to read:

19 **CHAPTER 168**

20 **WHOLESALE PRESCRIPTION DRUG IMPORTATION PROGRAM**

21 **§2045. Authorization**

22 The Wholesale Prescription Drug Importation Program, referred to in this chapter as
23 "the program," is established to provide for the wholesale importation of prescription
24 drugs from Canada by or on behalf of the State. The program must be designed in
25 accordance with the requirements of this chapter. The program may not be implemented
26 unless the State obtains approval and certification, pursuant to section 2046, subsection 3,
27 from the United States Department of Health and Human Services.

28 **§2046. Design of program**

29 **1. Design requirements.** The Department of Health and Human Services, in
30 consultation with appropriate federal and other state agencies, other states and interested
31 parties, shall design the program to comply with the applicable requirements of 21 United
32 States Code, Section 384, including requirements regarding safety and cost savings. The
33 program design must:

34 A. Designate a state agency to become a licensed drug wholesaler or to contract with
35 a licensed drug wholesaler in order to seek federal certification and approval,
36 pursuant to subsection 3, to import safe prescription drugs and provide cost savings to
37 consumers in the State;

- 1 B. Use prescription drug suppliers in Canada regulated under the laws of Canada or
2 of one or more Canadian provinces, or both;
- 3 C. Ensure that only prescription drugs meeting the federal Food and Drug
4 Administration's safety, effectiveness and other standards are imported by or on
5 behalf of the State;
- 6 D. Import only those prescription drugs expected to generate substantial cost savings
7 for consumers in the State;
- 8 E. Ensure that the program complies with the transaction and tracing requirements of
9 21 United States Code, Sections 360eee and 360eee-1 to the extent feasible and
10 practical prior to imported prescription drugs coming into the possession of the
11 licensed drug wholesaler and that the program complies fully with those federal
12 requirements after imported prescription drugs are in the possession of the licensed
13 drug wholesaler;
- 14 F. Consider whether the program may be developed on a multistate basis through
15 collaboration with other states;
- 16 G. Prohibit the distribution, dispensing or sale of imported prescription drugs outside
17 of the State;
- 18 H. Recommend a charge per prescription or another method of financing to ensure
19 that the program is adequately funded in a manner that does not jeopardize significant
20 cost savings to consumers, including adequate funding for the initial start-up costs of
21 the program;
- 22 I. Apply for and receive funds, grants or contracts from public and private sources;
23 and
- 24 J. Include an audit function.

25 **2. Rules.** The Department of Health and Human Services shall adopt rules to design
26 the program in accordance with the requirements of subsection 1 no later than January 1,
27 2020. Rules adopted pursuant to this subsection are major substantive rules as defined in
28 chapter 375, subchapter 2-A.

29 **3. Request for federal approval and certification.** The Department of Health and
30 Human Services shall submit a request for approval and certification of the program to
31 the United States Department of Health and Human Services no later than May 1, 2020.

32 **§2047. Implementation**

33 **1. Implementation; operation.** Upon receipt of federal approval and certification
34 under section 2046, subsection 3, the state agency designated to oversee the program
35 pursuant to this chapter shall implement the program as required in subsection 2. The
36 program must begin operating no later than 6 months following receipt of federal
37 approval and certification.

38 **2. Requirements.** Prior to operating the program, the state agency designated to
39 oversee the program pursuant to this chapter shall:

- 1 A. Become a licensed drug wholesaler or enter into a contract with a licensed drug
2 wholesaler in the State;
- 3 B. Contract with one or more distributors licensed in the State;
- 4 C. Contract with one or more licensed and regulated prescription drug suppliers in
5 Canada;
- 6 D. Consult with health insurance carriers, employers, pharmacies, pharmacists,
7 health care providers and consumers;
- 8 E. Develop a registration process for health insurance carriers, pharmacies and health
9 care providers authorized to prescribe and administer prescription drugs that are
10 willing to participate in the program;
- 11 F. Create a publicly accessible website for listing the prices of prescription drugs to
12 be imported under the program;
- 13 G. Create an outreach and marketing plan to generate public awareness of the
14 program;
- 15 H. Provide a telephone hotline to answer questions and address needs of consumers,
16 employers, health insurance carriers, pharmacies, health care providers and others
17 affected by the program;
- 18 I. Develop a 2-year audit work plan; and
- 19 J. Conduct any other activity determined necessary to successfully implement and
20 operate the program.

21 **§2048. Annual reporting**

22 Beginning January 2021, and annually thereafter, the Department of Health and
23 Human Services, or other state agency designated to oversee the program pursuant to this
24 chapter, shall report to the joint standing committee of the Legislature having jurisdiction
25 over health coverage and prescription drugs regarding the implementation and operation
26 of the program during the previous calendar year, including:

- 27 **1. Prescription drugs included.** The prescription drugs included in the program;
- 28 **2. Participation.** The number of participating pharmacies, health care providers and
29 health insurance carriers;
- 30 **3. Prescriptions dispensed.** The number of prescription drugs dispensed through
31 the program;
- 32 **4. Estimated savings.** The estimated cost savings to consumers, health insurance
33 carriers, employers and the State during the previous calendar year and to date;
- 34 **5. Audit findings.** Information regarding implementation of the audit work plan and
35 audit findings; and

1 **6. Other relevant information.** Any other information the Department of Health
2 and Human Services, or other state agency designated to oversee the program pursuant to
3 this chapter, considers relevant.

