

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1984

H.P. 1328

House of Representatives, May 28, 2025

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

(EMERGENCY)

Reported by Representative KUHN of Falmouth 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.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

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

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

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

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

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

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

PART A

Sec. A-1. 2 MRSA §6, sub-§3, as amended by PL 2023, c. 643, Pt. DD, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

Director, Bureau of General Services;

Director, Bureau of Alcoholic Beverages and Lottery Operations;

State Budget Officer;

State Controller;

Director, Bureau of Forestry;

Director, Office of Policy Innovation and the Future;

Director, Governor's Energy Resources Office;

State Human Resources Officer;

Director, Bureau of Parks and Lands;

Director of the Governor's Office of Communications;

Director, Bureau of Agriculture, Food and Rural Resources;

Director, Bureau of Resource Information and Land Use Planning;

Director, Office of Cannabis Policy;

Executive Director, Office of Affordable Health Care; and

Director, Maine Office of Community Affairs.

Sec. A-2. 2 MRSA §9, sub-§3, ¶C, as amended by PL 2013, c. 541, §1, is further amended by amending subparagraph (1), division (c), subdivision (vi) to read:

(vi) Projections of wind energy developers' plans, as well as technology trends and their state policy implications; and

1 **Sec. A-3. 2 MRSA §9, sub-§3, ¶C**, as amended by PL 2013, c. 541, §1, is further
2 amended by amending the first blocked paragraph to read:

3 The joint standing committee of the Legislature having jurisdiction over utilities and
4 energy matters may report out legislation by February 1st of each odd-numbered year
5 relating to the content of the plan. The joint standing committee of the Legislature
6 having jurisdiction over natural resources matters may make recommendations
7 regarding that legislation to the joint standing committee of the Legislature having
8 jurisdiction over energy matters;

9 **Sec. A-4. 5 MRSA §1**, as amended by PL 1975, c. 771, §23, is further amended to
10 read:

11 **§1. Appointment of temporary officials; removal; salary**

12 In order to provide for the uninterrupted and orderly functioning of any agency, board,
13 commission or department of the State Government during a vacancy in the office of the
14 appointive or elective head thereof and whenever there is no state official, deputy, assistant
15 or other state employee duly authorized by law to exercise the powers and perform the
16 duties of ~~such~~ the appointive or elective head during ~~such~~ the vacancy, the Governor is
17 empowered to appoint a temporary deputy commissioner to exercise the powers and
18 perform the duties of the appointive or elective head of ~~such~~ the office during ~~such~~ the
19 vacancy. The term of office of ~~such~~ a temporary deputy commissioner so appointed ~~shall~~
20 ~~be~~ is at the pleasure of the Governor and ~~shall~~ may not extend beyond the date of
21 qualification of a successor to the office of appointive or elective head of ~~such~~ the agency,
22 board, commission or department or 60 days from the date of ~~his~~ the temporary deputy
23 commissioner's appointment, whichever ~~shall first occur~~ occurs first. The term of office of
24 ~~such~~ a temporary deputy commissioner so appointed to an office to which appointments
25 are by law subject to confirmation by the Legislature ~~shall be~~ is at the pleasure of the
26 Governor and ~~shall~~ may not extend beyond the date of qualification of a successor
27 appointed to ~~such~~ the office or 6 months from the date of the temporary deputy
28 commissioner's appointment, whichever ~~shall first occur~~ occurs first. ~~Such~~ A temporary
29 deputy commissioner ~~shall~~ is not be eligible for reappointment. ~~Such~~ A temporary deputy
30 commissioner ~~shall~~ must be appointed from the personnel of the agency, board,
31 commission or department in which ~~such~~ the vacancy occurs.

32 During the term of ~~such~~ the temporary deputy commissioner's appointment, the
33 temporary deputy commissioner ~~shall~~ must be paid a salary to be determined by the
34 Governor but not to exceed that received by the appointive or elective head at the
35 termination of ~~his~~ the head's services with the State Government.

36 In the event an employee in the classified service of the State Government is appointed
37 as a temporary deputy commissioner ~~he shall~~, the employee, during the term of ~~his~~ the
38 employee's appointment as temporary deputy commissioner, ~~retain~~ retains all of the rights
39 and all of the retirement benefits to which ~~he~~ the employee may be entitled as a classified
40 employee of the State Government.

41 **Sec. A-5. 5 MRSA §130, first ¶**, as corrected by RR 2023, c. 2, Pt. B, §20, is
42 amended to read:

43 A public officer or a person, firm, association or corporation paying money into the
44 State Treasury may make the payment by delivering to the Treasurer of State a check, draft,

1 certificate of deposit or money order drawn, endorsed and payable to the Treasurer of State
2 or the Treasurer of State's order, or may make the payment by delivering to the Treasurer
3 of State the proper amount of lawful currency. The Treasurer of State shall keep a record
4 of all drafts, checks, certificates of deposit, money orders and cash received by the
5 Treasurer of State and upon receipt thereof shall immediately cause the same to be placed
6 to the credit of the State in some state depository. If any check, draft or certificate of deposit
7 is not paid on presentation, the Treasurer of State shall proceed to collect the amount
8 thereof, with costs, from the person ~~drawing same~~ who drew the check, draft or certificate
9 of deposit. The Treasurer of State shall daily transmit to the State Controller a statement
10 of all receipts into the State Treasury, giving such details thereof as the State Controller
11 may require.

12 **Sec. A-6. 5 MRSA §201** is amended to read:

13 **§201. Attendance of witnesses; recognizances**

14 When a criminal prosecution in which ~~he~~ the Attorney General appears is continued,
15 the Attorney General shall cause the witnesses ~~in~~ on behalf of the State to recognize to
16 appear at the next term, unless otherwise directed by the court, and may procure the
17 attendance of a witness living out of the State ~~deemed~~ determined by ~~him~~ the Attorney
18 General to be material in procuring an indictment or conviction. The court shall allow ~~such~~
19 the witness a reasonable compensation beyond ~~his~~ the witness's legal fees.

20 **Sec. A-7. 5 MRSA §244, first ¶**, as amended by PL 2003, c. 450, §4, is further
21 amended to read:

22 The State Auditor may not perform the accounting functions for the State, but shall
23 audit the accounts, books, records and other evidences of financial transactions kept in the
24 Department of ~~Financial and Administrative~~ and Financial Services or in the other
25 departments and agencies of State Government. The State Auditor shall prepare and
26 publish a report for each fiscal year, setting forth the essential facts of such audits in
27 summary form, within the following fiscal year after the books of the State Controller have
28 been officially closed. If the State Auditor finds in the course of an audit evidences of
29 improper transactions, or of unacceptable practices in keeping accounts or handling funds
30 or of any other improper practice of financial administration, the State Auditor shall report
31 the same to the Governor and the Legislature immediately. After reporting evidence of
32 material weaknesses or reportable conditions, the State Auditor shall provide for
33 subsequent review to ensure that those conditions are addressed in a timely manner and
34 report to the Governor and the Legislature to confirm the status of the correction of those
35 conditions. If the State Auditor finds evidences of illegal transactions, the State Auditor
36 shall immediately report those transactions both to the Governor and to the Attorney
37 General. All such evidences must be included in the annual reports of the State Auditor,
38 and the State Auditor may, at the State Auditor's discretion, make them public at any time
39 during the fiscal year.

