

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1841

H.P. 1323

House of Representatives, March 21, 2014

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

(EMERGENCY)

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

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

1 D. Is not exclusively a health care facility ~~within the meaning of Title 22, section~~
2 ~~382, subsection 6.~~

3 **Sec. A-6. 5 MRSA §12004-I, sub-§29-D**, as enacted by PL 2007, c. 193, §5, is
4 amended to read:

5 **29-D.**

6 Finance	Citizens' Code of	Not authorized	5 MRSA §1825-T
7	Conduct Working		
8	Group		

9 **Sec. A-7. 5 MRSA §12004-I, sub-§74-F**, as enacted by PL 2009, c. 353, §1, is
10 repealed.

11 **Sec. A-8. 5 MRSA §13070-J, sub-§1, ¶D**, as amended by PL 2011, c. 573, §1,
12 is further amended to read:

13 D. "Economic development incentive" means federal and state statutorily defined
14 programs that receive state funds, dedicated revenue funds and tax expenditures as
15 defined by section 1666 whose purposes are to create, attract or retain business
16 entities related to business development in the State, including but not limited to:

- 17 (1) Assistance from Maine Quality Centers under Title 20-A, chapter 431-A;
- 18 (2) The Governor's Jobs Initiative Program under Title 26, chapter 25,
19 subchapter 4;
- 20 (3) Municipal tax increment financing under Title 30-A, chapter 206;
- 21 (4) The jobs and investment tax credit under Title 36, section 5215;
- 22 (5) The research expense tax credit under Title 36, section 5219-K;
- 23 (6) Reimbursement for taxes paid on certain business property under Title 36,
24 chapter 915;
- 25 (7) Employment tax increment financing under Title 36, chapter 917;
- 26 (8) The shipbuilding facility credit under Title 36, chapter 919;
- 27 (9) The credit for seed capital investment under Title 36, section 5216-B; and
- 28 ~~(10) The credit for pollution reducing boilers under Title 36, section 5219-Z; and~~
- 29 (11) The credit for Maine fishery infrastructure investment under Title 36,
30 section 5216-D.

31 **Sec. A-9. 10 MRSA §9721, sub-§1-A**, as amended by PL 2013, c. 120, §13, is
32 further amended to read:

33 **1-A. Building code.** "Building code" means any part or portion of any edition of a
34 code that regulates the construction of a building, including codes published by the
35 International Code Council or Building Officials and Code Administrators International,

1 Inc. or the International Existing Building Code adopted pursuant to Title 10, former
2 section 9702, but does not include the fire and life safety codes in Title 25, section 2452.

3 **Sec. A-10. 10 MRSA §9724, sub-§2**, as amended by PL 2009, c. 261, Pt. A, §8,
4 is further amended to read:

5 **2. Prior statewide codes and standards.** Effective December 1, 2010, the Maine
6 Uniform Building and Energy Code adopted pursuant to this chapter replaces, and is
7 intended to be the successor to, the Model Energy Code established in Title 35-A, section
8 121 and the Maine model radon standard for new residential construction set forth in Title
9 25, former section 2466.

10 **Sec. A-11. 12 MRSA §1817, sub-§7**, as enacted by PL 2001, c. 466, §4 and
11 amended by PL 2011, c. 657, Pt. W, §7 and c. 405, Pt. A, §24, is further amended to read:

12 **7. Comprehensive outdoor recreation plan.** Beginning January 1, 2003 and every
13 5 years thereafter, the director shall submit a state comprehensive outdoor recreation plan
14 to the joint standing committee of the Legislature having jurisdiction over state parks and
15 public lands matters, referred to in this subsection as the "committee of legislative
16 oversight." The plan submitted by the bureau for review and approval by the National
17 Park Service to establish the bureau's eligibility for funding from the land and water
18 conservation fund under 16 United States Code, Section 4601-11 meets the requirements
19 of this subsection. If federal funding is not available for updating the state plan, the
20 bureau may make a written request to the committee of legislative oversight for an
21 extension for submitting the plan. Upon receiving an extension request, the committee of
22 legislative oversight shall discuss the advisability of an extension and the availability of
23 state funds for preparation of the update. The committee may authorize an extension by
24 writing to the director and stating the year by which an update must be received. A copy
25 of the written extension must be filed by the committee with the Executive Director of the
26 Legislative Council.

27 **Sec. A-12. 12 MRSA §5012, first ¶**, as amended by PL 2009, c. 213, Pt. L, §1
28 and PL 2011, c. 657, Pt. W, §§5 and 7, is further amended to read:

29 The commissioner is the chief executive officer of the Department of Agriculture,
30 Conservation and Forestry. The commissioner shall coordinate and supervise the
31 activities and programs of the ~~divisions~~ bureaus and agencies that are part of the
32 department; undertake comprehensive planning and analysis with respect to the functions
33 and responsibilities of the department; and develop and implement, whenever necessary,
34 procedures and practices to promote economy, efficiency and coordination in and
35 between the various agencies and ~~divisions~~ bureaus of the department. The
36 commissioner shall reorganize or combine the ~~divisions~~ bureaus of the department or the
37 planning, operations and other functions among the ~~divisions~~ bureaus of the department
38 as the commissioner considers necessary to improve the efficiency of department
39 services. From time to time the commissioner shall recommend to the Governor and
40 Legislature such changes in the laws relating to the organization, functions, services or
41 procedures of the agencies and ~~divisions~~ bureaus of the department as the commissioner
42 considers desirable. The commissioner shall prepare a budget for the department and
43 shall organize and maintain the office of the commissioner.

1 **Sec. A-13. 12 MRSA §5012, 2nd ¶**, as amended by PL 2009, c. 213, Pt. L, §2
2 and PL 2011, c. 657, Pt. W, §7, is further amended to read:

3 The commissioner has the power to appoint a deputy commissioner and ~~division~~
4 bureau heads and other staff of the department, subject to the Civil Service Law, and
5 prescribe their duties as necessary for the proper performance of the duties of the
6 department.

7 **Sec. A-14. 12 MRSA §5012, 3rd ¶**, as amended by PL 2009, c. 213, Pt. L, §3
8 and PL 2011, c. 657, Pt. W, §7 and c. 682, §38, is further amended to read:

9 The deputy commissioner and ~~division~~ bureau heads serve at the pleasure of the
10 commissioner, except that dismissal of the Executive Director of the Maine Land Use
11 Planning Commission requires the consent of a majority of the members of that
12 commission.

13 **Sec. A-15. 12 MRSA §5013**, as amended by PL 2013, c. 405, Pt. C, §11, is
14 further amended to read:

15 **§5013. Department organization**

16 The Department of Agriculture, Conservation and Forestry shall be composed of the
17 Maine Land Use Planning Commission and the following ~~divisions~~ bureaus:

18 **1. Maine Land Use Planning Commission.** The Maine Land Use Planning
19 Commission as established by Title 5, chapter 379 shall be under the direction and
20 supervision of a director who shall be qualified by experience in planning and
21 administration consistent with section 681. The director shall be appointed by the
22 commissioner, with the consent of a majority of the commission, for a term coterminous
23 with the commissioner, subject to removal for cause by the commissioner with the
24 approval of the Governor;

25 **2. Bureau of Forestry.** The ~~Division~~ Bureau of Forestry, which shall be under the
26 direction and supervision of a director, who shall be qualified by training, experience and
27 skill in forestry. The director shall be appointed by, and serve at the pleasure of, the
28 commissioner;

29 **3. Bureau of Parks and Lands.** The ~~Division~~ Bureau of Parks and ~~Public~~ Lands,
30 which is under the direction and supervision of a director, with the assistance of a deputy
31 director. The director and deputy director are appointed by, and serve at the pleasure of,
32 the commissioner; and

33 **5. Division of Geology, Natural Areas and Coastal Resources.** The Division of
34 Geology, Natural Areas and Coastal Resources is under the direction and supervision of a
35 director who is appointed by, and serves at the pleasure of, the commissioner.

36 Every person appointed as a bureau or division director or a director of planning and
37 program services, or in another supervisory capacity in the department, must have
38 experience and skill in the field of the functions of such position. So far as is practicable
39 in the judgment of the commissioner, appointments to such positions must be made by

1 promoting employees of the State serving in positions that are classified and in every
2 instance when a person is promoted from a classified position upon termination of that
3 person's service in such classified supervisory position, the employee, if the employee so
4 requests, must be restored to the classified position from which the employee was
5 promoted or to a position equivalent thereto in salary grade in the same state agency,
6 without impairment of the employee's personnel status or the loss of seniority, retirement
7 or other rights to which uninterrupted service in the classified position would have
8 entitled the employee, provided that if the employee's service in such unclassified
9 supervisory position has been terminated for cause, the employee's right to be so restored
10 must be determined by the State Civil Service Appeals Board.

11 **Sec. A-16. 12 MRSA §6302-A, sub-§3, ¶E**, as amended by PL 2013, c. 8, §1
12 and repealed and replaced by c. 9, §1, is repealed and the following enacted in its place:

13 E. The Penobscot Nation may not issue to members of the nation commercial
14 licenses for the taking of elvers in any calendar year that exceed the following limits:

15 (1) Eight licenses that allow the taking of elvers with 2 pieces of gear, consisting
16 of an elver fyke net and a dip net; and

17 (2) Forty licenses that allow the taking of elvers with one piece of gear only,
18 consisting of either an elver fyke net or a dip net.

19 The commissioner shall by rule allow the Penobscot Nation to issue additional
20 commercial licenses to members of the nation for the taking of elvers if the
21 commissioner and the Penobscot Nation determine that elver resources are sufficient
22 to permit the issuance of new licenses;

23 **Sec. A-17. 12 MRSA §6810, sub-§1**, as enacted by PL 2001, c. 186, §1, is
24 amended to read:

25 **1. Authorized traps.** It is unlawful to fish for green crabs under a license issued
26 pursuant to ~~subsection~~ section 6808 with traps not authorized by the commissioner.

27 **Sec. A-18. 12 MRSA §9004, sub-§4, ¶C**, as enacted by PL 1995, c. 586, §5, is
28 amended to read:

29 C. Operates a facility that is exempt pursuant to section 9001-B that does not comply
30 with rules adopted under section 9001-B, subsection 4.

31 **Sec. A-19. 12 MRSA §10105, sub-§15**, as enacted by PL 2013, c. 408, §3, is
32 amended to read:

33 **15. Commissioner's authority to terminate hunting, fishing or trapping season.**
34 The commissioner, after consultation with the Governor and the advisory council and by
35 proclamation of the Governor, may terminate an open season for hunting, fishing or
36 trapping at any time in any area if, in the commissioner's opinion, an immediate
37 emergency action is necessary due to adverse weather conditions or unlawful hunting,
38 fishing or trapping activity. If a section of the State is closed to hunting, fishing or
39 trapping pursuant to this subsection, the commissioner, following the annulment of the
40 proclamation of the Governor, with the consent of the Governor may extend the open

1 season in that section of the State for a period of days not to exceed the number of days
2 lost due to the termination proclamation. Whenever a section of the State is closed to
3 hunting pursuant to this subsection during the open season on birds, the commissioner,
4 following the annulment of the proclamation of the Governor, with the consent of the
5 Governor may extend the open season for bird hunting in that section of the State for a
6 period not to exceed the number of days lost as permitted by regulations of the federal
7 Migratory Bird Treaty Act, 16 United States Code, Sections 703 to 712.

8 **Sec. A-20. 12 MRSA §11106, sub-§2**, as amended by PL 2013, c. 185, §1 and c.
9 408, §10, is repealed and the following enacted in its place:

10 **2. Archery hunter education requirements.** Except as provided in paragraph A
11 and subsection 3, a person who applies for an archery hunting license other than a junior
12 hunting license or an apprenticeship hunter license must submit proof of having
13 successfully completed an archery hunter education course as described in section 10108
14 or an equivalent archery hunter education course or satisfactory evidence of having
15 previously held a valid adult archery hunting license issued specifically for the purpose of
16 hunting with bow and arrow in this State or any other state, province or country in any
17 year after 1979.

18 When proof or evidence cannot be otherwise provided, the applicant may substitute a
19 signed affidavit that the applicant has previously held the required adult archery hunting
20 license or has successfully completed the required archery hunter education course.

21 A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot
22 Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs
23 who presents certification from the respective reservation governor or the Aroostook
24 Micmac Council stating that the person is an enrolled member of a federally
25 recognized nation, band or tribe listed in this paragraph is exempt from the
26 requirements of this subsection.