4 **Sec. 7. 5 MRSA §3101, sub-§1,** as amended by PL 2019, c. 343, Pt. D, §6 and c.
5 383, §1, is repealed and the following enacted in its place:

6 **1. Director.** "Director" means the Director of the Office of Policy Innovation and
7 the Future established by section 3102.

8 **Sec. 8. 5 MRSA §3101, sub-§2,** as amended by PL 2019, c. 343, Pt. D, §6 and c.
9 383, §1, is repealed and the following enacted in its place:

10 **2. Office.** "Office" means the Office of Policy Innovation and the Future established
11 by section 3102.

12 **Sec. 9. 5 MRSA §3102,** as amended by PL 2019, c. 343, Pt. D, §7 and repealed
13 and replaced by c. 383, §2, is repealed and the following enacted in its place:

14 **§3102. Office established; purpose**

15 The Office of Policy Innovation and the Future is established in the Executive
16 Department to: support the creation of a coherent system of policy planning and
17 coordinated implementation as one function and responsibility of the executive branch;
18 serve the Governor as a research, advisory, consultative, coordinating and administrative
19 agency; and advance policies that support a sustainable future for the State's people,
20 communities, natural resources, physical infrastructure, industries, businesses and
21 institutions by:

22 **1. Assistance; data; policy.** Providing technical assistance and data to the Governor
23 by undertaking special studies and plans as directed and preparing policy;

24 **2. Coordination.** Facilitating general intergovernmental coordination;

25 **3. Innovation.** Supporting state efforts to encourage innovation and policy that
26 facilitates innovation in the public and private sectors;

27 **4. Technology.** Supporting improved technology use for government programs and
28 advancing responsible state data policies;

29 **5. Resources.** Supporting the development of the State's economy and energy
30 resources with the conservation of its natural resources; and

31 **6. Analysis.** Conducting ongoing demographic, economic, workforce and other
32 needed analyses to support state policy makers.

33 **Sec. 10. 5 MRSA §3103,** as amended by PL 2019, c. 343, Pt. D, §8 and c. 383, §3,
34 is repealed and the following enacted in its place:

1 **§3103. Director**

2 The Director of the Office of Policy Innovation and the Future is appointed by the
3 Governor and serves at the pleasure of the Governor.

4 **Sec. 11. 5 MRSA §12004-C, sub-§7**, as enacted by PL 1995, c. 676, §1 and
5 affected by §13, is amended to read:

6 7.
7 School Board of the Maine Legislative Per Diem 20-A MRSA §7406
8 Educational Center for the and Expenses
9 Deaf and Hard of Hearing and
10 the Governor Baxter School for
11 the Deaf

12 **Sec. 12. 5 MRSA §13056, sub-§3**, as amended by PL 2019, c. 343, Pt. D, §9 and
13 Pt. III, §4, is repealed and the following enacted in its place:

14 **3. Conduct planning and research.** Conduct planning, research and analysis for
15 department needs, but not macroeconomic forecasting, which is the responsibility of the
16 Department of Administrative and Financial Services. The department shall gather and
17 maintain and must have access to all economic and other information necessary to the
18 performance of its duties;

19 **Sec. 13. 5 MRSA §13056, sub-§6, ¶B**, as amended by PL 2003, c. 159, §2, is
20 further amended to read:

21 B. Other community planning and development assistance programs of the former
22 State Planning Office;

23 **Sec. 14. 9-A MRSA §14-105, sub-§5**, as enacted by PL 2019, c. 431, §2 and
24 affected by §4, is repealed.

25 **Sec. 15. 10 MRSA §363, sub-§2-A**, as amended by PL 2019, c. 343, Pt. D, §11
26 and Pt. III, §5, is repealed and the following enacted in its place:

27 **2-A. Recommendation of Governor and issuers.** At any time action of the
28 Legislature under subsection 1-A is necessary or desirable, the Governor shall
29 recommend to the appropriate committee of the Legislature a proposed allocation or
30 reallocation of all or part of the state ceiling. To assist the Governor in making a
31 recommendation of proposed allocations of the state ceiling on private activity bonds, the
32 group of 7 representatives described in subsection 1-A shall make a recommendation
33 regarding allocation or reallocation of the state ceiling. In order to assist the group in
34 making its recommendation and to assist the Governor and the Legislature, the
35 Department of Administrative and Financial Services shall prepare an annual analysis of
36 the State's economic outlook, prevailing interest rate forecasts related to tax-exempt
37 financing by the issuers specifically identified in subsections 4 to 8, the availability to
38 those issuers of alternative financing from sources that do not require an allocation of the
39 state ceiling and the relationship of these factors and various public policy considerations

1 to the allocation or reallocation of the state ceiling. In recommending any allocation or
2 reallocation of the state ceiling to the Legislature, the Governor shall consider the
3 requests and recommendations of those issuers of bonds within the State designated in
4 this section, the recommendations of the group of representatives described in subsection
5 1-A and the annual analysis of the Department of Administrative and Financial Services.

6 **Sec. 16. 10 MRSA §1310-H, sub-§3**, as amended by PL 2019, c. 77, §1 and c.
7 407, §2, is repealed and the following enacted in its place:

8 **3. Nonliability.** A person may not be held liable for any violation of this section if
9 the person shows by a preponderance of the evidence that at the time of the alleged
10 violation the person maintained reasonable procedures to ensure compliance with the
11 provisions of subsections 1, 2, 2-A and 4.