40 **Sec. A-8. 5 MRSA §1541, sub-§9** is amended to read:

41 **9. Illegality of expenditures.** To report to the Attorney General for such action, civil
42 or criminal, as ~~he may deem~~ the Attorney General considers necessary, all facts showing
43 illegality in the expenditure of public ~~moneys~~ money or the misappropriation of public
44 properties;

1 **Sec. A-9. 5 MRSA §1746, 3rd ¶**, as corrected by RR 2023, c. 2, Pt. B, §59, is
2 amended to read:

3 The Treasurer of State shall collect all interest or income when due on the obligations
4 so deposited and shall pay ~~the same~~ that total sum, when and as collected, to the contractor
5 who deposited the obligations. If the deposit is in the form of coupon bonds, the Treasurer
6 of State shall deliver each coupon as it matures to the contractor. The Treasurer of State
7 may enter into a contract or agreement with any national bank, trust company or safe
8 deposit company located in New England or New York City for custodial care and
9 servicing of any securities deposited with the Treasurer of State pursuant to this section.
10 Those services must consist of the safekeeping of those securities and of all services
11 required to effectuate the purposes of this section.

12 **Sec. A-10. 5 MRSA §7030-E**, as enacted by PL 2009, c. 191, §1, is amended by
13 amending the section headnote to read:

14 **§7030-E. Meetings; compensation**

15 **Sec. A-11. 5 MRSA §9054, sub-§1**, as corrected by RR 2023, c. 2, Pt. B, §80, is
16 amended to read:

17 **1. Intervention.** On timely application made pursuant to agency rules, the agency
18 conducting the proceedings shall allow any person showing that the person is ~~not~~ or may
19 be, or is a member of a class that is or may be, substantially and directly affected by the
20 proceeding, or any other agency of federal, state or local government, to intervene as a
21 party to the proceeding.

22 **Sec. A-12. 5 MRSA §11113, first ¶**, as corrected by RR 2023, c. 2, Pt. B, §85, is
23 amended to read:

24 The executive director shall, upon receipt of an application for review, determine the
25 appropriate joint standing committee of the Legislature responsible for review of the rule
26 in question and send the application and a copy of the rule in question to each member of
27 the committee. Each member of the committee shall individually review the application to
28 determine whether the applicant is qualified and whether the public interest would be
29 served by a review of the rule in question by the full committee. If a committee member
30 decides that the review should be made, the committee member shall notify the director
31 within 15 days after notice was sent. If 1/3 or more of the full committee notify the director
32 that a review of the rule should be made, the director shall advise the ~~chair~~ chairs of the
33 committee, who shall schedule a meeting of the committee to review the rule. If the
34 committee votes not to review the rule, a report to that effect must be prepared by the
35 director and sent to the applicant and the Legislative Council.

36 **Sec. A-13. 5 MRSA §17001, sub-§17**, as enacted by PL 1985, c. 801, §§5 and 7,
37 is repealed.

38 **Sec. A-14. 5 MRSA §17001, sub-§22**, as enacted by PL 1985, c. 801, §§5 and 7,
39 is repealed.

40 **Sec. A-15. 5 MRSA §17001, sub-§26**, as enacted by PL 1985, c. 801, §§5 and 7,
41 is amended to read:

42 **26. Parent.** "Parent" means ~~mother or father~~ a natural or adoptive parent or stepparent.

1 **Sec. A-16. 5 MRSA §17107, sub-§2, ¶E**, as amended by PL 2007, c. 491, §81, is
2 further amended to read:

3 E. The actuary shall make whatever investigations the actuary considers necessary of
4 the experience of each of the programs of the retirement system with respect to the
5 factors that affect the cost of the benefits provided by the those programs.

6 (1) The purpose of the investigations is to determine the actuarial assumptions to
7 be recommended to the board for adoption in connection with actuarial
8 determinations required under this Part.

9 (2-A) These investigations must be made whenever the board, on recommendation
10 of the actuary, determines an investigation to be necessary to the actuarial
11 soundness or prudent administration of the program or programs to which the
12 investigation is related. The determination must take into account program
13 demographics and changes in program demographics, employment patterns and
14 projections, relevant economic measures and expectations and other factors that
15 the board or actuary considers significant. With respect to the retirement system
16 program for state employees and teachers, if 6 fiscal years have elapsed without an
17 investigation being conducted, the board must either conduct an investigation
18 within the next fiscal year or must record in the official minutes of a meeting of
19 the board, in each fiscal year until the year in which an investigation is conducted,
20 its decision not to do so and the reason or reasons for its decision.

21 **Sec. A-17. 5 MRSA §19001**, as enacted by PL 1985, c. 801, §§5 and 7, is amended
22 to read:

23 **§19001. Declaration of policy**

24 In order to extend to employees of the political subdivisions of the State of Maine, and
25 to the civilian employees of the Maine National Guard who are employed pursuant to
26 ~~section 90 of the National Defense Act of June 3, 1916 (32 U.S.C., sec. 42)~~, whether
27 members of existing retirement or pension systems or not, the benefits of social security,
28 provided under the ~~Federal~~ federal Social Security Act enacted by the Congress of the
29 United States, it is declared to be the policy of the Legislature, subject to the limitations of
30 this chapter, that ~~such~~ steps be taken as to provide ~~such protection~~ those benefits to such
31 employees on as broad a basis as is permitted under the federal Social Security Act. This
32 chapter ~~shall apply~~ applies to employees of ~~the~~ Maine Maritime Academy who are
33 members of an existing retirement or pension system. This chapter ~~shall~~ does not apply to
34 teachers who are under a state or local government pension or retirement plan, except
35 teachers at the Maine Maritime Academy. ~~For the purposes of bringing~~ To bring sheriffs
36 and their deputies under social security, these law enforcement officers ~~shall be deemed~~
37 are considered "policemen" for the purposes of the federal Social Security Act.

38 **Sec. A-18. 10 MRSA §1044, sub-§12, ¶B**, as corrected by RR 2023, c. 2, Pt. C,
39 §10, is amended to read:

40 B. Revenue obligation securities of the authority may not be issued until the Director
41 of the Governor's Energy Resources Office has reviewed and commented upon the
42 project proposal. The director shall make comments within 30 days after receipt of a
43 notification and copy of the project proposal from the authority. The authority shall
44 take the comments into consideration in its processing of the project.

1 **Sec. A-19. 10 MRSA §1211, sub-§8**, as corrected by RR 2023, c. 2, Pt. C, §23, is
2 amended to read:

3 **8. Trade name.** "Trade name" means a ~~work~~ word, name, symbol, device or any
4 combination of the foregoing in any form or arrangement used by a person to identify the
5 person's business, vocation or occupation and distinguish it from the business, vocation or
6 occupation of others.