27 **Sec. A-21. 12 MRSA §11106-A, sub-§3**, as amended by PL 2013, c. 185, §2 and
28 c. 408, §11, is repealed and the following enacted in its place:

29 **3. Crossbow hunter education requirements.** Except as provided in paragraph A,
30 a person who applies for a crossbow hunting license other than a junior hunting license or
31 an apprenticeship hunter license must submit proof of having successfully completed an
32 archery hunting education course and a crossbow hunting course as described in section
33 10108 or equivalent crossbow and archery hunting education courses or satisfactory
34 evidence of having previously held valid adult archery and valid crossbow hunting
35 licenses issued specifically for the purpose of hunting with a crossbow or bow and arrow
36 in this State or any other state, province or country in any year after 1979.

37 When proof or evidence cannot be otherwise provided, the applicant may substitute a
38 signed affidavit that the applicant has previously held the required adult crossbow and
39 archery hunting license or has successfully completed the required crossbow and archery
40 hunting education courses.

41 A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot
42 Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs

1 who presents certification from the respective reservation governor or the Aroostook
2 Micmac Council stating that the person is an enrolled member of a federally
3 recognized nation, band or tribe listed in this paragraph is exempt from the
4 requirements of this subsection.

5 **Sec. A-22. 12 MRSA §11107, sub-§1**, as amended by PL 2005, c. 397, Pt. E, §5,
6 is further amended to read:

7 **1. Big game license.** A person 16 years of age or older at the beginning of the
8 special season established under section 11404, subsection ~~4~~ 1-A may obtain a muzzle-
9 loading permit from the commissioner or the commissioner's authorized agent if the
10 person possesses a valid license to hunt big game with firearms.

11 **Sec. A-23. 12 MRSA §11109, sub-§3, ¶F**, as amended by PL 2013, c. 213, §2
12 and c. 408, §12, is repealed and the following enacted in its place:

13 F. A nonresident junior hunting license, for a person 10 years of age or older and
14 under 16 years of age, is \$34. Notwithstanding the permit fees established in
15 subchapter 3, a nonresident junior hunting license includes all permits, stamps and
16 other permissions needed to hunt at no additional cost. A nonresident junior hunting
17 license does not include an antlerless deer permit.

18 **Sec. A-24. 12 MRSA §11403, sub-§2**, as amended by PL 2011, c. 61, §4 and c.
19 298, §1, is further amended to read:

20 **2. Open archery season on deer.** The commissioner shall by rule establish a
21 regular archery-only season beginning at least 30 days prior and extending to the
22 beginning of the regular deer hunting season, as described in section 11401, subsection 1,
23 paragraph A, for the purpose of hunting deer with bow and arrow only. During the
24 regular archery-only season on deer, except as provided in ~~section 10952, subsection 2~~
25 ~~and~~ section 10953, subsection 1-A, the following restrictions apply.

26 A. A person may not take a deer during a regular archery-only season unless that
27 person uses a hand-held bow and broadhead arrow with the following specifications.

28 (1) Bows must have a minimum draw weight of 35 pounds.

29 (2) Arrowheads, including mechanical broadheads when open, must be at least
30 7/8 inch in width.

31 B. A person may not carry firearms of any kind while hunting any species of wildlife
32 with bow and arrow during the regular archery-only season on deer, except that a
33 person who holds a license that allows hunting with firearms may carry a handgun.
34 This paragraph may not be construed to prohibit a person who holds a valid permit to
35 carry a concealed handgun pursuant to Title 25, section 2003 from carrying a
36 handgun.

37 C. Except as provided in section 11109-A, subsection 3, if a person takes a deer with
38 bow and arrow during the regular archery-only season on deer, that person is
39 precluded from further hunting for deer during that year.

1 D. Except as provided in this subsection, the provisions of this Part concerning deer
2 are applicable to the taking of deer with bow and arrow, including the transportation,
3 registration and possession of deer taken by this method.

4 A person who violates this subsection commits a Class E crime.

5 **Sec. A-25. 12 MRSA §11852**, as amended by PL 2013, c. 280, §9 and repealed
6 by c. 408, §17, is repealed.

7 **Sec. A-26. 12 MRSA §12051, sub-§1**, as amended by PL 2013, c. 247, §1 and c.
8 286, §1, is repealed and the following enacted in its place:

9 **1. Open training season.** Unless otherwise provided in this Part, a person may not
10 train dogs on wild birds and wild animals except as follows.

11 A. A person may train dogs on foxes, snowshoe hare and raccoons from July 1st
12 through the following March 31st, including Sundays.

13 B. A person may train sporting dogs on wild birds at any time, including Sundays.

14 C. A resident may train up to 6 dogs at any one time on bear from July 1st to the 4th
15 day preceding the open season on hunting bear, except in those portions of
16 Washington County and Hancock County that are situated south of Route 9.

17 Except on Sundays, a person may not engage in activities authorized under this
18 subsection unless that person possesses a valid hunting license issued under section
19 11109. A person may train dogs on pen-raised birds at any time without a license. For
20 the purpose of this subsection, "pen-raised birds" includes, but is not limited to, quail,
21 pheasant, pigeons and Hungarian partridge.

22 A person who violates this subsection commits a Class E crime.

23 **Sec. A-27. 12 MRSA §12456, sub-§2, ¶A**, as amended by PL 2013, c. 3, §1 and
24 c. 73, §1, is repealed and the following enacted in its place:

25 A. A person who holds a valid Maine fishing license may take smelts for recreational
26 purposes only from the inland waters or portions of inland waters that are naturally
27 free of ice with a dip net in the usual and ordinary way from noon to 2:00 a.m. in
28 accordance with bag limits established by rule. Bag limits established by rule under
29 this paragraph are for a 24-hour period, beginning at noon on a given day and ending
30 at 11:59 a.m. the following day. The commissioner may prohibit the taking of smelts
31 under this section or shorten the noon to 2:00 a.m. smelt fishing timeframe by rule for
32 enforcement or conservation purposes.

33 (2) A person may not take smelts with a dip net unless that dip net meets the
34 requirements under section 10001, subsection 12-A.

35 Each day a person violates subparagraph (2) that person commits a Class E crime;
36 and

37 **Sec. A-28. 15 MRSA §3003, sub-§17**, as amended by PL 2013, c. 133, §4 and
38 repealed by c. 234, §4, is repealed.

1 **Sec. A-29. 15 MRSA §5821, sub-§3-A**, as amended by PL 2013, c. 194, §2 and
2 c. 328, §1, is repealed and the following enacted in its place:

3 **3-A. Firearms and other weapons.** Law enforcement officers may seize all
4 firearms and dangerous weapons that they may find in any lawful search for scheduled
5 drugs in which scheduled drugs are found. Except for those seized weapons listed in a
6 petition filed in the Superior Court pursuant to section 5822, all weapons seized, after
7 notice and opportunity for hearing, must be forfeited to the State by the District Court 90
8 days after a list of the weapons and drugs seized is filed in the District Court in the
9 district in which the weapons and drugs were seized. A weapon need not be forfeited if
10 the owner appears prior to the declaration of forfeiture and satisfies the court, by a
11 preponderance of evidence, of all of the following:

12 A. That the owner had a possessory interest in the weapon at the time of the seizure
13 sufficient to exclude every person involved with the seized drugs or every person at
14 the site of the seizure;

15 B. That the owner had no knowledge of or involvement with the drugs and was not
16 at the site of the seizure; and

17 C. That the owner had not given any involved person permission to possess or use
18 the weapon.

19 Post-hearing procedures are as provided in section 5822.

20 A confiscated or forfeited firearm that was confiscated or forfeited because it was used to
21 commit a homicide must be destroyed by the State unless the firearm was stolen and the
22 rightful owner was not the person who committed the homicide, in which case the firearm
23 must be returned to the owner if ascertainable.

24 **Sec. A-30. 16 MRSA §614**, as repealed by PL 2013, c. 267, Pt. A, §1 and
25 amended by Pt. B, §§7 to 9, is repealed.

26 **Sec. A-31. 16 MRSA §649, sub-§§2 and 3**, as reallocated by RR 2013, c. 1,
27 §30, are amended to read:

28 **2. Notification not required.** A government entity acting under section ~~642~~ 648
29 may include in the application for a warrant a request for an order to waive the
30 notification required under this section. The court may issue the order if the court
31 determines that there is reason to believe that notification will have an adverse result.

32 **3. Preclusion of notice to owner or user subject to warrant for location**
33 **information.** A government entity acting under section ~~642~~ 648 may include in its
34 application for a warrant a request for an order directing a provider of electronic
35 communication service or location information service to which a warrant is directed not
36 to notify any other person of the existence of the warrant. The court may issue the order
37 if the court determines that there is reason to believe that notification of the existence of
38 the warrant will have an adverse result.

39 **Sec. A-32. 17 MRSA §1039, sub-§1, ¶D**, as enacted by PL 2009, c. 127, §2 and
40 affected by §3, is amended to read:

1 D. "Farm" has the same meaning as in Title 7, section 152, subsection 5.

2 **Sec. A-33. 20-A MRSA §5806, sub-§2**, as amended by PL 2013, c. 368, Pt. C,
3 §3 and c. 418, §1, is repealed and the following enacted in its place:

4 **2. Maximum allowable tuition.** The maximum allowable tuition charged to a
5 school administrative unit by a private school is the rate established under subsection 1 or
6 the state average per public secondary student cost as adjusted, whichever is lower, plus
7 an insured value factor. The insured value factor is computed by dividing 5% of the
8 insured value of school buildings and equipment by the average number of pupils
9 enrolled in the school on October 1st and April 1st of the year immediately before the
10 school year for which the tuition charge is computed. From school year 2009-2010 to
11 school year 2013-2014, a school administrative unit is not required to pay an insured
12 value factor greater than 5% of the school's tuition rate or \$500 per student, whichever is
13 less, unless the legislative body of the school administrative unit votes to authorize its
14 school board to pay a higher insured value factor that is no greater than 10% of the
15 school's tuition rate per student. For the 2014-2015 school year, a school administrative
16 unit is not required to pay an insured value factor greater than 6% of the school's tuition
17 rate per student, unless the legislative body of the school administrative unit votes to
18 authorize its school board to pay a higher insured value factor that is no greater than 10%
19 of the school's tuition rate per student. Beginning in the 2015-2016 school year, a school
20 administrative unit is not required to pay an insured value factor greater than the amount
21 of the prior school year's insured value factor adjusted by a percentage equal to the
22 percentage change in the state share percentage of the total cost of funding public
23 education in the prior school year as determined by section 15671, subsection 7,
24 paragraph C as compared to the applicable percentage for the current school year. In no
25 case may the insured value factor be less than 6% or greater than 10% of the school's
26 tuition rate per student, unless the legislative body of the school administrative unit votes
27 to authorize its school board to pay an insured value factor that exceeds the amount
28 otherwise permitted by this subsection by no more than 5% of the school's tuition rate per
29 student. For the 2013-2014 and 2014-2015 school years only, the maximum allowable
30 tuition charged to a school administrative unit by a private school that participates in the
31 Maine Public Employees Retirement System must be increased above the amount
32 otherwise permitted under this section by an amount equal to the calculated normal cost
33 of teacher retirement for that school divided by the number of enrolled students as of
34 October 1st of the year immediately before the school year for which the tuition is
35 charged.

36 **Sec. A-34. 21-A MRSA §144, sub-§3**, as amended by PL 2013, c. 131, §8 and c.
37 173, §1, is repealed and the following enacted in its place:

38 **3. Restrictions during change of enrollment.** Except as provided in subsection 4, a
39 voter may not vote at a caucus, convention or primary election for 15 days after filing an
40 application to change enrollment. A voter may sign a primary nomination petition during
41 the 15-day period after filing an application to change enrollment and the voter's
42 signature must be counted as valid, as long as the 15-day period has elapsed by the time
43 the petition is certified pursuant to section 335, subsection 7 and the voter otherwise is
44 qualified to sign a petition for that office. Notwithstanding subsection 4, a voter must file

1 an application to change enrollment prior to January 1st to be eligible to file a petition as
2 a candidate in that election year.

3 **Sec. A-35. 21-A MRSA §1052-A, sub-§1, ¶A**, as enacted by PL 2013, c. 334,
4 §19, is amended to read:

5 A. A political action committee as defined under section 1052, subsection 5,
6 paragraph A, subparagraph (1) or (4) that makes ~~expenditure~~ expenditures in the
7 aggregate in excess of \$1,500 and a political action committee as defined under
8 section 1052, subsection 5, paragraph A, subparagraph (5) that makes expenditures in
9 the aggregate in excess of \$5,000 shall register with the commission within 7 days of
10 exceeding the applicable amount.