12 **Sec. 17. 10 MRSA §9722, sub-§6, ¶G**, as amended by PL 2019, c. 391, §4, is
13 further amended to read:

14 G. In accordance with section 9723, ensure that training and certification regarding
15 the Maine Uniform Building and Energy Code is readily available, affordable and
16 accessible to municipal building officials; ~~and~~

17 **Sec. 18. 10 MRSA §9722, sub-§6, ¶I**, as amended by PL 2019, c. 391, §4, is
18 further amended to read:

19 I. Approve methods of energy performance rating for use in generating any
20 consumer information labels that may be required in the marketing and sale of
21 residential and commercial buildings or units within buildings; ~~and~~

22 **Sec. 19. 10 MRSA §9722, sub-§6, ¶M**, as repealed by PL 2019, c. 391, §4 and
23 amended by c. 392, §1, is repealed.

24 **Sec. 20. 10 MRSA §9722, sub-§6, ¶N**, as repealed by PL 2019, c. 391, §4 and
25 amended by c. 392, §2, is repealed.

26 **Sec. 21. 12 MRSA §8876, sub-§2**, as amended by PL 2019, c. 343, Pt. D, §12
27 and Pt. III, §6, is repealed and the following enacted in its place:

28 **2. Future demand.** Project future demand for forest resources based on a common
29 economic forecast developed by the Consensus Economic Forecasting Commission and
30 on other appropriate economic projections;

31 **Sec. 22. 12 MRSA §11154, sub-§2**, as amended by PL 2017, c. 427, §11 and
32 affected by §19 and amended by c. 458, §1, is repealed and the following enacted in its
33 place:

34 **2. Issuance of moose hunting permits.** In accordance with section 11552, the
35 commissioner may issue moose hunting permits and may establish the number of moose
36 hunting permits to be issued for each wildlife management district established by the
37 commissioner by rule open to moose hunting. No more than 8% of the moose hunting

1 permits may be issued to nonresident hunters. No more than 2% of the moose hunting
2 permits may be issued to hunting outfitters in accordance with subsection 14.

3 **Sec. 23. 19-A MRSA §4012, sub-§5**, as amended by PL 2019, c. 412, §9, is
4 further amended to read:

5 **5. Arrest in certain situations.** When a law enforcement officer has probable cause
6 to believe that there has been a criminal violation under section 4011 of a court-approved
7 consent agreement or a protection order issued pursuant to this chapter or Title 15,
8 chapter 12-A, or that a violation of Title 17-A, section 208-D, 208-E, or 208-F has
9 occurred, that enforcement officer shall arrest and take into custody the alleged offender.

10 **Sec. 24. 20-A MRSA §10, sub-§2, ¶G**, as amended by PL 2019, c. 450, §12, is
11 further amended to read:

12 G. The Maine Municipal Association; ~~and~~

13 **Sec. 25. 20-A MRSA §10, sub-§2, ¶H**, as amended by PL 2019, c. 450, §13, is
14 further amended to read:

15 H. The Maine Principals Association; ~~and~~

16 **Sec. 26. 22 MRSA §2422, sub-§4-N**, as enacted by PL 2019, c. 331, §2 and c.
17 528, §16, is repealed and the following enacted in its place:

18 **4-N. Immature marijuana plant.** "Immature marijuana plant" means a
19 nonflowering marijuana plant that measures more than 24 inches from the base of the
20 main plant stalk to the most distant point of the plant's leaf stems or branches. "Immature
21 marijuana plant" does not include hemp as defined in Title 7, section 2231, subsection
22 1-A, paragraph D.

23 **Sec. 27. 22 MRSA §2422, sub-§4-S**, as enacted by PL 2019, c. 331, §2 and c.
24 528, §16, is repealed and the following enacted in its place:

25 **4-S. Marijuana concentrate.** "Marijuana concentrate" means the resin extracted
26 from any part of a marijuana plant and every compound, manufacture, salt, derivative,
27 mixture or preparation from such resin, including, but not limited to, hashish. "Marijuana
28 concentrate" does not include resin extracted from hemp as defined in Title 7, section
29 2231, subsection 1-A, paragraph D or any compound, manufacture, salt, derivative,
30 mixture or preparation therefrom.

31 **Sec. 28. 22 MRSA §2428, sub-§1-A, ¶F**, as repealed and replaced by PL 2019,
32 c. 331, §24 and c. 354, §7, is repealed and the following enacted in its place:

33 **F. Except as provided in section 2426:**

34 (1) Transfer marijuana plants and harvested marijuana to a qualifying patient and
35 to a caregiver on behalf of a qualifying patient in a retail sale for reasonable
36 compensation;

1 (2) Transfer marijuana plants and harvested marijuana to a qualifying patient,
2 caregiver or dispensary for no remuneration;

3 (3) Acquire marijuana plants and harvested marijuana from another dispensary
4 for no remuneration;