7 **Sec. A-20. 10 MRSA §3263**, as amended by PL 1981, c. 585, §7, is further amended
8 to read:

9 **§3263. Petition for release**

10 Any owner of a building, wharf, pier or real estate upon which a lien is claimed may
11 petition in writing the judge or justice of the court in which the lien action is filed setting
12 forth the name of the lienor, the court and county or division in which the action is pending,
13 the fact that a lien is claimed ~~thereon~~ under sections 3251 to 3254, the particular building,
14 wharf, pier or real estate, and ~~his~~ the owner's interests ~~therein~~ in the building, wharf, pier
15 or real estate, its value and ~~his~~ the owner's desire to have it released from ~~said~~ the lien. The
16 judge or justice shall issue a written notice, which ~~shall~~ must be served on the lienor or ~~his~~
17 the lienor's attorney 10 days at least prior to the time fixed ~~therein~~ in the notice for a hearing.
18 At the hearing, the judge or justice may order ~~such~~ the owner to give bond to the lienor in
19 ~~such~~ an amount and with ~~such~~ sureties as ~~he~~ the judge or justice may approve, conditioned
20 to pay the amount for which ~~such~~ the lienor may be entitled to a lien as determined by the
21 court, with ~~his~~ the lienor's costs in the action, within 30 days after final decree or judgment.
22 The clerk shall give the plaintiff an attested copy of the complaint and proceedings, with a
23 certificate under seal of the court attached ~~thereto~~ to the copy of the complaint and
24 proceedings, that ~~such~~ the bond has been duly filed in ~~his~~ the clerk's office. The record of
25 ~~such~~ the copy and certificate in the registry of deeds, in the county or district where ~~such~~
26 the real estate or interest ~~therein~~ in the real estate lies, vacates the lien.

27 **Sec. A-21. 10 MRSA §3601** is amended to read:

28 **§3601. Logs and lumber generally**

29 ~~Whoever~~ A person who labors at cutting, hauling, rafting or driving logs or lumber, or
30 at cooking for persons engaged in such labor, or in shoeing horses or oxen, or repairing
31 property while thus employed, has a lien on the logs and lumber for the amount due for ~~his~~
32 that person's personal services and the services performed by ~~his~~ that person's team, and
33 for the use of ~~his~~ that person's truck, motor vehicle or other mechanical equipment, which
34 takes precedence of all other claims except liens reserved to the State. ~~Whoever~~ A person
35 who both shores and runs logs ~~by himself, his or whose~~ servants or agents shore and run
36 logs has a lien ~~thereon~~ on the logs for the price of ~~such~~ that shoring and running. ~~Such~~ The
37 liens continue for 60 days after the logs or lumber arrive at the place of destination for sale
38 or manufacture and may be enforced by attachment.

39 **Sec. A-22. 10 MRSA §3801** is amended to read:

40 **§3801. Vehicles, aircraft and parachutes**

41 ~~Whoever~~ A person who performs labor ~~by himself or his or whose~~ employees perform
42 labor in manufacturing or repairing the ironwork or woodwork of wagons, carts, sleighs
43 and other vehicles, aircraft or component parts ~~thereof~~, and parachutes, or so performing

1 labor furnishes materials ~~therefor~~ or provides storage ~~therefor~~ by direction or consent of
2 the owner ~~thereof~~, ~~shall have~~ has a lien on ~~such the~~ vehicle, aircraft or component parts
3 ~~thereof~~, and parachutes for ~~his that person's~~ reasonable charges for ~~said that~~ labor, and for
4 materials used in performing ~~said that~~ labor, and for ~~said that~~ storage, which takes
5 precedence of all other claims and incumbrances on ~~said those~~ vehicles, aircraft or
6 component parts ~~thereof~~, and parachutes not made to secure a similar lien, and may be
7 enforced by attachment at any time within 90 days after ~~such the~~ labor is performed or ~~such~~
8 ~~the~~ materials or storage furnished and not afterwards, ~~provided as long as~~ a claim for ~~such~~
9 ~~the~~ lien is duly filed as required in section 3802. ~~Said The~~ lien ~~shall must~~ be dissolved if
10 ~~said the~~ property has actually changed ownership prior to ~~such the~~ filing.

11 **Sec. A-23. 10 MRSA §3855** is amended to read:

12 **§3855. Attachment of vessels on stocks; sale**

13 If the vessel at the time is on the stocks, the attachment ~~shall must~~ be made by filing in
14 the office of the clerk of the town in which ~~such the~~ vessel is located, within 48 hours
15 ~~thereafter after the attachment~~, a copy of so much of ~~his the officer's~~ return on the writ of
16 attachment as relates to the attachment, with the name of the plaintiff, the name of the
17 person liable for the debt, the description of the vessel as given in the writ of attachment,
18 the date of the writ of attachment, the amount claimed and the court to which it is returnable,
19 and by leaving a copy of such certificate with one of the owners of the vessel, if known to
20 ~~him the officer~~ and residing within ~~his the officer's~~ precinct, or with the master ~~workman~~
21 ~~thereon worker~~ on the vessel. If the attachment is so made, the officer ~~need not does not~~
22 ~~need to~~ take possession of the vessel before it is launched unless specially directed by the
23 plaintiff or ~~his the plaintiff's~~ attorney to do so, but ~~he the officer~~ shall, as soon as ~~may be~~
24 possible, afterwards. ~~He The officer~~ may take possession at any time before ~~it the vessel~~
25 is launched; but if ~~he the officer~~ does, ~~he shall the officer may~~ not hinder the work ~~thereon~~
26 on the vessel or prevent or delay the launching. If at the time of attachment the vessel is
27 launched, it ~~shall must~~ be attached like other personal property. Whenever a vessel has
28 been attached and the expense of retaining possession of ~~said the~~ vessel is great, or the
29 vessel is liable to depreciate in value by reason ~~thereof of retaining possession~~, any
30 attaching creditor or an owner of ~~said the~~ vessel may bring an action in the Superior Court
31 by complaint praying that ~~said the~~ vessel attached may be sold, and ~~said the~~ court may
32 order a hearing ~~thereon on the complaint~~. Due notice ~~shall must~~ be given to all parties in
33 interest of the time and place appointed for ~~said the~~ hearing, and a hearing on ~~said the~~
34 complaint ~~shall must~~ be had before ~~said the~~ court. If it appears to ~~said the~~ court to be for
35 the benefit of all parties in interest that ~~said the~~ vessel should be sold, ~~it the court~~ shall issue
36 to the officer in possession of the ~~same vessel~~, or to the sheriff of the county in which ~~said~~
37 ~~the~~ vessel has been attached, an order to sell it at public auction, and shall designate in ~~said~~
38 ~~the~~ order the notice to be given of the time and place of ~~said that~~ sale. ~~Said The~~ vessel ~~shall~~
39 must be sold pursuant to ~~said the~~ order, and the proceeds of ~~such the~~ sale, after deducting
40 necessary expenses, ~~shall must~~ be held by the first attaching officer or the sheriff, subject
41 to the successive attachments, as if sold on execution. If ~~said the~~ parties do not consent to
42 a sale as provided, Title 14, sections 4158 and 4352 to 4355, so far as ~~the same those~~
43 sections are applicable, ~~shall~~ apply to proceedings under this section.