11 **Sec. A-36. 22 MRSA §1715, sub-§1, ¶A**, as corrected by RR 2001, c. 2, Pt. A,
12 §34, is amended to read:

13 A. Is either a direct provider of major ambulatory service, ~~as defined in section 382,~~
14 ~~subsection 8-A~~, or is or has been required to obtain a certificate of need under section
15 329 or former section 304 or 304-A;

16 **Sec. A-37. 22 MRSA §1715, sub-§1, ¶B**, as enacted by PL 1989, c. 919, §15
17 and affected by §18, is amended to read:

18 B. Provides outpatient services ~~as defined in section 382, subsection 9-A~~; and

19 **Sec. A-38. 22 MRSA §1812-K, sub-§2**, as enacted by PL 2013, c. 179, §5, is
20 amended to read:

21 **2. Rules.** The department shall adopt rules necessary to license intermediate care
22 facilities for persons with intellectual disabilities in accordance with the Maine
23 Administrative Procedure Act. Rules adopted pursuant to this subsection are routine
24 technical rules as defined in Title 5, chapter ~~275~~ 375, subchapter 2-A.

25 **Sec. A-39. 22 MRSA §2423-A, sub-§2, ¶H**, as amended by PL 2013, c. 371, §2;
26 c. 393, §2; and c. 396, §6, is repealed and the following enacted in its place:

27 H. For the purpose of disposing of excess prepared marijuana, transfer prepared
28 marijuana to a registered dispensary, a qualifying patient or another primary
29 caregiver if nothing of value is provided to the primary caregiver. A primary
30 caregiver who transfers prepared marijuana pursuant to this paragraph does not by
31 virtue of only that transfer qualify as a member of a collective;

32 **Sec. A-40. 22 MRSA §2423-A, sub-§2, ¶I**, as enacted by PL 2013, c. 396, §7, is
33 amended to read:

34 I. Employ one person to assist in performing the duties of the primary caregiver;

35 **Sec. A-41. 22 MRSA §2423-A, sub-§2, ¶J**, as reallocated by RR 2013, c. 1,
36 §39, is amended to read:

37 J. Use a pesticide in the cultivation of marijuana if the pesticide is exempt from the
38 federal registration requirements pursuant to 7 United States Code, Section 136w(b),

1 is registered with the Department of Agriculture, Conservation and Forestry, Board of
2 Pesticides Control pursuant to Title 7, section 607 and is used consistent with best
3 management practices approved by the Commissioner of Agriculture, Conservation
4 and Forestry. A registered primary caregiver may not in the cultivation of marijuana
5 use a pesticide exempt from the federal registration requirements and that is
6 registered with the Board of Pesticides Control unless the registered primary
7 caregiver or the registered primary caregiver's employee is certified in the application
8 of the pesticide pursuant to section 1471-D and any employee who has direct contact
9 with treated plants has completed safety training pursuant to 40 Code of Federal
10 Regulations, Part 170.130. An employee of the registered primary caregiver who is
11 not certified pursuant to section 1471-D and who is involved in the application of the
12 pesticide or handling of the pesticide or equipment must first complete safety training
13 described in 40 Code of Federal Regulations, Part 170.230-; and

14 **Sec. A-42. 22 MRSA §2511, sub-§41-A**, as enacted by PL 2013, c. 252, §2 and
15 c. 323, §1, is repealed and the following enacted in its place:

16 **41-A. Registered establishment.** "Registered establishment" means a person
17 registered under section 2514-A.

18 **Sec. A-43. 22 MRSA §2514, sub-§1, ¶G-1**, as enacted by PL 2013, c. 252, §3
19 and c. 323, §3, is repealed.

20 **Sec. A-44. 22 MRSA §2514-A**, as enacted by PL 2013, c. 252, §4, is amended to
21 read:

22 **§2514-A. Registration**

23 **1. Registration permitted.** A person that is not licensed under section 2514 may
24 engage in intrastate commerce in the business of buying, selling, preparing, processing,
25 packing, storing, transporting or otherwise handling meat, meat food products or poultry
26 products if that person is registered under this section. A person may register under this
27 section if the person is a:

28 A. Custom slaughterer, except that itinerant custom slaughterers who slaughter
29 solely at a customer's home or farm and who do not own, operate or work at a
30 slaughtering plant are exempt from the registration provisions of this section;

31 B. Custom processor;

32 C. Poultry producer who processes fewer than 1,000 birds annually under section
33 2517-C; and

34 D. Person in any other category that the commissioner may by rule establish.

35 **Sec. A-45. 22 MRSA §2515**, as enacted by PL 2013, c. 323, §4, is repealed.

36 **Sec. A-46. 22 MRSA §2517-C**, as amended by PL 2013, c. 304, §§5 to 7 and c.
37 323, §5, is repealed and the following enacted in its place:

1 **§2517-C. Slaughter and inspection; producer exemptions for poultry**

2 **1. Exemption for processing fewer than 1,000 birds annually.** Notwithstanding
3 section 2512 and whether or not the poultry are intended for human consumption,
4 inspection is not required for the slaughter of poultry or the preparation of poultry
5 products as long as the poultry are slaughtered by the producer that raised the poultry and
6 the poultry products are prepared on the farm where the poultry were raised and:

7 A. Fewer than 1,000 birds are slaughtered annually on the farm;

8 B. No birds are offered for sale or transportation in interstate commerce;

9 C. Any poultry products sold are sold only as whole birds;

10 D-1. The poultry producer is registered under section 2514-A;

11 F. The poultry producer assigns a lot number to all birds sold and maintains a record
12 of assigned lot numbers and the point of sale;

13 G. The poultry are sold in accordance with the restrictions in subsection 2;

14 H. The poultry are sold at the farm on which the poultry were raised or delivered to a
15 consumer's home by the poultry producer; and

16 I. The poultry products are labeled with:

17 (1) The name of the farm, the name of the poultry producer and the address of
18 the farm including the zip code;

19 (2) The statement "Exempt under the Maine Revised Statutes, Title 22, section
20 2517-C NOT INSPECTED"; and

21 (3) Safe handling and cooking instructions as follows: "SAFE HANDLING
22 INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or
23 microwave. Keep raw poultry separate from other foods. Wash working
24 surfaces, including cutting boards, utensils and hands, after touching raw poultry.
25 Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit
26 maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers
27 immediately or discard."

28 **1-A. Exemption for processing fewer than 20,000 birds annually.** A poultry
29 producer may slaughter and process that producer's own poultry without an inspector
30 being present during processing if all the following criteria are met; a producer that does
31 not meet these criteria does not qualify for this exemption and shall seek state or United
32 States Department of Agriculture inspection of poultry products intended to be sold:

33 A. The producer is licensed as a commercial processor pursuant to section 2514;

34 B. The producer's facilities conform to the rules of the department governing food
35 processing and manufacturing, including a:

36 (1) Separate area for slaughter, bleeding and defeathering;

37 (2) Separate area for evisceration and cooling; and

38 (3) Water supply that is tested twice annually for nitrates, nitrites and coliforms;

1 C. The producer raises, slaughters and processes, on that producer's premises, no
2 more than 20,000 poultry in a calendar year. The producer must declare to the
3 Department of Agriculture, Conservation and Forestry that it is exempt under this
4 subsection at the beginning of each calendar year. Records must demonstrate
5 numbers of birds raised. A producer that does not maintain accurate records does not
6 qualify for the exemption under this subsection;

7 D. The producer's facility is not used to slaughter or process poultry by any other
8 person or business without prior approval from the commissioner in accordance with
9 the requirements of the federal Food Safety and Inspection Service Administrator;

10 E. The producer does not purchase birds for resale that have been processed under
11 any exemption under this section;

12 F. Poultry are healthy when slaughtered;

13 G. Slaughter and processing are conducted using sanitary standards, practices and
14 procedures to produce poultry products that are not adulterated;

15 H. The producer does not engage in Internet or interstate sales;

16 I. The shipping containers of the poultry bear the following labeling:

17 (1) Producer's name, address and zip code;

18 (2) Common name of product or list of ingredients;

19 (3) Weight of product in shipping container or immediate container;

20 (4) Lot number, which must consist of a coded number in some combination of
21 the number of the day of the year on which the poultry was slaughtered;

22 (5) The statement "Exempt P.L. 90-492"; and

23 (6) Safe handling and cooking instructions as follows: "SAFE HANDLING
24 INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or
25 microwave. Keep raw poultry separate from other foods. Wash working
26 surfaces, including cutting boards, utensils and hands, after touching raw poultry.
27 Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit
28 maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers
29 immediately or discard."

30 The producer may further process poultry carcasses into parts and other products. The
31 producer may sell retail poultry products to the household consumer and may sell
32 wholesale poultry products to retail stores, hotels, restaurants and institutions, with the
33 appropriate licenses.

34 **1-B. Small enterprise exemption.** A small enterprise may slaughter, dress and cut
35 up poultry without an inspector being present during processing if all the following
36 criteria are met; a small enterprise that does not meet these criteria does not qualify for
37 the exemption and shall seek state or United States Department of Agriculture inspection
38 of poultry products intended to be sold.

39 A. The small enterprise is licensed as a commercial processor pursuant to section
40 2514;

- 1 B. The small enterprise's facilities conform to the rules of the department governing
2 food processing and manufacturing, including a:
- 3 (1) Separate area for slaughter, bleeding and defeathering;
4 (2) Separate area for evisceration and cooling; and
5 (3) Water supply that is tested twice annually for nitrates, nitrites and coliforms;
- 6 C. The small enterprise raises, slaughters and dresses poultry, or purchases live
7 poultry to slaughter and dress, or purchases dressed poultry, in a combination of no
8 more than 20,000 birds in a calendar year. The small enterprise must declare to the
9 Department of Agriculture, Conservation and Forestry that it is exempt under this
10 subsection at the beginning of each calendar year. Records must show numbers of
11 birds raised, purchased or purchased as dressed. A small enterprise that does not
12 maintain accurate records does not qualify for the exemption under this subsection;
- 13 D. The small enterprise's further processing is limited to whole and cut up poultry
14 only;
- 15 E. The facility is not used to slaughter or process poultry by any other person or
16 business without prior approval from the commissioner in accordance with the
17 requirements of the federal Food Safety and Inspection Service Administrator;
- 18 F. Slaughter and processing are conducted using sanitary standards, practices and
19 procedures to produce poultry products that are not adulterated;
- 20 G. Poultry are healthy when slaughtered;
- 21 H. The small enterprise does not engage in Internet or interstate sales;
- 22 I. The small enterprise does not cut up and distribute poultry products to a business
23 operating under any exemption under this section;
- 24 J. The shipping or immediate containers of the poultry bear the following labeling:
- 25 (1) Business name, address and zip code;
26 (2) Common name of product;
27 (3) Weight of product in shipping container or immediate container;
28 (4) Lot number, which must consist of a coded number in some combination of
29 the number of the day of the year on which the poultry was slaughtered;
30 (5) The statement "Processed by a Licensed Commercial Food Processor/Small
31 Enterprise Exempt from State or United States Department of Agriculture
32 continuous bird-by-bird inspection"; and
33 (6) Safe handling and cooking instructions as follows: "SAFE HANDLING
34 INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or
35 microwave. Keep raw poultry separate from other foods. Wash working
36 surfaces, including cutting boards, utensils and hands, after touching raw poultry.
37 Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit
38 maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers
39 immediately or discard."

1 The small enterprise may sell poultry products wholesale to hotels, restaurants and
2 institutions, prepackaged products to retail stores and retail products to household
3 consumers, with the appropriate licenses.

4 **2. Restrictions on point of sale.** Except as provided in subsections 1-A and 1-B,
5 poultry products sold under this section may only be sold by the poultry producer and in
6 the following locations or manner:

7 A. At the farm on which the poultry were raised;

8 B. At a farmers' market as defined in Title 7, section 415;

9 C. Delivered to a consumer's home by the poultry producer whose name and address
10 appear on the label under subsection 1 or whose name and license number appear on
11 the label under subsection 1-A or 1-B;

12 D. Received by a person who is a member of a community supported agriculture
13 farm that has a direct marketing relationship with the poultry producer. For the
14 purposes of this section, "community supported agriculture" means an arrangement
15 whereby individual consumers have agreements with a farmer to be provided with
16 food or other agricultural products produced on that farm;

17 E. To a locally owned grocery store; or

18 F. To a locally owned restaurant.

19 **3. Labeling requirements for sales at farmers' markets, locally owned grocery**
20 **stores and locally owned restaurants.** A poultry producer may not sell poultry products
21 that have not been inspected at a farmers' market, to a locally owned grocery store or a
22 locally owned restaurant pursuant to subsections 1 and 2 unless the poultry products are
23 labeled with:

24 A. The name of the farm, the name of the poultry producer and the address of the
25 farm including the zip code;

26 B. The number of the license issued to the poultry producer in accordance with
27 section 2514 and the lot number for the poultry products pursuant to subsection 1,
28 paragraph F;

29 C. The statement "Exempt under the Maine Revised Statutes, Title 22, section
30 2517-C NOT INSPECTED." The statement must be prominently displayed with such
31 conspicuousness that it is likely to be read and understood; and

32 D. Safe handling and cooking instructions as follows: "SAFE HANDLING
33 INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or microwave.
34 Keep raw poultry separate from other foods. Wash working surfaces, including
35 cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an
36 internal temperature of at least 165 degrees Fahrenheit maintained for at least 15
37 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

38 **4. Rules.** The commissioner shall adopt rules to establish requirements for the
39 physical facilities and sanitary processes used by poultry producers whose products are
40 exempt from inspection under this section. Rules adopted under this subsection are major
41 substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

1 **5. Enforcement.** The commissioner shall enforce the provisions of this section.