5 (4) Transfer to and accept from a registered caregiver or another dispensary
6 marijuana plants and harvested marijuana in a wholesale transaction in
7 accordance with this paragraph. A dispensary may transfer in wholesale
8 transactions for reasonable compensation or for no remuneration up to 75% of the
9 mature marijuana plants grown by the dispensary over the course of a calendar
10 year, including any marijuana products or marijuana concentrate manufactured
11 from that 75% of the mature marijuana plants grown by the dispensary. A
12 dispensary may transfer to or accept from registered caregivers and dispensaries
13 in wholesale transactions an unlimited amount of immature marijuana plants and
14 seedlings. A dispensary that acquires mature marijuana plants, marijuana
15 products or marijuana concentrate in a wholesale transaction under this
16 subparagraph may not resell the mature marijuana plants, marijuana products or
17 marijuana concentrate except to a qualifying patient or to a caregiver or
18 dispensary to assist a qualifying patient;

19 (5) Transfer harvested marijuana to a manufacturing facility and accept
20 marijuana products and marijuana concentrate from the manufacturing facility
21 that are produced from the harvested marijuana the dispensary provided to the
22 manufacturing facility; and

23 (6) Provide samples to a marijuana testing facility for testing and research
24 purposes;

25 **Sec. 29. 22 MRSA §3739, sub-§2, ¶G,** as repealed by PL 2019, c. 450, §16 and
26 amended by c. 524, §16, is repealed.

27 **Sec. 30. 24-A MRSA §4316, sub-§4, ¶C,** as enacted by PL 2019, c. 289, §2, is
28 amended to read:

29 C. The enrollee is cognitively and physically capable of operating the mobile health
30 devices or the enrollee has a caregiver willing and able to assist with the mobile
31 health devices; and

32 **Sec. 31. 25 MRSA §1542-A, sub-§1, ¶R,** as amended by PL 2019, c. 343, Pt. G,
33 §5; c. 399, §3; c. 402, §3; and c. 416, §3, is repealed and the following enacted in its
34 place:

35 R. Who is required to have a criminal background check under Title 22, section
36 8302-A or 8302-B;

37 **Sec. 32. 25 MRSA §1542-A, sub-§1, ¶S,** as enacted by PL 2019, c. 399, §4 and
38 c. 402, §4 and reallocated by c. 343, Pt. G, §4 and c. 416, §2, is repealed and the
39 following enacted in its place:

40 S. Who is required to have a criminal history record check under Title 22, section
41 2425-A, subsection 3-A;

1 **Sec. 33. 25 MRSA §1542-A, sub-§1, ¶T**, as enacted by PL 2019, c. 399, §4; c.
2 402, §4; and c. 416, §4, is repealed and the following enacted in its place:

3 T. Who is required to have a criminal history record check under Title 22, section
4 8110;

5 **Sec. 34. 25 MRSA §1542-A, sub-§1, ¶U** is enacted to read:

6 U. Who is required to have a criminal history record check under Title 19-A, section
7 2111;

8 **Sec. 35. 25 MRSA §1542-A, sub-§1, ¶V** is enacted to read:

9 V. Who is employed or may be offered employment by the Office of the State
10 Auditor as required under Title 5, section 247.

11 **Sec. 36. 25 MRSA §1542-A, sub-§3, ¶O**, as repealed by PL 2019, c. 343, Pt. G,
12 §8 and c. 416, §5, and repealed and replaced by c. 399, §5 and c. 402, §5, is repealed and
13 the following enacted in its place:

14 O. The State Police shall take or cause to be taken the fingerprints of the person
15 named in subsection 1, paragraph P at the request of that person and upon payment of
16 the expenses by that person as required by Title 32, section 2571-A.

17 **Sec. 37. 25 MRSA §1542-A, sub-§3, ¶S**, as enacted by PL 2019, c. 399, §6; c.
18 402, §6; and c. 416, §7, is repealed and the following enacted in its place:

19 S. The State Police shall take or cause to be taken the fingerprints of the person
20 named in subsection 1, paragraph T at the request of that person or the Department of
21 Health and Human Services pursuant to Title 22, section 8110.

22 **Sec. 38. 25 MRSA §1542-A, sub-§3, ¶T** is enacted to read:

23 T. The State Police shall take or cause to be taken the fingerprints of the person
24 named in subsection 1, paragraph U at the request of that person or the Department of
25 Health and Human Services pursuant to Title 19-A, section 2111.

26 **Sec. 39. 25 MRSA §1542-A, sub-§3, ¶U** is enacted to read:

27 U. The State Police shall take or cause to be taken the fingerprints of the person
28 named in subsection 1, paragraph V at the request of that person or the Office of the
29 State Auditor and upon payment by the Office of the State Auditor of the fee
30 established in Title 5, section 247, subsection 3.

31 **Sec. 40. 25 MRSA §1542-A, sub-§4**, as repealed and replaced by PL 2019, c.
32 343, Pt. G, §10; c. 399, §7; c. 402, §7; and c. 416, §8, is repealed and the following
33 enacted in its place:

34 **4. Duty to submit to State Bureau of Identification.** It is the duty of the law
35 enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B
36 and G to transmit immediately to the State Bureau of Identification the criminal
37 fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or