44 **Sec. A-24. 11 MRSA §5-1106, sub-§(2-A)**, as enacted by PL 2023, c. 669, Pt. A,
45 §53 and affected by Pt. E, §1, is reallocated to 11 MRSA §5-1116, sub-§(2-A).

1 **Sec. A-25. Effective date.** That section of this Part that reallocates the Maine
2 Revised Statutes, Title 11, section 5-1106, subsection (2-A) takes effect July 1, 2025.

3 **Sec. A-26. 11 MRSA §9-1102, sub-§(80), ¶(d),** as amended by PL 2023, c. 669,
4 Pt. A, §83 and affected by Pt. E, §1, is further amended by amending the first blocked
5 paragraph to read:

6 "Control" as provided in section 7-1106 and the following definitions in other
7 Articles apply to this Article:

8 "Applicant"	Section 5-1102.
9 "Beneficiary"	Section 5-1102.
10 "Broker"	Section 8-1102.
11 "Certificated security"	Section 8-1102.
12 "Check"	Section 3-1104.
13 "Clearing corporation"	Section 8-1102.
14 "Contract for sale"	Section 2-106.
15 "Controllable electronic record"	Section 12-102.
16 "Customer"	Section 4-104.
17 "Entitlement holder"	Section 8-1102.
18 "Financial asset"	Section 8-1102.
19 "Holder in due course"	Section 3-1302.
20 "Issuer" (with respect to a letter of	Section 5-1102.
21 credit or letter-of-credit right)	
22 "Issuer" (with respect to a security)	Section 8-1201.
23 "Issuer" (with respect to documents of	Section 7-1102.
24 title)	
25 "Lease"	Section 2-1103.
26 "Lease agreement"	Section 2-1103.
27 "Lease contract"	Section 2-1103.
28 "Leasehold interest"	Section 2-1103.
29 "Lessee"	Section 2-1103.
30 "Lessee in ordinary course of	Section 2-1103.
31 business"	
32 "Lessor"	Section 2-1103.
33 "Lessor's residual interest"	Section 2-1103.
34 "Letter of credit"	Section 5-1102.
35 "Merchant"	Section 2-104.
36 "Negotiable instrument"	Section 3-1104.
37 "Nominated person"	Section 5-1102.
38 >Note"	Section 3-1104.
39 "Proceeds of a letter of credit"	Section 5-114 <u>5-1114</u> .
40 "Protected purchaser"	Section 8-1303.
41 "Prove"	Section 3-1103.
42 "Qualifying purchaser"	Section 12-102.
43 "Sale"	Section 2-106.
44 "Securities account"	Section 8-1501.
45 "Securities intermediary"	Section 8-1102.
46 "Security"	Section 8-1102.

1	"Security certificate"	Section 8-1102.
2	"Security entitlement"	Section 8-1102.
3	"Uncertificated security"	Section 8-1102.

4 **Sec. A-27. Effective date.** That section of this Part that amends the Maine Revised
5 Statutes, Title 11, section 9-1102, subsection (80), paragraph (d) takes effect July 1, 2025.

6 **Sec. A-28. 11 MRSA §9-1306-B, sub-§(1),** as enacted by PL 2023, c. 669, Pt. A,
7 §101 and affected by Pt. E, §1, is amended to read:

8 **(1).** Except as provided in subsection (2), the local law of the controllable electronic
9 record's jurisdiction specified in section 12-107, subsection 3 (3), paragraphs (c) and (d)
10 governs perfection, the effect of perfection or nonperfection and the priority of a security
11 interest in a controllable electronic record and a security interest in a controllable account
12 or controllable payment intangible evidenced by the controllable electronic record.

13 **Sec. A-29. Effective date.** That section of this Part that amends the Maine Revised
14 Statutes, Title 11, section 9-1306-B, subsection (1) takes effect July 1, 2025.

15 **Sec. A-30. 12 MRSA §13068-A, sub-§10, ¶A,** as amended by PL 2023, c. 583,
16 §1 and c. 646, Pt. A, §18, is further amended by repealing the first blocked paragraph and
17 enacting the following in its place:

18 As used in this paragraph, "motorboat" does not include an airboat as defined in
19 subsection 10-A.

20 **Sec. A-31. 15 MRSA §3307, sub-§3,** as amended by PL 2021, c. 365, §10 and
21 affected by §37, is further amended to read:

22 **3. Record.** A verbatim record must be made of all detention, ~~bind-over~~ bind-over,
23 adjudicatory and dispositional hearings.

24 **Sec. A-32. 16 MRSA §705, sub-§4,** as enacted by PL 2023, c. 560, Pt. B, §2, is
25 amended to read:

26 **4. Confidential criminal history record information of person whose legal name**
27 **has been changed.** Regardless of whether the order changing a person's name was made
28 confidential under Title 18-C, section 1-701, subsection 3-A or any other provision of law,
29 a Maine criminal justice agency may disseminate confidential criminal history record
30 information associated with each former and current legal name of a person whose name
31 has been changed to any person or public or private entity that is authorized to receive
32 confidential criminal history record information under subsection ~~1-A~~ 1.

33 **Sec. A-33. 20-A MRSA §5001-A, sub-§2, ¶B,** as amended by PL 2009, c. 330,
34 §1, is further amended by amending subparagraph (5) to read:

35 (5) Agreed in writing with that person's parent and the school board or its designee
36 to meet annually until that person's 17th birthday to review that person's
37 educational needs. When the request to be excused from school has been denied
38 pursuant to this paragraph, the student's parent may appeal to the commissioner; or

39 **Sec. A-34. 20-A MRSA §5001-A, sub-§2, ¶D,** as amended by PL 2009, c. 330,
40 §2, is further amended to read:

1 D. A person who has matriculated and is attending an accredited, post-secondary,
2 degree-granting institution as a full-time student. An exception to attendance in public
3 school under this paragraph must be approved by the commissioner; ~~or.~~

4 **Sec. A-35. 20-A MRSA §5001-A, sub-§2, ¶E**, as amended by PL 2015, c. 448,
5 §9, is repealed.

6 **Sec. A-36. 20-A MRSA §7209-A, sub-§5**, as enacted by PL 2023, c. 643, Pt. W,
7 §17, is amended to read:

8 **5. Transition of Child Development Services System regional sites to regional**
9 **support and service hubs.** When a school administrative unit is responsible for child find
10 activities and for ensuring a free, appropriate public education, the Child Development
11 Services System site in that region shall transition to serve as a regional support and service
12 hub to meet the requirements of section ~~7242~~ 7211 and to make necessary services and
13 supports available in accordance with a memorandum of understanding developed between
14 the department and the school administrative unit before the transition of responsibility
15 occurs. The regional support and service hubs must be aligned with the 9 superintendent
16 regions established by the statewide association of superintendents.