2 **6. Violation; penalty.** A person who violates this section is subject to penalties
3 under section 2524.

4 **Sec. A-47. 22 MRSA §2518**, as amended by PL 2013, c. 252, §6 and c. 323, §6, is
5 repealed and the following enacted in its place:

6 **§2518. Periodic review of noninspected licensed and registered establishments**

7 **1. Review by inspector.** The commissioner may require establishments that are
8 required to be licensed under section 2514 or registered under section 2514-A but are
9 exempt from inspection under section 2512, subsection 2, paragraph K to be periodically
10 reviewed by inspectors to ensure that the provisions of this chapter and the rules adopted
11 under this chapter are satisfied and that the public health, safety and welfare are
12 protected. The commissioner shall require establishments that are required to be licensed
13 under section 2514 or registered under section 2514-A but are exempt from inspection
14 under section 2517-C to be reviewed annually by inspectors to ensure that the provisions
15 of this chapter and the rules adopted under this chapter are satisfied and that the public
16 health, safety and welfare are protected.

17 **2. Review of certain slaughter or preparation establishments.** Inspection may
18 not be provided under this chapter at any establishment for the slaughter of livestock or
19 poultry or the preparation of any livestock products or poultry products that are not
20 intended for use as human food, but these products must, prior to their offer for sale or
21 transportation in intrastate commerce, unless naturally inedible by humans, be denatured
22 or otherwise identified, as prescribed by rules of the commissioner, to deter their use for
23 human food. These licensed or registered establishments are subject to periodic review.

24 **3. Subject to review.** A periodic review under this section must include an
25 examination of:

26 A. The licensed or registered establishment's sanitation practices;

27 B. Sanitation in the areas where meat and poultry products are prepared, stored and
28 displayed;

29 C. The adequacy of a refrigeration system used for meat food products and poultry
30 products;

31 D. Labeling; and

32 E. Meat food products or poultry products for wholesomeness or adulteration.

33 In addition, the inspector conducting the periodic review may conduct any other
34 examination necessary to ensure compliance with this chapter and the rules adopted
35 pursuant to this chapter.

36 **4. Access.** For purposes of a periodic review of a licensed or registered
37 establishment, inspectors have access during normal business hours to every part of a
38 licensed or registered establishment required to have inspection under this chapter,
39 whether the licensed or registered establishment is operated or not.

1 **Sec. A-48. 22 MRSA §3763, sub-§1**, as amended by PL 2011, c. 380, Pt. PP, §3,
2 is further amended to read:

3 **1. Family contract.** During the TANF orientation process, a representative of the
4 department and the TANF recipient shall enter into a family contract. The family
5 contract must state the responsibilities of the parties to the agreement including, but not
6 limited to, cooperation in child support enforcement and determination of paternity, the
7 requirements of the ASPIRE-TANF program and referral to parenting activities and
8 health care services. Except as provided in section 3762, subsection 4, refusal to sign the
9 family contract or to abide by the provisions of the contract, except for referral to
10 parenting activities and health care services, will result in termination of benefits under
11 ~~section~~ subsection 1-A. Failure to comply with referrals to parenting activities or health
12 care services without good cause will result in a review and evaluation of the reason for
13 noncompliance by the representative of the department and may result in sanctions.
14 Written copies of the family contract and a notice of the right to a fair hearing must be
15 given to the individual. The family contract must be amended in accordance with section
16 3788 when a participant enters the ASPIRE-TANF program and when participation
17 review occurs.

18 Benefits that have been terminated under this subsection must be restored once the adult
19 recipient signs a new contract ~~under subsection 1~~ and complies with the provisions of the
20 family contract.

21 **Sec. A-49. 24-A MRSA §2848, sub-§1-B, ¶A**, as amended by PL 2011, c. 238,
22 Pt. E, §1, is further amended to read:

23 A. "Federally creditable coverage" means health benefits or coverage provided under
24 any of the following:

25 (1) An employee welfare benefit plan as defined in Section 3(1) of the federal
26 Employee Retirement Income Security Act of 1974, 29 United States Code,
27 Section 1001, or a plan that would be an employee welfare benefit plan but for
28 the "governmental plan" or "nonelecting church plan" exceptions, if the plan
29 provides medical care as defined in subsection 2-A, and includes items and
30 services paid for as medical care directly or through insurance, reimbursement or
31 otherwise;

32 (2) Benefits consisting of medical care provided directly, through insurance or
33 reimbursement and including items and services paid for as medical care under a
34 policy, contract or certificate offered by a carrier;

35 (3) Part A or Part B of Title XVIII of the Social Security Act, Medicare;

36 (4) Title XIX of the Social Security Act, Medicaid, other than coverage
37 consisting solely of benefits under Section 1928 of the Social Security Act;

38 (4-A) A state children's health insurance program under Title XXI of the Social
39 Security Act;

40 (5) The Civilian Health and Medical Program for the Uniformed Services,
41 CHAMPUS, 10 United States Code, Chapter 55;

- 1 (6) A medical care program of the federal Indian Health Care Improvement Act,
- 2 25 United States Code, Section 1601 et seq. or of a tribal organization;
- 3 (7) A state health benefits risk pool;
- 4 (8) A health plan offered under the federal Employees Health Benefits
- 5 Amendments Act, 5 United States Code, Chapter 89;
- 6 (9) A public health plan as defined in federal regulations authorized by the
- 7 federal Public Health Service Act, Section 2701(c)(1)(I), as amended by Public
- 8 Law 104-191; or
- 9 (10) A health benefit plan under Section 5(e) of the Peace Corps Act, 22 United
- 10 States Code, Section 2504(e).

11 **Sec. A-50. 24-A MRSA §4134, sub-§4**, as enacted by PL 1969, c. 132, §1 and
 12 amended by PL 1973, c. 585, §12, is further amended to read:

13 **4.** Reserves according to the superintendent's reserve valuation method; for the life
 14 insurance and endowment benefits of certificates providing for a uniform amount of
 15 insurance and requiring the payment of uniform premiums ~~shall~~ must be the excess, if
 16 any, of the present value, at the date of valuation, of such future guaranteed benefits
 17 provided for by such certificates, over the then present value of any future modified net
 18 premiums therefor. The modified net premiums for any such certificate ~~shall~~ must be
 19 such uniform percentage of the respective contract premiums for such benefits that the
 20 present value, at the date of issue of the certificate, of all such modified net premiums
 21 ~~shall be~~ is equal to the sum of the then present value of such benefits provided for by the
 22 certificate and the excess of A over B, as follows:

23 A. A net level premium equal to the present value, at the date of issue, of such
 24 benefits provided for after the first certificate year, divided by the present value, at
 25 the date of issue, of an annuity of one per annum payable on the first and each
 26 subsequent anniversary of such certificate on which a premium falls due; provided
 27 however that such net level annual premium ~~shall~~ may not exceed the net level
 28 annual premium on the 19-year premium whole life plan for insurance of the same
 29 amount at an age 1 year higher than the age at issue of such certificate; and

30 B. A net one-year term premium for such benefits provided for in the first certificate
 31 year.

32 ~~Reserves according to the superintendent's reserve valuation method for:~~

- 33 ~~(1) Life insurance benefits for varying amounts of benefits or requiring the~~
- 34 ~~payment of varying premiums;~~
- 35 ~~(2) Annuity and pure endowment benefits;~~
- 36 ~~(3) Disability and accidental death benefits in all certificates and contracts, and~~
- 37 ~~(4) All other benefits except life insurance and endowment benefits;~~

38 shall be Reserves according to the superintendent's reserve valuation method must be
 39 calculated by a method consistent with the principles of this subsection for life insurance
 40 benefits for varying amounts of benefits or requiring the payment of varying premiums;

1 annuity and pure endowment benefits; disability and accidental death benefits in all
2 certificates and contracts; and all other benefits except life insurance and endowment
3 benefits.

4 **Sec. A-51. 24-A MRSA §4204, sub-§2-A, ¶B,** as amended by PL 1989, c. 842,
5 §8 and PL 2003, c. 689, Pt. B, §7, is further amended to read:

6 B. If the Commissioner of Health and Human Services has determined that a
7 certificate of need is not required, the commissioner makes a determination and
8 provides a certification to the superintendent that the following requirements have
9 been met.

10 (4) The health maintenance organization must establish and maintain procedures
11 to ensure that the health care services provided to enrollees are rendered under
12 reasonable standards of quality of care consistent with prevailing professionally
13 recognized standards of medical practice. These procedures must include
14 mechanisms to ensure availability, accessibility and continuity of care.

15 (5) The health maintenance organization must have an ongoing internal quality
16 assurance program to monitor and evaluate its health care services including
17 primary and specialist physician services, ancillary and preventive health care
18 services across all institutional and noninstitutional settings. The program must
19 include, at a minimum, the following:

20 (a) A written statement of goals and objectives that emphasizes improved
21 health outcomes in evaluating the quality of care rendered to enrollees;

22 (b) A written quality assurance plan that describes the following:

23 (i) The health maintenance organization's scope and purpose in quality
24 assurance;

25 (ii) The organizational structure responsible for quality assurance
26 activities;

27 (iii) Contractual arrangements, in appropriate instances, for delegation of
28 quality assurance activities;

29 (iv) Confidentiality policies and procedures;

30 (v) A system of ongoing evaluation activities;

31 (vi) A system of focused evaluation activities;

32 (vii) A system for reviewing and evaluating provider credentials for
33 acceptance and performing peer review activities; and

34 (viii) Duties and responsibilities of the designated physician supervising
35 the quality assurance activities;

36 (c) A written statement describing the system of ongoing quality assurance
37 activities including:

38 (i) Problem assessment, identification, selection and study;

39 (ii) Corrective action, monitoring evaluation and reassessment; and

1 (iii) Interpretation and analysis of patterns of care rendered to individual
2 patients by individual providers;

3 (d) A written statement describing the system of focused quality assurance
4 activities based on representative samples of the enrolled population that
5 identifies the method of topic selection, study, data collection, analysis,
6 interpretation and report format; and

7 (e) Written plans for taking appropriate corrective action whenever, as
8 determined by the quality assurance program, inappropriate or substandard
9 services have been provided or services that should have been furnished have
10 not been provided.

11 (6) The health maintenance organization shall record proceedings of formal
12 quality assurance program activities and maintain documentation in a
13 confidential manner. Quality assurance program minutes must be available to the
14 Commissioner of Health and Human Services.

15 (7) The health maintenance organization shall ensure the use and maintenance of
16 an adequate patient record system that facilitates documentation and retrieval of
17 clinical information to permit evaluation by the health maintenance organization
18 of the continuity and coordination of patient care and the assessment of the
19 quality of health and medical care provided to enrollees.

20 (8) Enrollee clinical records must be available to the Commissioner of Health
21 and Human Services or an authorized designee for examination and review to
22 ascertain compliance with this section, or as considered necessary by the
23 Commissioner of Health and Human Services.

24 (9) The organization must establish a mechanism for periodic reporting of
25 quality assurance program activities to the governing body, providers and
26 appropriate organization staff.

27 The Commissioner of Health and Human Services shall make the certification
28 required by this paragraph within 60 days of the date of the written decision that a
29 certificate of need was not required. If the commissioner certifies that the health
30 maintenance organization does not meet all of the requirements of this paragraph, the
31 commissioner shall specify in what respects the health maintenance organization is
32 deficient.

33 **Sec. A-52. 24-A MRSA §6706, sub-§6**, as amended by PL 2009, c. 335, §12, is
34 further amended to read:

35 **6. Board of directors.** If a captive insurance company incorporated in this State is
36 formed as a corporation, then at least one of the members of the board of directors of a
37 ~~captive insurance~~ the company incorporated in this State must be a resident of this State.
38 If the company is formed as a reciprocal insurer, then at least one of the members of the
39 ~~subscriber's subscribers'~~ subscriber's subscribers' advisory committee must be a resident of this State. If the
40 company is organized as a limited liability company, then at least one manager must be a
41 resident of this State.

1 **Sec. A-53. 25 MRSA §2801-A, sub-§4**, as amended by PL 2013, c. 147, §5, is
2 further amended to read:

3 **4. Full-time law enforcement officer.** "Full-time law enforcement officer" means a
4 person who possesses a current and valid certificate issued by the board pursuant to
5 section 2803-A and is employed as a law enforcement officer by a municipality, a county,
6 the State or any other nonfederal employer with a reasonable expectation of working
7 more than 1,040 hours in any one calendar year ~~for~~ performing law enforcement officer
8 duties.