1 pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless
2 an express request is made by the commanding officer of the State Bureau of
3 Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be
4 transmitted immediately to the State Bureau of Identification to enable the bureau to
5 conduct state and national criminal history record checks for the Department of
6 Education. The bureau may not use the fingerprints for any purpose other than that
7 provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints,
8 except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken
9 pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted
10 immediately to the State Bureau of Identification to enable the bureau to conduct state
11 and national criminal history record checks for the court and the Department of Public
12 Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection
13 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification
14 to enable the bureau to conduct state and national criminal history record checks for the
15 Department of Administrative and Financial Services. Fingerprints taken pursuant to
16 subsection 1, paragraph P must be transmitted immediately to the State Bureau of
17 Identification to enable the bureau to conduct state and national criminal history record
18 checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36.
19 Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted
20 immediately to the State Bureau of Identification to enable the bureau to conduct state
21 and national criminal history record checks for the Board of Licensure in Medicine,
22 established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph
23 Q must be transmitted immediately to the State Bureau of Identification to enable the
24 bureau to conduct state and national criminal history record checks for the State Board of
25 Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1,
26 paragraph O must be transmitted immediately to the State Bureau of Identification to
27 enable the bureau to conduct state and national criminal history record checks under Title
28 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R, T or U must
29 be transmitted immediately to the State Bureau of Identification to enable the bureau to
30 conduct state and national criminal history record checks for the Department of Health
31 and Human Services. Fingerprints taken pursuant to subsection 1, paragraph V must be
32 transmitted immediately to the State Bureau of Identification to enable the bureau to
33 conduct state and national criminal history record checks for the Office of the State
34 Auditor.

35 **Sec. 41. 26 MRSA §3, sub-§3, ¶B,** as amended by PL 2019, c. 343, Pt. D, §13
36 and Pt. III, §7, is repealed and the following enacted in its place:

37 B. Information and records pertaining to the workforce, employment patterns, wage
38 rates, poverty and low-income patterns, economically distressed communities and
39 regions and other similar information and data to the Department of Administrative
40 and Financial Services and the Department of Economic and Community
41 Development for the purposes of analysis and evaluation, measuring and monitoring
42 poverty and economic and social conditions throughout the State, and promoting
43 economic development.

44 **Sec. 42. 30-A MRSA §4312, sub-§3, ¶K,** as amended by PL 2019, c. 38, §3; c.
45 145, §3; and c. 153, §2, is further amended to read:

1 K. To encourage municipalities to develop policies that assess community needs and
2 environmental effects of municipal regulations, lessen the effect of excessive parking
3 requirements for buildings in downtowns and on main streets and provide for
4 alternative approaches for compliance relating to the reuse of upper floors of
5 buildings in downtowns and on main streets; ~~and~~

6 **Sec. 43. 30-A MRSA §4312, sub-§3, ¶M**, as enacted by PL 2019, c. 145, §4 and
7 reallocated by RR 2019, c. 1, Pt. A, §38, is amended to read:

8 M. To encourage municipalities to develop policies that provide for accessory
9 dwelling units; and

10 **Sec. 44. 30-A MRSA §5903, sub-§6-A**, as amended by PL 2019, c. 343, Pt. D,
11 §14 and Pt. III, §9, is repealed and the following enacted in its place:

12 **6-A. Median household income.** "Median household income" means the income
13 computed based on the most current census information available, as provided by the
14 State Economist.

15 **Sec. 45. 35-A MRSA §3454, first ¶**, as amended by PL 2019, c. 343, Pt. D, §15
16 and Pt. III, §10, is repealed and the following enacted in its place:

17 In making findings pursuant to Title 38, section 484, subsection 3, the primary siting
18 authority shall presume that an expedited wind energy development provides energy and
19 emissions-related benefits described in section 3402 and shall make additional findings
20 regarding other tangible benefits provided by the development. The Department of
21 Labor, the Governor's Energy Office and the Public Utilities Commission shall provide
22 review comments if requested by the primary siting authority.

23 **Sec. 46. 35-A MRSA §10104, sub-§4, ¶F**, as amended by PL 2019, c. 313, §5
24 and c. 476, §4, is repealed and the following enacted in its place:

25 F. It is an objective of the triennial plan to design, coordinate and integrate sustained
26 energy efficiency and weatherization programs that are available to all energy
27 consumers in the State and to users of all fuel types. The plan must set forth the costs
28 and benefits of energy efficiency programs that advance the following goals and
29 funding necessary to meet those goals:

30 (1) Reducing energy costs, including residential heating costs;

31 (2) Weatherizing substantially all homes whose owners or occupants are willing
32 to participate in and share the costs of cost-effective home weatherization to a
33 minimum standard of weatherization, as defined by the trust, by 2030;

34 (3) Reducing peak-load demand for electricity through trust programs by 300
35 megawatts by 2020;

36 (4) By 2020, achieving electricity and natural gas program savings of at least
37 20% and heating fuel savings of at least 20%, as defined in and determined
38 pursuant to the performance metrics approved by the commission under section
39 10120;

1 (5) Creating stable private sector jobs providing alternative energy and energy
2 efficiency products and services in the State by 2020; and

3 (6) Contributing to the effort to reduce greenhouse gas emissions in the State by
4 amounts consistent with the greenhouse gas emission levels established in Title
5 38, section 576-A.

6 As used in this paragraph, "heating fuel" means liquefied petroleum gas, kerosene or
7 #2 heating oil, but does not include fuels when used for industrial or manufacturing
8 processes.

9 **Sec. 47. 35-A MRSA §10104, sub-§4, ¶G**, as enacted by PL 2019, c. 298, §21
10 and c. 313, §5, is repealed and the following enacted in its place:

11 G. In developing the triennial plan, or an annual update plan under subsection 6, the
12 trust may include, as part of its budget for electric efficiency and conservation
13 programs under section 10110, the costs of providing nonwires alternatives in
14 accordance with section 3132-D.