17 **Sec. A-37. 22 MRSA §1812-G, sub-§1-B, ¶E**, as amended by PL 2023, c. 241,
18 §1, is further amended to read:

19 E. "Disqualifying offense" means a substantiation for abuse, neglect or
20 misappropriation of property, or a criminal conviction identified in rules adopted by
21 the department that prohibits employment as a certified nursing assistant or a ~~direct~~
22 ~~care worker~~ an immediate supervisor in accordance with subsection 2-C.

23 **Sec. A-38. 22 MRSA §1812-G, sub-§2-C**, as amended by PL 2023, c. 241, §7
24 and c. 309, §24, is repealed and the following enacted in its place:

25 **2-C. Registry notations.** The registry must include for a certified nursing assistant
26 and an immediate supervisor listed on the registry a notation of:

27 A. Disqualifying criminal convictions;

28 B. Nondisqualifying criminal convictions, except that a notation is not required on the
29 registry for Class D and Class E criminal convictions over 10 years old that did not
30 involve as a victim of the act a patient, client or resident; and

31 C. Substantiated findings, including but not limited to the following information:

32 (1) Documentation of an investigation of the certified nursing assistant or
33 immediate supervisor, including the nature of the allegation and evidence
34 supporting a determination that substantiates the allegation of abuse, neglect or
35 misappropriation of property of a client, patient or resident;

36 (2) Documentation of substantiated findings of abuse, neglect or misappropriation
37 of property of a client, patient or resident;

38 (3) If the certified nursing assistant or immediate supervisor appealed the
39 substantiated finding, the date of the hearing; and

40 (4) The statement of the certified nursing assistant or immediate supervisor
41 disputing the allegation of abuse, neglect or misappropriation of property of a

1 client, patient or resident if the certified nursing assistant or immediate supervisor
2 submitted such a statement.

3 **Sec. A-39. 22 MRSA §1812-G, sub-§4**, as amended by PL 2023, c. 241, §10 and
4 c. 309, §25, is repealed and the following enacted in its place:

5 **4. Department verification of credentials and training.** The department may verify
6 the credentials and training of certified nursing assistants and immediate supervisors listed
7 on the registry.

8 **Sec. A-40. 22 MRSA §1812-G, sub-§4-A**, as amended by PL 2023, c. 241, §11
9 and c. 309, §26, is repealed and the following enacted in its place:

10 **4-A. Provider verification fee.** The department may establish a provider verification
11 fee not to exceed \$25 annually per provider for verification of a certified nursing assistant's
12 or an immediate supervisor's credentials and training. Providers may not pass the cost on
13 to the individual certified nursing assistant or immediate supervisor. Provider verification
14 fees collected by the department must be placed in a special revenue account to be used by
15 the department to operate the registry, including but not limited to the cost of criminal
16 history record checks. The department may adopt rules necessary to implement this
17 subsection. Rules adopted pursuant to this subsection are routine technical rules as defined
18 in Title 5, chapter 375, subchapter 2-A.

19 **Sec. A-41. 22 MRSA §1812-G, sub-§6**, as amended by PL 2023, c. 241, §13 and
20 c. 309, §27, is repealed and the following enacted in its place:

21 **6. Prohibited employment based on disqualifying offenses.** An individual with a
22 disqualifying offense, including a substantiated complaint or a disqualifying criminal
23 conviction, may not work as a certified nursing assistant, a direct access worker or an
24 immediate supervisor, and an employer is subject to penalties for employing a disqualified
25 or otherwise ineligible person in accordance with applicable federal or state laws.

26 **Sec. A-42. 22 MRSA §1812-G, sub-§6-A**, as amended by PL 2023, c. 241, §14
27 and c. 309, §28, is repealed and the following enacted in its place:

28 **6-A. Background check.** Certified nursing assistants and immediate supervisors are
29 subject to a background check pursuant to chapter 1691 and according to the following.

30 A. A training program for certified nursing assistants must secure or pay for a
31 background check on each individual who applies for enrollment. The individual's
32 current name and all previous names are subject to the background check. A copy of
33 the background check is given to the individual who, upon successful completion of
34 the training, submits it with an application to be listed on the registry as a certified
35 nursing assistant.

36 (1) Prior to enrolling an individual, a training program for certified nursing
37 assistants must notify individuals that a background check will be conducted and
38 that certain disqualifying offenses, including criminal convictions, may prohibit an
39 individual from working as a certified nursing assistant.

40 B. Pursuant to sections 1717, 1724, 2137, 2149-A, 7706, 8606, 9005 and 9054 and
41 Title 34-B, section 1225, licensed, certified or registered providers shall secure and pay
42 for a background check prior to hiring an individual who will work in direct contact

1 with clients, patients or residents, including a certified nursing assistant or an
2 immediate supervisor.

3 C. The department may secure a background check on certified nursing assistants and
4 immediate supervisors on the registry.

5 D. A person or other legal entity that is not otherwise licensed by the department and
6 that employs or places a certified nursing assistant to provide services allowing direct
7 access shall secure and pay for a background check in accordance with state law and
8 rules adopted by the department.

9 **Sec. A-43. 22 MRSA §1812-G, sub-§6-B,** as repealed by PL 2023, c. 241, §15
10 and amended by c. 309, §29, is repealed.

11 **Sec. A-44. 22 MRSA §1812-G, sub-§6-C, ¶A,** as amended by PL 2023, c. 241,
12 §16 and c. 309, §30, is repealed and the following enacted in its place:

13 A. A disqualifying criminal conviction prohibits employment as a certified nursing
14 assistant, a direct access worker or an immediate supervisor.

15 (1) An individual with a disqualifying criminal conviction is subject to an
16 employment ban of 5, 10 or 30 years. The department shall adopt rules that specify
17 disqualifying criminal convictions that prohibit employment for 5 years,
18 disqualifying criminal convictions that prohibit employment for 10 years and
19 disqualifying criminal convictions that prohibit employment for 30 years.

20 **Sec. A-45. 22 MRSA §1812-G, sub-§6-C, ¶B,** as amended by PL 2023, c. 241,
21 §17 and c. 309, §30, is repealed and the following enacted in its place:

22 B. Nondisqualifying criminal convictions do not prohibit employment as a certified
23 nursing assistant, a direct access worker or an immediate supervisor.

24 **Sec. A-46. 22 MRSA §1812-G, sub-§6-D,** as repealed by PL 2023, c. 241, §18
25 and amended by c. 309, §31, is repealed.

26 **Sec. A-47. 22 MRSA §1812-G, sub-§10,** as amended by PL 2023, c. 241, §20 and
27 c. 309, §32, is repealed and the following enacted in its place:

28 **10. Complaint investigation.** The department may investigate complaints and
29 allegations against certified nursing assistants, direct access workers or immediate
30 supervisors of abuse, neglect or misappropriation of property of a client, patient or resident.

31 **Sec. A-48. 22 MRSA §1812-G, sub-§13,** as amended by PL 2023, c. 241, §22 and
32 c. 309, §34, is repealed and the following enacted in its place:

33 **13. Substantiated finding; lifetime employment ban.** A certified nursing assistant,
34 a direct care worker or an immediate supervisor with a notation on the registry of a
35 substantiated finding of abuse of a patient, client or resident is banned for life from
36 employment as a certified nursing assistant, a direct care worker or an immediate
37 supervisor.