9 **Sec. A-54. 25 MRSA §2801-A, sub-§7, ¶C**, as enacted by PL 2013, c. 147, §5,
10 is amended to read:

11 C. Absent extenuating circumstances as determined by the board, works not more
12 than 1,040 hours in any one calendar year ~~for~~ performing law enforcement duties.

13 **Sec. A-55. 25 MRSA §2801-B, sub-§1, ¶A**, as amended by PL 2013, c. 133,
14 §19 and c. 147, §6, is repealed and the following enacted in its place:

15 A. An employee of the Department of Corrections with a duty to perform probation
16 functions or who is an adult probation supervisor as defined in Title 17-A, section 2,
17 subsection 3-C or an investigative officer or other employee of the Department of
18 Corrections authorized to exercise law enforcement powers as described in Title
19 34-A, section 3011;

20 **Sec. A-56. 28-A MRSA §84, sub-§1**, as amended by PL 2013, c. 269, Pt. C, §4
21 and affected by §13 and amended by c. 368, Pt. V, §21, is repealed and the following
22 enacted in its place:

23 **1. Manage sale of spirits.** Manage the sale of spirits through agency liquor stores in
24 accordance with applicable laws and rules that provide for the operation of wholesale
25 distribution of spirits;

26 **Sec. A-57. Effective date.** That section of this Part that repeals and replaces the
27 Maine Revised Statutes, Title 28-A, section 84, subsection 1 takes effect July 1, 2014.

28 **Sec. A-58. 28-A MRSA §85**, as amended by PL 2013, c. 269, Pt. C, §5 and
29 affected by §13 and amended by c. 368, Pt. V, §22, is repealed and the following enacted
30 in its place:

31 **§85. Inventory and working capital**

32 **2. Inventory.** The bureau or an entity awarded a contract under section 89 may keep
33 and have on hand a stock of spirits for sale, the value of which when priced for resale
34 must be computed on the delivered case cost F.O.B. liquor warehouse designated by the
35 commission filed by liquor suppliers. The inventory value must be based upon actual
36 cost for which payment may be due and may not at any time exceed the amount of
37 working capital authorized. Spirits may not be considered in the inventory until payment
38 has been made for them.

1 **Sec. A-59. Effective date.** That section of this Part that repeals and replaces the
2 Maine Revised Statutes, Title 28-A, section 85 takes effect July 1, 2014.

3 **Sec. A-60. 28-A MRSA §453-C, sub-§1,** as amended by PL 2013, c. 269, Pt. C,
4 §6 and affected by §13 and amended by c. 368, Pt. V, §32, is repealed and the following
5 enacted in its place:

6 **1. Agent licensed to resell spirits purchased from the bureau.** An agent licensed
7 to resell spirits purchased from the bureau or an entity awarded a contract under section
8 89 to a retail licensee licensed for on-premises consumption must be licensed as a
9 reselling agent. An agent is prohibited from reselling spirits and fortified wine to a retail
10 licensee licensed for on-premises consumption except for spirits and fortified wine
11 purchased from the bureau or an entity awarded a contract under section 89. A reselling
12 agent may not resell fortified wine purchased from wholesalers licensed to sell beer and
13 wine in the State.

14 **Sec. A-61. Effective date.** That section of this Part that repeals and replaces the
15 Maine Revised Statutes, Title 28-A, section 453-C, subsection 1 takes effect July 1, 2014.

16 **Sec. A-62. 28-A MRSA §606, sub-§4,** as repealed by PL 2013, c. 269, Pt. A, §7
17 and affected by §10 and amended by c. 368, Pt. V, §38, is repealed.

18 **Sec. A-63. Effective date.** That section of this Part that repeals the Maine
19 Revised Statutes, Title 28-A, section 606, subsection 4 takes effect July 1, 2014.

20 **Sec. A-64. 28-A MRSA §606, sub-§8,** as amended by PL 2013, c. 269, Pt. C,
21 §11 and affected by §13 and amended by c. 368, Pt. V, §39, is repealed and the following
22 enacted in its place:

23 **8. Limits on price.** An agency liquor store shall sell all spirits purchased from the
24 bureau or an entity awarded a contract under section 89 at the retail price established by
25 the commission.

26 **Sec. A-65. Effective date.** That section of this Part that repeals and replaces the
27 Maine Revised Statutes, Title 28-A, section 606, subsection 8 takes effect July 1, 2014.

28 **Sec. A-66. 28-A MRSA §1052-B, sub-§1,** as amended by PL 2013, c. 345, §3
29 and c. 351, §1, is repealed and the following enacted in its place:

30 **1. Special taste-testing festival license.** Manufacturers of malt liquor or wine
31 licensed as breweries, tenant breweries or wineries under section 1355-A or a similarly
32 licensed brewery or winery in another state may apply jointly for an additional license to
33 participate in a special taste-testing festival under this section. The special taste-testing
34 festival license is valid for no more than 3 consecutive days and may be issued up to 5
35 times annually.

36 **Sec. A-67. 28-A MRSA §2221-A, sub-§5,** as amended by PL 2013, c. 368, Pt.
37 V, §53, is further amended to read:

1 **5. Records.** Any officer, department or agency having custody ~~or~~ of property subject
2 to forfeiture under subsection 1, or having disposed of the property, shall keep and
3 maintain full and complete records concerning the property.

4 A. The records must show:

- 5 (1) From whom it received the property;
- 6 (2) Under what authority it held, received or disposed of the property;
- 7 (3) To whom it delivered the property;
- 8 (4) The date and manner of destruction or disposition of the property; and
- 9 (5) The exact kinds, quantities and forms of the property.

10 B. The records shall be open to inspection by all federal and state officers charged
11 with enforcement of federal and state liquor laws.

12 C. Persons making final disposition or destruction of the property under court order
13 shall report, under oath, to the court the exact circumstances of the destruction or
14 disposition.

15 D. The bureau shall maintain a centralized record of property seized, held by an
16 order to the bureau. If requested, the bureau shall provide a report of the disposition
17 of property previously held by the bureau as required by this section to any
18 governmental entity to the commissioner or to the Office of Fiscal and Program
19 Review for review. These records must include an estimate of the fair market value
20 of items seized.

21 **Sec. A-68. 29-A MRSA §1304, sub-§1, ¶H,** as amended by PL 2013, c. 381, Pt.
22 B, §16, is further amended to read:

23 H. A person under 21 years of age may not apply for a license unless:

- 24 (1) A period of 6 months has passed from the date the person was issued a
25 learner's permit; and
- 26 (2) The person has completed a minimum of 70 hours of driving, including 10
27 hours of night driving, while accompanied by a parent, guardian or licensed
28 driver at least 20 years of age. The parent, stepparent or guardian, or a spouse or
29 employer pursuant to section 1302, subsection 1, paragraphs B and C, must
30 certify the person's driving time on a form prescribed by the Secretary of State.
31 A parent, stepparent, guardian, spouse or employer who certifies a driving log
32 pursuant to this subsection and was not the licensed driver accompanying the
33 applicant must provide the name and address of the licensed driver who
34 accompanied the applicant for the majority of the ~~35~~ 70 hours of driving. The
35 Secretary of State may complete the certification for an applicant at least 18 years
36 of age and who has no parent, stepparent, guardian, spouse or employer if the
37 applicant provides the name and address of the licensed driver who accompanied
38 the applicant for the majority of the ~~35~~ 70 hours of driving.

39 A person 21 years of age or older is not required to submit certification of driving
40 time to the Secretary of State.

1 **Sec. A-69. 29-A MRSA §1312, sub-§1**, as enacted by PL 2013, c. 127, §1 and
2 affected by §5, is amended to read:

3 **1. Maine Organ and Tissue Donation Fund.** When applying for or renewing a
4 license under this subchapter, a person may designate that a \$2 donation be paid into the
5 Maine Organ and Tissue Donation Fund established in section 1402-B, subsection 4. A
6 person who designates a \$2 donation under this subsection shall include with the person's
7 license application or renewal fee sufficient funds to make the contribution. Each license
8 application form under section 1301, subsection 1 and license renewal form under section
9 ~~1406~~ 1406-A must contain a designation in substantially the following form: "Maine
10 Organ and Tissue Donation Fund donation: () \$2 or () Other \$... ."

11 **Sec. A-70. 29-A MRSA §2079**, as enacted by PL 1993, c. 683, Pt. A, §2 and
12 affected by Pt. B, §5, is amended to read:

13 **§2079. Unnecessary noise**

14 Braking or acceleration may not be unnecessarily made so as to cause a harsh and
15 ~~objectional~~ objectionable noise.

16 **Sec. A-71. 29-A MRSA §2359**, as enacted by PL 1993, c. 683, Pt. A, §2 and
17 affected by Pt. B, §5, is amended to read:

18 **§2359. Prima facie evidence**

19 For the purposes of this Title, weights as indicated by a stationary or portable scale
20 approved by the Department of Transportation and tested within 12 ~~calendar~~ calendar
21 months prior to the time of use by a person and method approved by the Department of
22 Transportation are considered accurate.

23 **Sec. A-72. 32 MRSA §1352-A, sub-§2, ¶D**, as amended by PL 2013, c. 296, §3,
24 is further amended to read:

25 D. An applicant who is a graduate of an engineering curriculum not approved by the
26 accreditation board or an allied science curriculum of 4 years or more and who has
27 submitted a transcript showing the completion of the minimum number ~~of~~ of
28 engineering science and design credits as required in a curriculum approved by the
29 accreditation board and who has passed the national council examination in the
30 fundamentals of engineering may be certified as an engineer-intern.

31 **Sec. A-73. 32 MRSA §4700-G, sub-§9**, as enacted by PL 1991, c. 455, Pt. B, §1,
32 is amended to read:

33 **9. Meetings.** The commission shall meet at least 2 times per ~~calendar~~ calendar year
34 at the call of the chair. The chair may call additional meetings as the chair determines
35 necessary and shall call a meeting at the request of any 2 members of the commission.

36 **Sec. A-74. 32 MRSA §14034, sub-§2, ¶A**, as amended by PL 2013, c. 217, Pt.
37 H, §2 and Pt. K, §10, is repealed and the following enacted in its place:

1 A. Submit evidence that the applicant is licensed in good standing under the laws of
2 another jurisdiction; and

3 **Sec. A-75. 32 MRSA §18211, sub-§4**, as enacted by PL 2013, c. 180, §5 and
4 affected by §6, is amended to read:

5 **4. Meetings; chair.** The board shall meet at least once a year to conduct its business
6 and to elect a chair. Additional meetings must be held as necessary to conduct the
7 business of the board and may be convened at the call of the chair or a majority of the
8 board members. ~~Four members of the board constitute a quorum.~~

9 **Sec. A-76. 34-A MRSA §1216, sub-§1**, as repealed and replaced by PL 2013, c.
10 267, Pt. B, §27 and c. 424, Pt. B, §13, is repealed and the following enacted in its place:

11 **1. Limited disclosure.** All orders of commitment, medical and administrative
12 records, applications and reports, and facts contained in them, pertaining to any person
13 receiving services from the department must be kept confidential and may not be
14 disclosed by any person, except that public records must be disclosed in accordance with
15 Title 1, section 408-A; criminal history record information may be disseminated in
16 accordance with Title 16, chapter 7; and documents other than those documents
17 pertaining to information obtained by the department for the purpose of evaluating a
18 client's ability to participate in a community-based program or from informants in a
19 correctional or detention facility for the purpose of determining whether facility rules
20 have been violated or pertaining to a victim's request for notice of release may, and must
21 upon request, be disclosed:

22 A. To any person if the person receiving services, that person's legal guardian, if any,
23 and, if that person is a minor, that person's parent or legal guardian give informed
24 written consent to the disclosure of the documents referred to in this subsection after
25 being given the opportunity to review the documents sought to be disclosed;

26 B. To any state agency if necessary to carry out the statutory functions of that
27 agency;

28 C. If ordered by a court of record, subject to any limitation in the Maine Rules of
29 Evidence, Rule 503;

30 D. To any criminal justice agency if necessary to carry out the administration of
31 criminal justice or the administration of juvenile criminal justice or for criminal
32 justice agency employment;

33 E. To persons engaged in research if:

34 (1) The research plan is first submitted to and approved by the commissioner;

35 (2) The disclosure is approved by the commissioner; and

36 (3) Neither original records nor identifying data are removed from the facility or
37 office that prepared the records.