15 **Sec. 48. 35-A MRSA §10104, sub-§4, ¶H** is enacted to read:

16 H. After the triennial plan is approved, the trust or any party to the triennial plan may
17 petition for, or the commission may initiate on its own, consideration of revising the
18 calculations of avoided energy costs used in the determination of maximum
19 achievable cost-effective energy efficiency resources pursuant to section 10110,
20 subsection 4-A or section 10111, subsection 2 upon a showing that, subsequent to the
21 publication of the avoided energy cost study relied upon, changes in price forecasts
22 would result in more than a 25% change in the value of avoided energy cost affecting
23 a significant portion of the program activity in the triennial plan.

24 **Sec. 49. 35-A MRSA §10110, sub-§1, ¶C**, as amended by PL 2019, c. 306, §4
25 and c. 365, §2, is repealed and the following enacted in its place:

26 C. "Conservation programs" means programs developed by the trust pursuant to this
27 section designed to increase the efficiency of electricity use.

28 **Sec. 50. 36 MRSA §1754-B, sub-§1-B**, as enacted by PL 2019, c. 401, Pt. B,
29 §11 and c. 441, §4, is repealed and the following enacted in its place:

30 **1-B. Persons required to register.** Except as otherwise provided in this section and
31 section 1951-C, the following persons, other than casual sellers, shall register with the
32 assessor and collect and remit taxes in accordance with the provisions of this Part:

33 A. Every person that has a substantial physical presence in this State and that makes
34 sales of tangible personal property or taxable services in this State, including, but not
35 limited to:

36 (1) Every person that makes sales of tangible personal property or taxable
37 services, whether or not at retail, that maintains in this State any office,
38 manufacturing facility, distribution facility, warehouse or storage facility, sales or
39 sample room or other place of business;

- 1 (2) Every person that makes sales of tangible personal property or taxable
2 services that does not maintain a place of business in this State but makes retail
3 sales in this State or solicits orders, by means of one or more salespeople within
4 this State, for retail sales within this State; and
- 5 (3) Every lessor engaged in the leasing of tangible personal property located in
6 this State that does not maintain a place of business in this State but makes retail
7 sales to purchasers from this State;
- 8 B. Every person that makes sales of tangible personal property or taxable services for
9 delivery into this State if:
- 10 (1) The person's gross sales from delivery of tangible personal property or
11 taxable services into this State in the previous calendar year or current calendar
12 year exceeds \$100,000; or
- 13 (2) The person sold tangible personal property or taxable services for delivery
14 into this State in at least 200 separate transactions in the previous calendar year or
15 the current calendar year;
- 16 C. Every person that has a substantial physical presence in this State and that makes
17 retail sales in this State of tangible personal property or taxable services on behalf of
18 a principal that is outside of this State if the principal is not the holder of a valid
19 registration certificate;
- 20 D. Every agent, representative, salesperson, solicitor or distributor that has a
21 substantial physical presence in this State and that receives compensation by reason
22 of sales of tangible personal property or taxable services made outside this State by a
23 principal for use, storage or other consumption in this State;
- 24 E. Every person that manages or operates in the regular course of business or on a
25 casual basis a hotel, rooming house or tourist or trailer camp in this State or that
26 collects or receives rents on behalf of a hotel, rooming house or tourist or trailer camp
27 in this State;
- 28 F. Every person that operates a transient rental platform and reserves, arranges for,
29 offers, furnishes or collects or receives consideration for the rental of living quarters
30 in this State;
- 31 G. Every room remarketer;
- 32 H. Every person that makes retail sales in this State of tangible personal property or
33 taxable services on behalf of the owner of that property or the provider of those
34 services;
- 35 I. Every person not otherwise required to be registered that sells tangible personal
36 property to the State and is required to register as a condition of doing business with
37 the State pursuant to Title 5, section 1825-B;
- 38 J. Every person that holds a wine direct shipper license under Title 28-A, section
39 1403-A; and
- 40 K. A marketplace facilitator if:

1 (1) The marketplace facilitator's gross sales from delivery of tangible personal
2 property or taxable services into this State in the previous calendar year or
3 current calendar year exceeds \$100,000; or

4 (2) The marketplace facilitator sold or facilitated sales of tangible personal
5 property or taxable services for delivery into this State in at least 200 separate
6 transactions in the previous calendar year or the current calendar year.

7 For the purposes of this paragraph, the marketplace facilitator's gross sales and total
8 number of transactions include sales facilitated on behalf of marketplace sellers and
9 any sales of tangible personal property or taxable services made directly by the
10 marketplace facilitator.

11 **Sec. 51. 36 MRSA §1817, sub-§5**, as repealed by PL 2017, c. 409, Pt. D, §3 and
12 amended by c. 452, §30, is repealed.

13 **Sec. 52. 37-B MRSA §111**, as enacted by PL 1983, c. 460, §3, is repealed.