38 **Sec. A-49. 22 MRSA c. 415,** as amended, is repealed.

39 **Sec. A-50. 22 MRSA §2127, sub-§6,** as amended by PL 2023, c. 597, §2, is further
40 amended to read:

1 **6. Coordination with Medicaid and the ~~Cub-Care program~~ Children's Health**
2 **Insurance Program.** The department shall coordinate assistance under this chapter with
3 Medicaid and the Children's Health Insurance Program under section 3174-T in a manner
4 most likely to obtain and maximize federal matching funds.

5 **Sec. A-51. 22 MRSA §2423-A, sub-§10, ¶E,** as repealed and replaced by PL
6 2023, c. 646, Pt. A, §25 and c. 679, Pt. A, §7, is repealed and the following enacted in its
7 place:

8 E. A cannabis testing facility shall obtain and must be able to produce, upon demand
9 of the office or a municipal code enforcement officer, documentation of the facility's
10 accreditation pursuant to standard ISO/IEC 17025 of the International Organization for
11 Standardization by a 3rd-party accrediting body.

12 **Sec. A-52. 22 MRSA §2843, first ¶,** as amended by PL 2023, c. 676, §10, is further
13 amended to read:

14 Except as authorized by the department, a dead human body may not be buried,
15 cremated, subjected to natural organic reduction or otherwise disposed of or removed from
16 the State until a funeral director or other authorized person in charge of the disposition of
17 the dead human body or its removal from the State has obtained a permit from the State
18 Registrar of Vital Statistics or the clerk of the municipality where death occurred or where
19 the establishment of a funeral director having custody of the dead human body is located
20 as specified by department rule. The permit is sufficient authority for final disposition in
21 any place where dead human bodies are disposed of in this State, as long as the
22 requirements of section 2900-A and Title 32, sections section 1405 and 2900-A are met in
23 appropriate cases. The permit may not be issued to anyone other than a funeral director
24 until the state registrar or the clerk of the municipality receives a medical certificate that
25 has been signed by a physician or a medical examiner that indicates that the physician or
26 medical examiner has personally examined the body after death. A permit must also be
27 issued if a nurse practitioner or physician assistant has signed the medical certificate
28 indicating that the nurse practitioner or physician assistant has knowledge of the deceased's
29 recent medical condition or was in charge of the deceased's care and that the nurse
30 practitioner or physician assistant has personally examined the body after death. The
31 authorized person may transport a dead human body only upon receipt of this permit.

32 **Sec. A-53. 22 MRSA §2843, sub-§3-A,** as repealed by PL 2023, c. 67, §4 and
33 amended by c. 676, §13, is repealed.

34 **Sec. A-54. 22 MRSA §2900-A, sub-§8,** as enacted by PL 2023, c. 676, §19, is
35 amended to read:

36 **8. Certificate from medical examiner or medicolegal death investigator.** The body
37 of a deceased person may not be subjected to natural organic reduction within 48 hours
38 after death unless the person died of a contagious or infectious disease, and in no event may
39 the body of a deceased person be subjected to natural organic reduction until the natural
40 organic reduction facility in charge of the disposition has received a certificate from a duly
41 appointed medical examiner or medicolegal death investigator appointed pursuant to ~~Title~~
42 ~~22,~~ section 3023-A that the medical examiner or medicolegal death investigator has made
43 personal inquiry into the cause and manner of death and is satisfied that further examination
44 or judicial inquiry concerning the cause and manner of death is not necessary. This

1 certificate, a certified copy of the death certificate and a burial transit permit, if necessary,
2 when presented by the authorized person as defined in ~~Title 22~~, section 2846 is sufficient
3 authority for the body to be subjected to natural organic reduction, and the natural organic
4 reduction facility in charge of the disposition may not refuse to subject the body to natural
5 organic reduction solely because these documents are presented by such an authorized
6 person. The certificate must be retained for a period of 15 years by the natural organic
7 reduction facility in charge of subjecting the body to natural organic reduction. For the
8 certificate, the medical examiner must receive a fee of \$25 payable by the person requesting
9 the certificate. This fee may be waived at the discretion of the Chief Medical Examiner.

10 **Sec. A-55. 23 MRSA §4210-B, sub-§5**, as amended by PL 2011, c. 649, Pt. E, §2,
11 is further amended to read:

12 **5. Other fund sources.** The Multimodal Transportation Fund may accept funds from
13 other sources, including, but not limited to, the Federal ~~Rail~~ Railroad Administration, to
14 carry out the provisions of this section.

15 **Sec. A-56. 24 MRSA §2902**, as amended by PL 2013, c. 329, §2, is further amended
16 by amending the section headnote to read:

17 **§2902. Statute of limitations for health care providers and health care practitioners**
18 **~~excluding claims based on sexual acts~~**

19 **Sec. A-57. 24 MRSA §2902, first ¶**, as amended by PL 2013, c. 329, §2, is further
20 amended to read:

21 ~~Except as provided in section 2902-B, actions~~ Actions for professional negligence must
22 be commenced within 3 years after the cause of action accrues. For the purposes of this
23 section, a cause of action accrues on the date of the act or omission giving rise to the injury.
24 Notwithstanding the provisions of Title 14, section 853, relating to minority, actions for
25 professional negligence by a minor must be commenced within 6 years after the cause of
26 action accrues or within 3 years after the minor reaches the age of majority, whichever first
27 occurs. This section does not apply when the cause of action is based upon the leaving of
28 a foreign object in the body, in which case the cause of action accrues when the plaintiff
29 discovers or reasonably should have discovered the harm. For the purposes of this section,
30 the term "foreign object" does not include a chemical compound, prosthetic aid or object
31 intentionally implanted or permitted to remain in the patient's body as a part of the health
32 care or professional services.

33 **Sec. A-58. 26 MRSA §351**, as enacted by PL 1987, c. 594, §1, is amended to read:

34 **§351. Rules**

35 The Commissioner of Labor shall adopt rules in accordance with ~~the Maine~~
36 ~~Administrative Procedure Act~~, Title 5, chapter 375, relating to sanitation on railroad
37 property as it affects the safety and health of railroad employees, including, but not limited
38 to, ~~enginemen, trainmen, yardmen, engineers, yard workers,~~ maintenance-of-way
39 employees, clerical employees, ~~carmen~~ and enginehouse employees.

40 **Sec. A-59. 26 MRSA §852**, as corrected by RR 2023, c. 2, Pt. E, §34, is amended
41 to read:

42 **§852. Employment of replacements prohibited**

1 A person, partnership, union, agency, firm or corporation or officer, employee or agent
2 thereof may not recruit, procure, supply or refer any person for employment who
3 customarily and repeatedly offers to accept employment in place of any employee involved
4 in a labor dispute, strike or lockout in which that person, partnership, union, agency, firm
5 or corporation is not directly involved.