38 The commissioner and the person doing the research shall preserve the anonymity of
39 the person receiving services from the department and may not disseminate data that

1 refer to that person by name or number or in any other way that might lead to the
2 person's identification;

3 F. To persons who directly supervise or report on the health, behavior or progress of
4 a juvenile, to the superintendent of a juvenile's school and the superintendent's
5 designees and to agencies that are or might become responsible for the health or
6 welfare of a juvenile if the information is relevant to and disseminated for the
7 purpose of creating or maintaining an individualized plan for the juvenile's
8 rehabilitation, including reintegration into the school; or

9 G. To any state agency engaged in statistical analysis for the purpose of improving
10 the delivery of services to persons who are or might become mutual clients if:

11 (1) The plan for the statistical analysis is first submitted to and approved by the
12 commissioner; and

13 (2) The disclosure is approved by the commissioner.

14 The commissioner and the state agency requesting the information shall preserve the
15 anonymity of the persons receiving services from the department and may not
16 disseminate data that refer to any person by name or number or that in any other way
17 might lead to a person's identification.

18 Notwithstanding any other provision of law, the department may release the names, dates
19 of birth and social security numbers of persons receiving services from the department
20 and, if applicable, eligibility numbers and the dates on which those persons received
21 services to any state or federal agency for the sole purpose of determining eligibility and
22 billing for services and payments under federally funded programs administered by the
23 agency. The department may also release to the agency information required for and to
24 be used solely for audit or research purposes, consistent with federal law, for those
25 services provided by or through the department. Agency personnel shall treat this
26 information as confidential in accordance with federal and state law and shall return the
27 records when their purpose has been served.

28 **Sec. A-77. 36 MRSA §841, sub-§2**, as repealed and replaced by PL 2013, c. 424,
29 Pt. A, §24, is amended to read:

30 **2. Hardship or poverty.** The municipal officers, or the State Tax Assessor for the
31 unorganized territory, within 3 years from commitment, may, on their own knowledge or
32 on written application, make such abatements as they believe reasonable on the real and
33 personal taxes on the primary residence of any person who, by reason of hardship or
34 poverty, is in their judgment unable to contribute to the public charges. The municipal
35 officers, or the State Tax Assessor for the unorganized territory, may extend the 3-year
36 period within which they may make abatements under this subsection.

37 Municipal officers or the State Tax Assessor for the unorganized territory shall:

38 A. Provide that any person indicating an inability to pay all or part of taxes that have
39 been assessed because of hardship or poverty be informed of the right to make
40 application under this subsection;

41 B. Assist individuals in making application for abatement;

1 C. Make available application forms for requesting an abatement based on hardship
2 or poverty and provide that those forms contain notice that a written decision will be
3 made within 30 days of the date of application;

4 D. Provide that persons are given the opportunity to apply for an abatement during
5 normal business hours;

6 E. Provide that all applications, information submitted in support of the application,
7 files and communications relating to an application for abatement and the
8 determination on the application for abatement are confidential. Hearings and
9 proceedings held pursuant to this subsection must be in executive session;

10 F. Provide to any person applying for abatement under this subsection, notice in
11 writing of their decision within 30 days of application; and

12 G. Provide that any decision made under this subsection include the specific reason
13 or reasons for the decision and inform the applicant of the right to appeal and the
14 procedure for requesting an appeal.

15 For the purpose of this subsection, the municipal officers may set off or otherwise treat as
16 available benefits provided to an applicant under ~~chapter 907~~ section 5219-II when
17 determining if the applicant is able to contribute to the public charges.

18 **Sec. A-78. 36 MRSA §1754-B, sub-§2-C**, as amended by PL 2013, c. 331, Pt.
19 A, §1, is further amended to read:

20 **2-C. Issuance and renewal of resale certificates; contents; presentation to**
21 **vendor.** On November 1st of each year, the assessor shall review the returns filed by
22 each registered retailer unless the retailer has a resale certificate expiring after December
23 31st of that year. If the retailer reports \$3,000 or more in gross sales during the 12
24 months preceding the assessor's review, the assessor shall issue to the registered retailer a
25 resale certificate effective for 5 ~~calendar~~ calendar years. Each certificate must contain the
26 name and address of the retailer, the expiration date of the certificate and the certificate
27 number. If a vendor has a true copy of a retailer's resale certificate on file, that retailer
28 need not present the certificate for each subsequent transaction with that vendor during
29 the period for which it is valid.

30 A registered retailer that fails to meet the \$3,000 threshold upon the annual review of the
31 assessor is not entitled to renewal of its resale certificate except as provided in this
32 subsection. When any such retailer shows that its gross sales for a more current 12-
33 month period total \$3,000 or more or explains to the satisfaction of the assessor why
34 temporary extraordinary circumstances caused its gross sales for the period used for the
35 assessor's annual review to be less than \$3,000, the assessor shall, upon the written
36 request of the retailer, issue to the retailer a resale certificate effective for the next 5
37 calendar years.

38 **Sec. A-79. 36 MRSA §5122, sub-§2, ¶LL**, as repealed and replaced by PL
39 2013, c. 331, Pt. C, §33 and affected by §40 and amended by c. 368, Pt. TT, §7, is
40 repealed and the following enacted in its place:

41 LL. To the extent included in federal adjusted gross income and to the extent
42 otherwise subject to Maine income tax, an amount equal to military compensation

1 earned during the taxable year for service performed outside of this State pursuant to
2 written military orders:

3 (1) For active duty service in the active components of the United States Army,
4 Navy, Air Force, Marines or Coast Guard by a service member whose permanent
5 duty station during such service is located outside of this State; and

6 (2) For active duty service in the active or reserve components of the United
7 States Army, Navy, Air Force, Marines or Coast Guard or in the Maine National
8 Guard by a service member in support of a federal operational mission or a
9 declared state or federal disaster response when the orders are either at federal
10 direction or at the direction of the Governor of this State; and

11 **Sec. A-80. Application.** That section of this Part that repeals and replaces the
12 Maine Revised Statutes, Title 36, section 5122, subsection 2, paragraph LL applies to tax
13 years beginning on or after January 1, 2014.

14 **Sec. A-81. 36 MRSA §5403,** as amended by PL 2013, c. 368, Pt. Q, §11 and
15 affected by §12 and amended by Pt. TT, §19, is repealed and the following enacted in its
16 place:

17 **§5403. Annual adjustments for inflation**

18 Beginning in 2015, and each subsequent calendar year thereafter, on or about
19 September 15th, the State Tax Assessor shall multiply the cost-of-living adjustment for
20 taxable years beginning in the succeeding calendar year by the dollar amounts of the tax
21 rate tables specified in section 5111, subsections 1-D, 2-D and 3-D. Beginning in 2013,
22 and each subsequent calendar year thereafter, on or about September 15th, the State Tax
23 Assessor shall multiply the cost-of-living adjustment for taxable years beginning in the
24 succeeding calendar year by the dollar amount of the itemized deduction limitation
25 amount in section 5125, subsection 4. If the limitation amount or the dollar amounts of
26 each rate bracket, adjusted by application of the cost-of-living adjustment, are not
27 multiples of \$50, any increase must be rounded to the next lowest multiple of \$50. If the
28 cost-of-living adjustment for any taxable year would be less than the cost-of-living
29 adjustment for the preceding calendar year, the cost-of-living adjustment is the same as
30 for the preceding calendar year. The assessor shall incorporate such changes into the
31 income tax forms, instructions and withholding tables for the taxable year.

32 **Sec. A-82. 38 MRSA §439-A, sub-§4-B,** as enacted by PL 2013, c. 140, §1, is
33 amended to read:

34 **4-B. Exemption from setback requirements for decks over rivers within a**
35 **downtown revitalization project.** In accordance with the provisions of this subsection,
36 a municipality may adopt an ordinance that exempts a deck from the water and wetland
37 setback requirements otherwise applicable under this section.

38 A. Notwithstanding ~~subsections subsection~~ subsection 4 and 4-A, a municipality may adopt an
39 ordinance pursuant to this subsection that exempts a deck from the otherwise
40 applicable water or wetland setbacks if the following requirements are met:

41 (1) The deck does not exceed 700 square feet in area;

1 (2) The deck is cantilevered over a segment of a river that is located within the
2 boundaries of a downtown revitalization project; and

3 (3) The deck is attached to or accessory to a use in a structure that was
4 constructed prior to 1971 and is located within a downtown revitalization project.

5 B. A downtown revitalization project under this subsection must be defined in a
6 project plan approved by the legislative body of the municipality and may include the
7 revitalization of buildings formerly used as mills that do not meet the water or
8 wetland setback requirements in ~~subsections~~ subsection 4 and 4-A.

9 C. Except for the water and wetland setback requirements in ~~subsections~~ subsection
10 4 and 4-A, a deck that meets the requirements of this subsection must meet all other
11 state and local permit requirements and comply with all other applicable rules.

12 D. A deck exempt under this subsection may be either privately or publicly owned
13 and maintained.

14 **Sec. A-83. 38 MRSA §579, first ¶**, as amended by PL 2013, c. 369, Pt. D, §1 and
15 c. 415, §6, is repealed and the following enacted in its place:

16 The department may participate in the regional greenhouse gas initiative under
17 chapter 3-B. The commissioner or the commissioner's designee and the members of the
18 Public Utilities Commission are authorized to act as representatives for the State in the
19 regional organization as defined in section 580-A, subsection 20, may contract with
20 organizations and entities when such arrangements are necessary to efficiently carry out
21 the purposes of this section and may coordinate the State's efforts with other states and
22 jurisdictions participating in that initiative, with respect to:

23 **Sec. A-84. PL 2013, c. 133, §37** is repealed.

24 **PART B**

25 **Sec. B-1. 28-A MRSA §84, sub-§5**, as enacted by PL 1997, c. 373, §28, is
26 amended to read:

27 **5. Certification.** Certify monthly to the Treasurer of State and the Commissioner of
28 Administrative and Financial Services a complete statement of revenues and expenses for
29 liquor sales for the preceding month and submit, ~~in conjunction with the alcohol bureau,~~
30 an annual report that includes a complete statement of the revenues and expenses for the
31 ~~alcohol bureau and the~~ bureau to the Governor and the Legislature, together with
32 recommendations for changes in this Title.

33 **Sec. B-2. 28-A MRSA §86**, as enacted by PL 1997, c. 373, §28, is amended to
34 read:

35 **§86. Conflict of interest**

36 In addition to the limitations set forth in Title 5, section 18, any member of the
37 commission or any employee of the commission, or the bureau ~~or the alcohol bureau~~ may
38 not accept directly or indirectly any samples, gratuities, favors or anything of value from

1 a manufacturer, wholesaler, wholesale licensee or retail licensee or any representative of
2 a manufacturer, wholesaler, wholesale licensee or retail licensee under circumstances that
3 may reasonably be construed as influencing or improperly relating to past, present or
4 future performance of official duties.

5 **Sec. B-3. 28-A MRSA §87, first ¶**, as enacted by PL 1997, c. 373, §28, is
6 amended to read:

7 A person is not eligible for employment with the ~~alcohol bureau or the~~ bureau if that
8 person:

9 **Sec. B-4. 28-A MRSA §352, sub-§2**, as amended by PL 1997, c. 373, §39, is
10 further amended to read:

11 **2. Checks not honored on presentation; consequences.** If any check is not
12 honored on presentation or if an agency liquor store fails to pay for liquor as prescribed in
13 subsection 1, the bureau shall withhold any license not issued or immediately take back
14 the license if already issued, voiding that license until such time as the check or invoice is
15 paid in full, together with the cost of the check failure or collection procedure. The
16 ~~alcohol bureau or~~ bureau may order that person to make all payments to the ~~alcohol~~
17 ~~bureau or~~ bureau by cash, certified check or money order for a period not to exceed one
18 year.

19 **Sec. B-5. 28-A MRSA §754**, as amended by PL 1997, c. 373, §72, is further
20 amended to read:

21 **§754. Records open for inspection**

22 **1. Records open for inspection.** All records required to be kept under this chapter
23 are open for inspection to the ~~alcohol bureau, or~~ its representatives ~~or representatives of~~
24 ~~the bureau~~ at any time. The ~~alcohol bureau, or~~ its representatives ~~or representatives of the~~
25 ~~bureau~~ may make copies of records that may be used as evidence of violation of this
26 chapter.

27 **2. Refusal of access.** A licensee may not refuse to allow the ~~alcohol bureau, or~~ its
28 representatives ~~or representatives of the bureau~~ to audit the books and records of the
29 licensee.

30 **Sec. B-6. 28-A MRSA §1501**, as amended by PL 1997, c. 373, §134, is further
31 amended to read:

32 **§1501. Lists of officers, partners and sales representatives**

33 All persons selling liquor to the State shall furnish to ~~the alcohol bureau and~~ the
34 bureau a list of all officers and directors, if a corporation, or a list of all partners, if a
35 partnership, and the name of the sales representatives of the person within the State.