14 **Sec. 53. 38 MRSA §484, sub-§10**, as amended by PL 2019, c. 343, Pt. D, §17
15 and Pt. IIII, §12, is repealed and the following enacted in its place:

16 **10. Special provisions; wind energy development or offshore wind power**
17 **project.** In the case of a grid-scale wind energy development, or an offshore wind power
18 project with an aggregate generating capacity of 3 megawatts or more, the proposed
19 generating facilities, as defined in Title 35-A, section 3451, subsection 5:

20 A. Will be designed and sited to avoid unreasonable adverse shadow flicker effects;

21 B. Will be constructed with setbacks adequate to protect public safety. In making a
22 finding pursuant to this paragraph, the department shall consider the recommendation
23 of a professional, licensed civil engineer as well as any applicable setback
24 recommended by a manufacturer of the generating facilities; and

25 C. Will provide significant tangible benefits as determined pursuant to Title 35-A,
26 section 3454, if the development is an expedited wind energy development.

27 The Department of Labor, the Governor's Energy Office and the Public Utilities
28 Commission shall provide review comments if requested by the primary siting authority.

29 For purposes of this subsection, "grid-scale wind energy development," "primary siting
30 authority," "significant tangible benefits" and "expedited wind energy development" have
31 the same meanings as in Title 35-A, section 3451.

32 **Sec. 54. PL 2019, c. 343, Pt. D, §18** is amended to read:

33 **Sec. D-18. Maine Revised Statutes amended; revision clause.** Wherever in
34 the Maine Revised Statutes the words "Governor's Office of Policy and Management"
35 appear or reference is made to that entity or those words, those words are amended to
36 read or mean, as appropriate, "Governor's Office of Policy Innovation and the Future"
37 and the Revisor of Statutes shall implement this revision when updating, publishing or
38 republishing the statutes.

1 **Sec. 55. PL 2019, c. 477, §3** is amended to read:

2 **Sec. 3. Study; report; renewable energy goals market assessment.** The
3 ~~Governor's~~ Office of Policy Innovation and ~~Management~~ the Future and the Governor's
4 Energy Office shall jointly conduct a market assessment study, including an in-depth
5 analysis and review of the opportunities, potential and challenges facing the State in
6 reaching the goal by January 1, 2030 that 80% of retail electricity sales in this State will
7 come from renewable energy resources, and shall, no later than January 31, 2021, submit
8 a report on the market assessment study, along with any recommendations on adjustments
9 or changes to the renewable portfolio requirements in the Maine Revised Statutes, Title
10 35-A, section 3210, to the joint standing committee of the Legislature having jurisdiction
11 over energy and utilities matters.

12 1. The market assessment study must include, but is not limited to, examination of:

13 A. The availability of commercially viable renewable energy technologies, including
14 emerging technologies, in the State and region between 2020 and 2030;

15 B. The estimated electricity costs and benefits for ratepayers and the capacity of
16 commercially viable renewable energy technologies during the 10-year period
17 between 2020 and 2030, including the remaining useful lives of existing technology
18 in use during that period;

19 C. The time frames for permitting, financing and construction for commercially
20 viable renewable technologies in the State and region;

21 D. The policy and regulatory options and structures that may influence the speed,
22 predictability and cost to ratepayers associated with the development of renewable
23 energy technologies in this State and the amount of renewable energy generated;

24 E. Policies and regulations in other states and the region, including an analysis of the
25 dynamics between and among the various states, provinces and this State, and the
26 importance and role of generating 80% of electricity from renewable capacity
27 resources in achieving the greenhouse reduction limits in Title 38, chapter 3-A in a
28 cost-effective manner; and

29 F. In coordination with the Department of Environmental Protection, the benefits and
30 costs of incentives provided to generators fueled by municipal solid waste, landfill
31 gas facilities and anaerobic digestion facilities under the State's renewable portfolio
32 requirements. The examination must also consider and make recommendations for
33 further alignment between renewable energy and solid waste policy initiatives.

34 2. Upon written request of the ~~Governor's~~ Office of Policy Innovation and
35 ~~Management~~ the Future or the Governor's Energy Office, the Public Utilities Commission
36 shall provide for the study:

37 A. Reasonable technical, legal and other assistance, including the provision of
38 requested information; and

39 B. Funding for staff and consultants in an amount not to exceed \$150,000. Any such
40 costs must be recovered through assessments on transmission and distribution utilities
41 in accordance with Title 35-A, section 116.

1 repealing Title 5, chapter 167 and replacing it with the chapter 471 version and enacting
2 the chapter 472 version as Title 5, chapter 168.

3 Sections 7 and 8 correct conflicts created by Public Law 2019, chapters 343 and 383,
4 which affected the same provisions of law, by repealing the provisions and replacing
5 them with the chapter 383 versions.

6 Section 9 corrects a conflict created by Public Law 2019, chapters 343 and 383,
7 which affected the same provision of law, by repealing the provision and replacing it with
8 the chapter 383 version and corrects a clerical error.

9 Section 10 corrects a conflict created by Public Law 2019, chapters 343 and 383,
10 which affected the same provision of law, by repealing the provision and replacing it with
11 the chapter 383 version.

12 Section 11 corrects a reference to the Maine Educational Center for the Deaf and
13 Hard of Hearing and the Governor Baxter School for the Deaf.

14 Section 12 corrects a conflict created by Public Law 2019, chapter 343, Part D and
15 Part III, which affected the same provision of law, by repealing the provision and
16 replacing it with the Part III version.

17 Section 13 corrects a reference to the former State Planning Office.

18 Section 14 repeals duplicate language.

19 Section 15 corrects a conflict created by Public Law 2019, chapter 343, Part D and
20 Part III, which affected the same provision of law, by repealing the provision and
21 replacing it with the Part III version.