6 **Sec. A-60. 26 MRSA §853**, as corrected by RR 2023, c. 2, Pt. E, §35, is amended
7 to read:

8 **§853. Arrangements**

9 A person, partnership, union, firm or corporation involved in a labor dispute, strike or
10 lockout may not, directly or indirectly, employ in the place of an employee involved in that
11 labor dispute, strike or lockout any person who customarily and repeatedly offers to accept
12 employment in the place of employees involved in a labor dispute, strike or lockout or
13 contract or arrange with any other person, partnership, union, agency, firm or corporation
14 to recruit, procure, supply or refer persons for employment who customarily and repeatedly
15 offer to accept employment in place of employees involved in a labor dispute, strike or
16 lockout.

17 **Sec. A-61. 26 MRSA §854**, as corrected by RR 2023, c. 2, Pt. E, §36, is amended
18 to read:

19 **§854. Offers**

20 A person who customarily and repeatedly offers to accept employment in place of
21 employees involved in a labor dispute, strike or lockout may not take or offer to take the
22 place of employment of any employee involved in a labor dispute, strike or lockout.

23 **Sec. A-62. 26 MRSA §855**, as corrected by RR 2023, c. 2, Pt. E, §37, is amended
24 to read:

25 **§855. Evidence**

26 It is prima facie evidence that a person customarily and repeatedly offers to accept
27 employment in place of employees involved in a labor dispute, strike or lockout if the
28 person has 2 times before offered to take the place of employment of persons involved in
29 labor disputes, strikes or lockouts.

30 **Sec. A-63. 26 MRSA §968, sub-§2**, as corrected by RR 2023, c. 2, Pt. E, §56, is
31 amended by amending the first blocked paragraph to read:

32 The salary of the executive director must be established by the board within salary range
33 86 and may be adjusted periodically by the board within the limits for salary review
34 procedures established in Title 2, section 6, ~~subsection 5~~.

35 **Sec. A-64. 26 MRSA §1227, sub-§1**, as corrected by RR 2023, c. 2, Pt. E, §116,
36 is amended by amending the first blocked paragraph to read:

37 The ~~foregoing~~ remedies in this subsection are in addition to all other remedies.

38 **Sec. A-65. 26 MRSA §1228**, as corrected by RR 2023, c. 2, Pt. E, §117, is amended
39 to read:

40 **§1228. Liability of successor**

1 An individual or organization, including the types of organizations described in section
2 1043, subsection 10, whether or not an employing unit, that acquires the organization, trade
3 or business or a substantial part of the assets thereof from an employer, is liable, in an
4 amount not to exceed the reasonable value of the organization, trade, business or assets
5 acquired, for any contributions or interest due or accrued and unpaid by the employer, and
6 the amount of the liability must, in addition, be a lien against the property or assets
7 acquired, which must be prior to all other liens. The lien may not be valid as against a
8 person who acquires from the successor any interest in the property or assets in good faith,
9 for value and without notice of the lien. Upon written request made after the acquisition is
10 completed, the commissioner shall furnish the successor with a written statement of the
11 amount of contributions and interest due or accrued and unpaid by the employer as of the
12 date of the acquisition, and the amount of the liability of the successor or the amount of the
13 lien may not exceed the liability disclosed by the statement. ~~The foregoing remedies in this~~
14 section are in addition to all other existing remedies against the employer or the employer's
15 successor.

16 **Sec. A-66. 26 MRSA §1230, sub-§3**, as corrected by RR 2023, c. 2, Pt. E, §119,
17 is amended to read:

18 **3. Warrant effective as lien.** An abstract or copy of the warrant may be filed for
19 record in the registry of deeds of any county. From the time of the filing, the amount
20 specified in the warrant constitutes a lien upon all real property and other tangible assets in
21 the county or town owned by the liable employer or acquired by the liable employer during
22 the period of the lien. The lien has the force, effect and priority of a judgment lien and
23 continues for 5 years from the date of recording, unless sooner released or otherwise
24 discharged or extended as prescribed ~~herein~~ in this subsection. The lien may be extended
25 for an additional 5-year period by filing, for record in the registry of deeds, an abstract or
26 copy of the warrant within the original 5-year period or within 5 years from the date of the
27 last extension of the lien.

28 **Sec. A-67. 28-B MRSA §201, sub-§4**, as amended by PL 2019, c. 676, §5 and
29 amended by PL 2021, c. 669, §5, is further amended to read:

30 **4. Cannabis store.** ~~Consistent with the restrictions of section 205, subsection 2,~~
31 ~~paragraph C, a~~ A cannabis store license; or

32 **Sec. A-68. 28-B MRSA §703, sub-§1, ¶D**, as repealed and replaced by PL 2023,
33 c. 641, §1 and c. 679, Pt. B, §127, is repealed and the following enacted in its place:

34 D. Unless determined impracticable by the office by rule, must be stamped or
35 embossed with a universal symbol on each serving of the edible cannabis product or
36 each serving must be individually wrapped or blister packaged with a universal symbol
37 clearly included on the wrapping or packaging. In the event the office determines by
38 rule that stamping, embossing, individual wrapping or blister packaging for a particular
39 type of edible cannabis product is impracticable, each serving of the product must be
40 packaged together with the universal symbol affixed to the packaging. For purposes
41 of this chapter, edible cannabis products that are determined to be impracticable to
42 stamp, emboss, individually wrap or blister package include but are not limited to:

43 (1) Potato or corn chips;

44 (2) Popcorn;

- 1 (3) Pretzels;
2 (4) Loose granola; and
3 (5) Gummies;

4 **Sec. A-69. 30 MRSA §6203, sub-§1-A, ¶B**, as enacted by PL 2023, c. 369, Pt. D,
5 §1 and affected by §8, is amended to read:

6 B. All Houlton Band Trust Land acquired after the effective date of this ~~subsection~~
7 subsection that is both within Aroostook County and within 50 miles of land described
8 in paragraph A.

9 **Sec. A-70. 32 MRSA §85, sub-§9**, as enacted by PL 2023, c. 587, §1, is amended
10 to read:

11 **9. Dogs.** Notwithstanding section 4860, an emergency medical services person
12 licensed under this chapter may provide emergency medical treatment to a law enforcement
13 dog, as defined in Title 14, section 164-B, subsection 1, paragraph B, or to a search and
14 rescue dog, as defined in Title 14, section 164-B, subsection 1, paragraph D, in accordance
15 with protocols adopted by the Medical Direction and Practices Board.

16 **Sec. A-71. 32 MRSA §19312, sub-§2, ¶D**, as enacted by PL 2023, c. 580, §8, is
17 amended to read:

18 D. The dispensing party may dispense contact lenses only upon receipt of a written
19 prescription, except that an optometrist may fill a prescription of another optometrist
20 or a physician without a copy of the prescription. Mail order contact lens suppliers
21 must be licensed by and register with the Maine Board of Pharmacy pursuant to ~~Title~~
22 32, section 13751 and are subject to discipline by that board for violations of that
23 board's rules and the laws governing the board. An individual who fills a contact lens
24 prescription shall maintain a copy of that prescription for a period of 5 years.