1 **PART C**

2 **Sec. C-1. 9-A MRSA §8-510, sub-§2, ¶A**, as enacted by PL 2011, c. 427, Pt. A,
3 §15, is amended to read:

4 A. Disclosure to or from a consumer reporting agency, as defined in Title 10, section
5 ~~1312~~ 1308, subsection ~~4~~ 3, as long as the transfer is for purposes of compliance with
6 and in a manner consistent with the terms of the Fair Credit Reporting Act;

7 **Sec. C-2. 9-A MRSA §10-102, sub-§1, ¶B**, as amended by PL 2005, c. 274, §4,
8 is further amended to read:

9 B. "Loan broker" does not include:

10 (1) A supervised financial organization;

11 (2) A supervised lender other than a supervised financial organization, except
12 that, with respect to any transaction in which a supervised lender other than a
13 supervised financial organization is acting solely as a loan broker, section 10-302
14 applies;

15 (3) A person licensed by the Real Estate Commission to the extent that the
16 person is engaged in activities regulated by that commission;

17 (4) A person currently admitted to the practice of law in this State;

18 (5) Any nonprofit organization exempt from taxation under the United States
19 Internal Revenue Code, Section 501(c)(3) to the extent that the organization's
20 activities are consistent with those set forth in its application for tax exemption to
21 the Internal Revenue Service;

22 (6) A consumer reporting agency, as defined in the Fair Credit Reporting Act,
23 Title 10, chapter ~~240~~ 209-B;

24 (7) An affiliate of a supervised lender when the affiliate provides services
25 described in paragraph A, subparagraph (1), (2) or (3) for or on behalf of that
26 supervised lender and when the affiliate is not compensated by the consumer for
27 those services;

28 (8) An employee of a supervised lender or an employee of an affiliate of a
29 supervised lender when the employee provides services described in paragraph
30 A, subparagraph (1), (2) or (3) for or on behalf of that supervised lender or
31 affiliate and when the employee or the affiliate is not compensated by the
32 consumer for those services;

33 (9) A person paid by a supervised lender or a consumer to document a loan,
34 attend or conduct a loan closing, disburse loan proceeds or record or file loan
35 documents;

36 (10) A person who performs marketing services for a creditor, such as a
37 telemarketer, an advertising agency or a mailing house, when the person is not
38 compensated by the consumer for those services;

1 (11) A seller of consumer goods or services that provides services described in
2 paragraph A, subparagraph (1), (2) or (3) in connection with a sale or proposed
3 sale of consumer goods or services by that seller when the seller is not
4 compensated by a consumer for those services; or

5 (12) An employee of a seller of consumer goods or services that provides
6 services described in paragraph A, subparagraph (1), (2) or (3) in connection with
7 a sale or proposed sale of consumer goods or services by that seller when the
8 employee or seller is not compensated by a consumer for those services.

9 For the purposes of this paragraph, "affiliate" has the same meaning as defined in
10 Title 9-B, section 131, subsection 1-A.

11 **Sec. C-3. 9-A MRSA §11-119, sub-§4, ¶C**, as enacted by PL 2001, c. 287, §18,
12 is amended to read:

13 C. The publication of a list of consumers who allegedly refuse to pay debts, except to
14 a consumer reporting agency or to persons meeting the requirements of Title 10,
15 chapter ~~240~~ 209-B;

16 **Sec. C-4. 9-A MRSA §11-119, sub-§5, ¶O**, as enacted by PL 2001, c. 287, §18,
17 is amended to read:

18 O. The false representation or implication that a merchant operates or is employed by
19 a consumer reporting agency, as defined by Title 10, section ~~1342~~ 1308, subsection ~~4~~
20 3.

21 **Sec. C-5. 9-B MRSA §161, sub-§2, ¶L**, as amended by PL 2001, c. 262, Pt. B,
22 §3, is further amended to read:

23 L. The exchange of financial records between a financial institution authorized to do
24 business in this State or credit union authorized to do business in this State and a
25 consumer reporting agency or between or among a financial institution authorized to
26 do business in this State or credit union authorized to do business in this State and its
27 subsidiaries, employees, agents or affiliates, including those permitted under Title 10,
28 chapter ~~240~~ 209-B or 15 United States Code, Chapter 41;

29 **Sec. C-6. 24-A MRSA §2169-A, sub-§3**, as enacted by PL 1997, c. 315, §27, is
30 amended to read:

31 **3. Information permitted under Fair Credit Reporting Act.** Notwithstanding
32 subsection 1, a lender or creditor may exchange insurance information with its affiliates
33 as permitted under the Fair Credit Reporting Act pursuant to Title 10, chapter ~~240~~ 209-B
34 or 15 United States Code, Chapter 41.

35 **Sec. C-7. 24-A MRSA §2169-B, sub-§1, ¶¶D and E**, as enacted by PL 2003, c.
36 223, §1, are amended to read:

37 D. "Consumer report" has the same meaning as in ~~Title 10, section 1312, subsection~~
38 3 15 United States Code, Section 1681a(d).

1 E. "Consumer reporting agency" has the same meaning as in Title 10, section ~~1312~~
2 1308, subsection ~~4~~ 3.

3 **Sec. C-8. 24-A MRSA §2169-B, sub-§2**, as enacted by PL 2003, c. 223, §1, is
4 amended to read:

5 **2. Use of consumer reports.** Notwithstanding this subsection, an insurer may use a
6 consumer report as permitted under the Fair Credit Reporting Act pursuant to Title 10,
7 chapter ~~210~~ 209-B and 15 United States Code, Chapter 41. An insurer may use
8 information obtained from a consumer reporting agency to calculate an insurance score
9 for underwriting and rating purposes, except that an insurer may not:

10 A. Use an insurance score that is calculated using income, gender, address, zip code,
11 ethnic group, religion, marital status or nationality of a consumer as a factor;

12 B. Deny, cancel or refuse to renew a policy of personal insurance solely on the basis
13 of credit information without consideration of any other applicable underwriting
14 factor independent of credit information and not expressly prohibited by paragraph A;

15 C. Base an insured's renewal rates for personal insurance solely upon credit
16 information, without consideration of any other applicable factor independent of
17 credit information;

18 D. Take an adverse action against a consumer solely because that consumer does not
19 have a credit card account, without consideration of any other applicable factor
20 independent of credit information;

21 E. Consider an absence of credit information, the number of inquiries or an inability
22 to calculate an insurance score in underwriting or rating personal insurance unless the
23 insurer has demonstrated to the superintendent that an absence of credit information,
24 the number of inquiries or an inability to calculate an insurance score is a relevant
25 factor to the risk underwritten or rated by the insurer and the insurer applies this
26 factor in a manner approved by the superintendent; or

27 F. Take an adverse action against a consumer based on credit information unless an
28 insurer obtains and uses a credit report issued or an insurance score calculated within
29 90 days before the date the policy is first written or renewal is issued.

30 **Sec. C-9. 24-A MRSA §2169-B, sub-§4, ¶A**, as enacted by PL 2003, c. 223, §1,
31 is amended to read:

32 A. Notice to the consumer that an adverse action has been taken in accordance with
33 the requirements of the Fair Credit Reporting Act pursuant to Title 10, chapter ~~210~~
34 209-B and 15 United States Code, Chapter 41; and

35 **Sec. C-10. 24-A MRSA §2169-B, sub-§5**, as enacted by PL 2003, c. 223, §1, is
36 amended to read:

37 **5. Dispute resolution and error correction.** If it is determined through the dispute
38 resolution process set forth in ~~Title 10, section 1317~~ ~~or~~ 15 United States Code, Section
39 1681i(a)(5) that the credit information of a current insured was incorrect or incomplete
40 and if the insurer receives notice of such determination from either the consumer

1 reporting agency or from the insured, the insurer shall reunderwrite and rerate the
2 consumer within 30 days of receiving the notice. After reunderwriting or rerating the
3 insured, the insurer shall make any adjustments necessary, consistent with its
4 underwriting and rating guidelines. If an insurer determines that the insured has overpaid
5 premium, the insurer shall refund to the insured the amount of overpayment calculated
6 back to the shorter of either the last 12 months of coverage or the actual policy period.

7 **Sec. C-11. 24-A MRSA §2204, sub-§§6, 7 and 19**, as enacted by PL 1997, c.
8 677, §3 and affected by §5, are amended to read:

9 **6. Consumer report.** "Consumer report" has the same meaning as in ~~Title 10,~~
10 ~~section 1312, subsection 3~~ 15 United States Code, Section 1681a(d).

11 **7. Consumer reporting agency.** "Consumer reporting agency" has the same
12 meaning as in Title 10, section ~~1312~~ 1308, subsection ~~4~~ 3.

13 **19. Investigative consumer report.** "Investigative consumer report" has the same
14 meaning as in ~~Title 10, section 1312, subsection 7~~ 15 United States Code, Section
15 1681a(e).

16 **Sec. C-12. 24-A MRSA §2211, sub-§1, ¶A**, as enacted by PL 1997, c. 677, §3
17 and affected by §5, is amended to read:

18 A. In the case of recorded personal information contained within a consumer report,
19 provide the consumer with the name and address of the consumer reporting agency
20 that furnished the report and notify the consumer of the rights under ~~Title 10, section~~
21 ~~1317~~ 15 United States Code, Section 1681i; governing the correction of inaccurate
22 personal information contained in a consumer report; or

23 **Sec. C-13. 24-A MRSA §2212, sub-§1, ¶A**, as enacted by PL 1997, c. 677, §3
24 and affected by §5, is amended to read:

25 A. Comply with ~~Title 10, section 1320, subsection 1-B~~ the federal Fair Credit
26 Reporting Act, 15 United States Code, Section 1681 et seq., as amended, if the
27 decision is based in whole or in part on any information contained in a consumer
28 report;

29 **Sec. C-14. 24-A MRSA §2908, sub-§7**, as enacted by PL 1985, c. 671, §1, is
30 amended to read:

31 **7.** Except as provided in Title 10, chapter ~~210~~ 209-B, no insurer or licensed agent or
32 employee of the insurer may be held liable in any civil action for statements made in a
33 notice of cancellation or nonrenewal or at a hearing held under this section if the
34 statements were made in good faith and, in the case of cancellation, are reasonably related
35 to the grounds for cancellation.

36 **Sec. C-15. 24-A MRSA §2923**, as enacted by PL 1979, c. 112, §1, is amended to
37 read:

1 **§2923. Nonliability for certain statements**

2 **1. Notices.** Except as provided in Title 10, chapter ~~210~~ 209-B, no insurer or licensed
3 agent or employee of the insurer may be held liable in any civil action for statements
4 made in a notice of cancellation or intent not to renew under this chapter if:

- 5 A. The statements were made in good faith;
- 6 B. The statements are reasonably related to the reason for cancellation or intent not
7 to renew; and
- 8 C. In the case of a notice of cancellation, the reason for cancellation is a reason
9 permitted under section 2914.

10 **2. Hearings.** Except as provided in Title 10, chapter ~~210~~ 209-B, no person may be
11 held liable in any civil action for statements made or information given at a hearing held
12 under this chapter if:

- 13 A. The statements were made or the information was given in good faith;
- 14 B. The statements or the information are reasonably related to the reason for
15 cancellation or intent not to renew; and
- 16 C. In the case of a hearing held on a notice of cancellation, the reason for
17 cancellation is a reason permitted under section 2914.

18 **Sec. C-16. 24-A MRSA §3007, sub-§7**, as enacted by PL 1985, c. 671, §2, is
19 amended to read:

20 **7.** Except as provided in Title 10, chapter ~~210~~ 209-B, no insurer or licensed agent or
21 employee of the insurer may be held liable in any civil action for statements made in a
22 notice of cancellation or nonrenewal or at a hearing held under this section if the
23 statements were made in good faith and, in the case of cancellation, are reasonably related
24 to the grounds for cancellation.

25 **Sec. C-17. 24-A MRSA §3056**, as enacted by PL 1979, c. 112, §2, is amended to
26 read:

27 **§3056. Nonliability for certain statements**

28 **1. Notices.** Except as provided in Title 10, chapter ~~210~~ 209-B, no insurer or licensed
29 agent or employee of the insurer may be held liable in any civil action for statements
30 made in a notice of cancellation or intent not to renew under this chapter if:

- 31 A. The statements were made in good faith;
- 32 B. The statements are reasonably related to the reason for cancellation or intent not
33 to renew; and
- 34 C. In the case of a notice of cancellation, the reason for cancellation is a reason
35 permitted under section 3049.

1 **2. Hearings.** Except as provided in Title 10, chapter ~~240~~ 209-B, no person may be
2 held liable in any civil action for statements made or information given at a hearing held
3 under this chapter if:

4 A. The statements were made or the information was given in good faith;

5 B. The statements or the information are reasonably related to the reason for
6 cancellation or intent not to renew; and

7 C. In the case of a hearing held on a notice of cancellation, the reason for
8 cancellation is a reason permitted under section 3049.