22 Section 16 corrects a conflict created by Public Law 2019, chapters 77 and 407,
23 which affected the same provision of law, by incorporating the changes made by both
24 laws.

25 Section 17 makes a technical correction.

26 Section 18 makes a technical correction.

27 Section 19 corrects a conflict created when Public Law 2019, chapter 391 repealed
28 Title 10, section 9722, subsection 6, paragraph M and Public Law 2019, chapter 392
29 amended the paragraph. This section corrects the conflict by repealing the paragraph.

30 Section 20 corrects a conflict created when Public Law 2019, chapter 391 repealed
31 Title 10, section 9722, subsection 6, paragraph N and Public Law 2019, chapter 392
32 amended the paragraph. This section corrects the conflict by repealing the paragraph.

33 Section 21 corrects a conflict created by Public Law 2019, chapter 343, Part D and
34 Part III, which affected the same provision of law, by repealing the provision and
35 replacing it with the Part III version.

1 Section 22 corrects a conflict created by Public Law 2017, chapters 427 and 458,
2 which affected the same provision of law, by incorporating the changes made by both
3 laws.

4 Section 23 corrects a clerical error.

5 Sections 24 and 25 make technical corrections.

6 Section 26 corrects a conflict created by Public Law 2019, chapters 331 and 528,
7 which affected the same provision of law, by incorporating the changes made by both
8 laws.

9 Section 27 corrects a conflict created by Public Law 2019, chapters 331 and 528,
10 which affected the same provision of law, by incorporating the changes made by both
11 laws.

12 Section 28 corrects a conflict created by Public Law 2019, chapters 331 and 354,
13 which affected the same provision of law, by repealing the provision and replacing it with
14 the chapter 354 version.

15 Section 29 corrects a conflict created by Public Law 2019, chapter 450, which
16 repealed Title 22, section 3739, and Public Law 2019, chapter 524, which amended
17 section 3739, subsection 2, paragraph G, by repealing paragraph G.

18 Section 30 corrects a clerical error.

19 Section 31 corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and
20 416, which affected the same provision of law, by repealing the provision and replacing it
21 with the chapters 399 and 402 version.

22 Section 32 corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and
23 416, which affected the same provision of law, by repealing the provision and replacing it
24 with the chapters 399 and 402 version and making a technical correction.

25 Sections 33 to 35 correct a lettering problem created by Public Law 2019, chapters
26 399, 402 and 416, which enacted 3 substantively different provisions with the same
27 paragraph letter, and make technical changes.

28 Section 36 corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and
29 416, which affected the same provision of law, by repealing the provision and replacing it
30 with the chapters 399 and 402 version.

31 Sections 37 to 39 correct a lettering problem created by Public Law 2019, chapters
32 399, 402 and 416, which enacted 3 substantively different provisions with the same
33 paragraph letter, and correct cross-references.

34 Section 40 corrects a conflict created by Public Law 2019, chapters 343, 399, 402 and
35 416, which affected the same provision of law, by repealing the provision and replacing it
36 with a version incorporating the changes made by all 4 laws.

1 Section 41 corrects a conflict created by Public Law 2019, chapter 343, Parts D and
2 III, which affected the same provision of law, by repealing the provision and replacing it
3 with the Part III version.

4 Sections 42 and 43 make technical corrections.

5 Section 44 corrects a conflict created by Public Law 2019, chapter 343, Parts D and
6 III, which affected the same provision of law, by repealing the provision and replacing it
7 with the Part III version.

8 Section 45 corrects a conflict created by Public Law 2019, chapter 343, Parts D and
9 III, which affected the same provision of law, by repealing the provision and replacing it
10 with the Part III version.

11 Section 46 corrects a conflict created by Public Law 2019, chapters 313 and 476,
12 which affected the same provision of law, by repealing the provision and replacing it with
13 the chapter 313 version and corrects a cross-reference.

14 Sections 47 and 48 correct a lettering problem created by Public Law 2019, chapters
15 298 and 313, which enacted 2 substantively different provisions with the same paragraph
16 letter.

17 Section 49 corrects a conflict created by Public Law 2019, chapters 306 and 365,
18 which affected the same provision of law, by repealing the provision and replacing it with
19 the chapter 306 version.

20 Section 50 corrects a conflict created by Public Law 2019, chapters 401 and 441,
21 which affected the same provision of law, by repealing the provision and replacing it with
22 the chapter 441 version.

23 Section 51 corrects a conflict created when Public Law 2017, chapter 409 repealed
24 Title 36, section 1817, subsection 5 and Public Law 2017, chapter 452 amended the
25 subsection. This section corrects the conflict by repealing the subsection.

26 Section 52 repeals an outdated provision regarding gender.

27 Section 53 corrects a conflict created by Public Law 2019, chapter 343, Parts D and
28 III, which affected the same provision of law, by repealing the provision and replacing it
29 with the Part III version.

30 Section 54 corrects a revision clause.

31 Section 55 corrects provisions to implement the intent of the revision clauses
32 contained in Public Law 2019, chapter 343, Part D, section 18 and chapter 383, section
33 10.

34 Section 56 corrects provisions to implement the intent of the revision clauses
35 contained in Public Law 2019, chapter 343, Part D, section 18 and chapter 383, section
36 10.