9 **Sec. C-18. 32 MRSA §11013, sub-§1, ¶C**, as enacted by PL 1985, c. 702, §2, is
10 amended to read:

11 C. The publication of a list of consumers who allegedly refuse to pay debts, except to
12 a consumer reporting agency or to persons meeting the requirements of Title 10,
13 chapter ~~240~~ 209-B;

14 **Sec. C-19. 32 MRSA §11013, sub-§2, ¶P**, as enacted by PL 1985, c. 702, §2, is
15 amended to read:

16 P. The false representation or implication that a debt collector operates or is
17 employed by a consumer reporting agency, as defined by Title 10, section ~~1342~~ 1308,
18 subsection ~~4~~ 3.

19 **Sec. C-20. 32 MRSA §11013, sub-§4**, as enacted by PL 1991, c. 453, §8 and
20 affected by §10, is amended to read:

21 **4. Reporting to consumer reporting agency.** A debt collector may not report
22 solely in its own name any credit or debt information to a consumer reporting agency, as
23 defined by Title 10, section ~~1342~~ 1308, subsection ~~4~~ 3.

24 **Sec. C-21. 36 MRSA §558-A, sub-§2**, as enacted by PL 2007, c. 687, §1, is
25 amended to read:

26 **2. Effect on credit rating.** If a party prevails in an action filed under subsection 1
27 and a record of a lien in that party's name has been placed in that party's file with a
28 consumer reporting agency, that lien must be considered inaccurate information under
29 ~~Title 10, section 1317~~ 15 United States Code, Section 1681i if the party requesting relief
30 submits a copy of the court judgment and proof of payment of the lien to the consumer
31 reporting agency.

32 **Sec. C-22. 36 MRSA §943-B**, as enacted by PL 2009, c. 489, §4, is amended to
33 read:

34 **§943-B. Credit reporting; payment during redemption period**

35 If a municipality takes action under ~~sections~~ section 942 or 943 to enforce a lien in
36 effect pursuant to chapter 908-A that results in a record of a lien in a party's name being
37 placed in that party's file with a consumer reporting agency, that lien must be considered
38 inaccurate information under ~~Title 10, section 1317~~ 15 United States Code, Section 1681i

1 if the party submits proof to the consumer reporting agency that the deferred taxes were
2 paid during the 18-month redemption period provided for in section 943.

3 **Emergency clause.** In view of the emergency cited in the preamble, this
4 legislation takes effect when approved, except as otherwise indicated.

5 SUMMARY

6 Part A does the following.

7 Section 1 corrects a conflict created by Public Law 2013, chapters 110 and 307,
8 which affected the same provision of law. This section repeals the provision and replaces
9 it with the chapter 307 version.

10 Section 2 corrects a conflict created when Public Law 2013, chapter 368 amended the
11 Maine Revised Statutes, Title 5, section 933, subsection 1, paragraph O and chapter 405
12 repealed the paragraph. This section corrects the conflict by repealing Title 5, section
13 933, subsection 1, paragraph O.

14 Section 3 corrects a conflict created by Public Law 2013, chapters 368 and 405,
15 which affected the same provision of law. This section repeals the provision and replaces
16 it with the chapter 405 version.

17 Section 4 corrects a conflict created when Public Law 2013, chapter 405, Part A,
18 section 6 repealed Title 5, section 935, subsection 1, paragraph D and Public Law 2013,
19 chapter 405, Part C, section 2 amended the paragraph. This section corrects the conflict
20 by repealing Title 5, section 935, subsection 1, paragraph D.

21 Section 5 removes a reference to a repealed provision of law.

22 Section 6 corrects a clerical error.

23 Section 7 repeals a reference to the Advisory Committee on Bias-based Profiling by
24 Law Enforcement Officers and Law Enforcement Agencies, which was eliminated in
25 2012.

26 Section 8 removes language that refers to a repealed provision of law and makes a
27 technical correction.

28 Sections 9 and 10 correct cross-references.

29 Section 11 corrects a clerical error.

30 Sections 12, 13 and 14 replace the word "division" with "bureau" to reflect the
31 changing of the names of the Division of Forestry and the Division of Parks and Public
32 Lands to the Bureau of Forestry and the Bureau of Parks and Lands by Public Law 2013,
33 chapter 405, Part A, sections 23 and 24.

34 Section 15 replaces the term "Division of Forestry" with "Bureau of Forestry," the
35 term "Division of Parks and Public Lands" with "Bureau of Parks and Lands" and the

1 word "division" with "bureau" to reflect the reorganization of certain divisions of the
2 Department of Agriculture, Conservation and Forestry into bureaus by Public Law 2013,
3 chapter 405.

4 Section 16 corrects a conflict created by Public Law 2013, chapters 8 and 9, which
5 affected the same provision of law, by incorporating the changes made by both laws.

6 Sections 17 and 18 correct cross-references.

7 Sections 19 and 25 correct a conflict created when Public Law 2013, chapter 280
8 amended Title 12, section 11852 and Public Law 2013, chapter 408 repealed Title 12,
9 section 11852 and enacted Title 12, section 10105, subsection 15. These sections correct
10 the conflict by repealing Title 12, section 11852 and amending Title 12, section 10105,
11 subsection 15 to reflect the changes made by Public Law 2013, chapter 280.

12 Sections 20 and 21 correct a conflict created by Public Law 2013, chapters 185 and
13 408, which affected the same provision of law, by incorporating the changes made by
14 both laws.

15 Section 22 corrects a cross-reference.

16 Section 23 corrects a conflict created by Public Law 2013, chapters 213 and 408,
17 which affected the same provision of law, by incorporating the changes made by both
18 laws.

19 Section 24 removes a cross-reference to a repealed provision of law.

20 Section 26 corrects a conflict created by Public Law 2013, chapters 247 and 286,
21 which affected the same provision of law, by incorporating the changes made by both
22 laws.

23 Section 27 corrects a conflict created by Public Law 2013, chapters 3 and 73, which
24 affected the same provision of law, by incorporating the changes made by both laws.

25 Section 28 corrects a conflict created when Public Law 2013, chapter 133 amended
26 Title 15, section 3003, subsection 17 and chapter 234 repealed the subsection. This
27 section corrects the conflict by repealing Title 15, section 3003, subsection 17.

28 Section 29 corrects a conflict created by Public Law 2013, chapters 194 and 328,
29 which affected the same provision of law, by incorporating the changes made by both
30 laws.

31 Section 30 corrects a conflict created by Public Law 2013, chapter 267, Parts A and
32 B. Part A repealed Title 16, chapter 3, subchapter 8, which includes section 614, and Part
33 B amended section 614. This section corrects that conflict by repealing section 614.

34 Sections 31 and 32 correct cross-references.

35 Section 33 corrects a conflict created by Public Law 2013, chapters 368 and 418,
36 which affected the same provision of law, by incorporating the changes made by both
37 laws.

1 Section 34 corrects a conflict created by Public Law 2013, chapters 131 and 173,
2 which affected the same provision of law, by incorporating the changes made by both
3 laws.

4 Section 35 makes a clerical correction to provide consistent terminology.

5 Sections 36 and 37 remove references to a repealed provision of law.

6 Section 38 corrects a cross-reference.

7 Section 39 corrects a conflict created by Public Law 2013, chapters 371, 393 and 396,
8 which affected the same provision of law, by incorporating the changes made by all 3
9 laws and makes a technical correction.

10 Sections 40 and 41 make technical corrections.

11 Section 42 corrects a conflict created by Public Law 2013, chapters 252 and 323,
12 which affected the same provision of law. This section repeals the provision and replaces
13 it with the chapter 252 version.

14 Section 43 repeals Title 22, section 2514, subsection 1, paragraph G-1, which was
15 enacted by Public Law 2013, chapters 252 and 323. Public Law 2013, chapter 304
16 enacted Title 22, section 2514, subsection 1, paragraph M with the same language as is
17 contained in paragraph G-1. This section repeals paragraph G-1 to eliminate the
18 redundancy.

19 Sections 44 and 45 correct an error created when Public Law 2013, chapters 252 and
20 323 enacted substantially similar provisions with different section numbers by amending
21 Title 22, section 2514-A to include language from section 2515 and repealing section
22 2515.

23 Section 46 corrects a conflict created by Public Law 2013, chapters 304 and 323,
24 which affected the same provision of law, by incorporating changes made by both laws.
25 This section also adds language that was inadvertently omitted from a committee
26 amendment and corrects a cross-reference.

27 Section 47 corrects a conflict created by Public Law 2013, chapters 252 and 323,
28 which affected the same provision of law, by incorporating the changes made by both
29 laws and providing appropriate cross-references.

30 Section 48 corrects technical errors.

31 Section 49 corrects a cross-reference.

32 Section 50 corrects a formatting error and updates grammatical usage.

33 Section 51 makes a technical correction by adding a word that was inadvertently
34 omitted.

35 Section 52 corrects a clerical error and makes grammatical changes.

1 Sections 53 and 54 correct a clerical error.

2 Section 55 corrects a conflict created by Public Law 2013, chapters 133 and 147,
3 which affected the same provision of law, by incorporating the changes made by both
4 laws.

5 Section 56 corrects a conflict created by Public Law 2013, chapters 269 and 368,
6 which affected the same provision of law, by incorporating the changes made by both
7 laws. Section 57 provides an effective date of July 1, 2014.

8 Section 58 corrects a conflict created by Public Law 2013, chapters 269 and 368,
9 which affected the same provision of law, by incorporating the changes made by both
10 laws. Section 59 provides an effective date of July 1, 2014.

11 Section 60 corrects a conflict created by Public Law 2013, chapters 269 and 368,
12 which affected the same provision of law, by incorporating the changes made by both
13 laws. Section 61 provides an effective date of July 1, 2014.

14 Section 62 corrects a conflict created when Public Law 2013, chapter 269 repealed
15 Title 28-A, section 606, subsection 4 and Public Law 2013, chapter 368 amended the
16 subsection. This section corrects the conflict by repealing Title 28-A, section 606,
17 subsection 4. Section 63 provides an effective date of July 1, 2014.

18 Section 64 corrects a conflict created by Public Law 2013, chapters 269 and 368,
19 which affected the same provision of law, by incorporating the changes made by both
20 laws. Section 65 provides an effective date of July 1, 2014.

21 Section 66 corrects a conflict created by Public Law 2013, chapters 345 and 351,
22 which affected the same provision of law, by incorporating the changes made by both
23 laws.

24 Section 67 corrects a clerical error.

25 Section 68 changes references to the minimum number of hours of driving a person
26 under 21 years of age must have completed before that person may apply for a driver's
27 license to reflect the change to the minimum number of hours of driving required made in
28 Public Law 2013, chapter 381.

29 Section 69 corrects a cross-reference.

30 Sections 70, 71, 72 and 73 correct clerical errors.

31 Section 74 corrects a conflict created by Public Law 2013, chapter 217, Part H,
32 section 2 and Part K, section 10, which affected the same provision of law, by
33 incorporating the changes made by both Parts.

34 Public Law 2013, chapter 180 repealed Title 32, section 13902 and enacted Title 32,
35 section 18211, which incorporates the content of section 13902. Chapter 246 amended
36 Title 32, section 13902, subsection 4 to remove the language establishing a quorum.

1 Section 75 amends Title 32, section 18211, subsection 4 to reflect the intent of chapter
2 246.

3 Section 76 corrects a conflict created by Public Law 2013, chapters 267 and 424,
4 which affected the same provision of law. This section repeals the provision and replaces
5 it with the chapter 267 version.

6 Section 77 corrects a cross-reference.

7 Section 78 corrects a clerical error.

8 Section 79 corrects a conflict created by Public Law 2013, chapters 331 and 368,
9 which affected the same provision of law, by incorporating the changes made by both
10 laws. Section 80 provides that the changes apply to tax years beginning on or after
11 January 1, 2014.

12 Section 81 corrects a conflict created by Public Law 2013, chapter 368, Part Q,
13 section 11 and Part TT, section 19, which affected the same provision of law, by
14 incorporating the changes made by both sections.

15 Section 82 corrects cross-references.

16 Section 83 corrects a conflict created by Public Law 2013, chapters 369 and 415,
17 which affected the same provision of law, by incorporating the changes made by both
18 laws.

19 Section 84 repeals an application section of a public law that makes an internal cross-
20 reference to a section of the original legislative document that was never enacted into
21 law.

22 Part B makes technical changes to the law to reflect the reorganization of the
23 administration of the liquor laws made by Public Law 2013, chapter 368, Part V.

24 Part C corrects cross-references pursuant to Public Law 2013, chapter 228, section 3.
25 Public Law 2013, chapter 228 repealed Title 10, chapter 210, the Fair Credit Reporting
26 Act, and enacted a new Fair Credit Reporting Act as Title 10, chapter 209-B. Public Law
27 2013, chapter 228, section 3 directs the Revisor of Statutes to include in the errors and
28 inconsistencies bill any sections necessary to correct and update any cross-references in
29 the statutes to provisions of law repealed by the chapter.