25 **Sec. A-72. 34-A MRSA §5806**, as enacted by PL 1983, c. 459, §6, is amended to
26 read:

27 **§5806. Violations of parole**

28 A probation-parole officer may arrest and charge a parolee with violation of parole and
29 take ~~him~~ the parolee into ~~his~~ the probation-parole officer's custody in any place ~~he~~ the
30 parolee may be found, and detain the parolee in any jail, pending the issuance of a parole
31 violation warrant, ~~which~~. ~~The~~ detention shall ~~may~~ not extend beyond the next business day
32 of the office of the ~~director~~ commissioner. In the event a warrant is not issued in that time,
33 the parolee ~~shall~~ must be released from arrest and detention ~~forthwith~~ immediately. A
34 parolee so arrested and detained ~~shall have no~~ does not have a right of action against the
35 probation-parole officer or any other persons because of that arrest and detention.

36 When a parolee violates a condition of ~~his~~ the parolee's parole or violates the law, the
37 ~~director~~ commissioner may issue a warrant for ~~his~~ the parolee's arrest. A probation-parole
38 officer, or any other law enforcement officer within the State authorized to make arrests,
39 may arrest the parolee on the warrant and return ~~him~~ the parolee to the institution from
40 which ~~he~~ the parolee was paroled. At its next meeting at that institution, the board shall
41 hold a hearing. The parolee is entitled to appear and be heard. If the board, after hearing,
42 finds that the parolee has violated ~~his~~ the parolee's parole or the law, it shall revoke ~~his~~ the

1 parolee's parole, set the length of time ~~he shall~~ the parolee must serve of the unexpired
2 portion of ~~his~~ the parolee's sentence before ~~he can~~ the parolee may again be eligible for
3 hearing by the board, and remand ~~him~~ the parolee to the institution from which ~~he~~ the
4 parolee was released; except that, when a parolee from the Maine Correctional Center
5 violates the law and is sentenced by the court to the Maine State Prison, any length of time
6 set by the board to be served of the unexpired portion of ~~his~~ the parolee's correctional center
7 sentence may be served at the Maine State Prison.

8 **1. Forfeits deductions.** Upon revocation of parole by the board, the prisoner forfeits
9 any deductions for good behavior earned while on parole.

10 **2. May earn deductions.** While serving the unexpired portion of ~~his~~ the prisoner's
11 sentence after parole has been revoked, the prisoner may earn deductions for good conduct.

12 Whenever a warrant is issued under this section for the arrest of a parolee, the running
13 of the parolee's sentence ~~shall~~ must be interrupted and ~~shall~~ must remain interrupted until
14 the parolee is returned to the institution from which ~~he~~ the parolee was paroled.
15 Interruption of the running of ~~his~~ the parolee's sentence ~~shall~~ must include any time served
16 prior to such return, after conviction for a crime committed while on parole.

17 In the event of the withdrawal of the warrant by authority of the ~~director~~ commissioner,
18 or in the event that the board at the hearing on the alleged violation finds that the parolee
19 did not violate the conditions of ~~his~~ the parolee's parole, or the law, ~~he shall~~ the parolee
20 must be credited with the time lost by the interruption of the running of ~~his~~ the parolee's
21 sentence.

22 **Sec. A-73. 34-B MRSA §3613**, as enacted by PL 2023, c. 643, Pt. KKK, §1, is
23 repealed.

24 **Sec. A-74. 34-B MRSA §3613**, as enacted by PL 2023, c. 675, §9, is reallocated to
25 34-B MRSA §3614.

26 **Sec. A-75. 36 MRSA §5202-E, sub-§1, ¶D**, as enacted by PL 2023, c. 627, §1, is
27 amended to read:

28 D. The percentage of corporations that filed corporate income taxes doing business in
29 the State that reported total corporate income tax due of zero or less for the 4 most
30 recent tax years for which there is complete data; ~~and~~

31 **Sec. A-76. 38 MRSA §342, first ¶**, as enacted by PL 1971, c. 618, §8, is amended
32 to read:

33 The Commissioner of Environmental Protection ~~shall have~~ has the following duties:

34 **Sec. A-77. 38 MRSA §486-A, sub-§2-A**, as enacted by PL 2023, c. 644, §11 and
35 c. 660, §13, is repealed and the following enacted in its place:

36 **2-A. Developer; route analysis; public participation.** The department shall require
37 an applicant who has submitted an application pursuant to section 485-A related to the
38 development and construction of a transmission line or lines requiring approval under this
39 article to demonstrate to the department that the applicant conducted one or more public
40 meetings regarding the transmission line or lines prior to the submission of its application.
41 The public meetings must include the presentation of information regarding the proposed
42 transmission line or lines, including but not limited to proposed route information, and

1 provide an opportunity for public participation and comment. Information presented and
2 public comments received at the public meetings must be made publicly available and be
3 part of the record of any department or board proceeding.

4 **Sec. A-78. PL 2023, c. 669, Pt. A, §22** is repealed and the following enacted in its
5 place:

6 **Sec. A-22. 11 MRSA §2-1102**, as enacted by PL 1991, c. 805, §4, is repealed and
7 the following enacted in its place:

8 **§2-1102. Scope**

9 **(1).** This Article applies to any transaction, regardless of form, that creates a lease
10 and, in the case of a hybrid lease, it applies to the extent provided in subsection (2).

11 **(2).** In a hybrid lease:

12 **(a).** If the aspects of the lease that relate to the lease of goods do not predominate:

13 **(i)** Only the provisions of this Article that relate primarily to those aspects of the
14 transaction apply and the provisions that relate primarily to the transaction as a
15 whole do not apply;

16 **(ii)** Section 2-1209 applies if the lease is a finance lease; and

17 **(iii)** Section 2-1407 applies to the promises of the lessee in a finance lease to the
18 extent the promises are consideration for the right to possession and use of the
19 leased goods; and

20 **(b).** If the aspects of the lease that relate to the lease of goods predominate, this Article
21 applies to the transaction but does not preclude application in appropriate
22 circumstances of other law to aspects of the lease that do not relate to the lease of goods.

23 **Sec. A-79. Effective date.** That section of this Part that repeals and replaces Public
24 Law 2023, chapter 669, Part A, section 22 takes effect July 1, 2025.

25 **Sec. A-80. PL 2023, c. 669, Pt. A, §53** is amended to read:

26 **Sec. A-53. 11 MRSA ~~§5-1106~~ §5-1116, sub-§(2-A)** is enacted to read:

27 **(2-A).** A branch of a bank is considered to be located at the address indicated in the
28 branch's undertaking. If more than one address is indicated, the branch is considered to be
29 located at the address from which the undertaking was issued.

30 **Sec. A-81. Effective date.** That section of this Part that amends Public Law 2023,
31 chapter 669, Part A, section 53 takes effect July 1, 2025.

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

34 **SUMMARY**

35 Part A does the following.

36 Section 1 corrects a reference to the Director of the Governor's Energy Office.

37 Section 2 makes a technical correction.

38 Section 3 makes a technical correction.

1 Section 4 corrects gender-specific language and makes grammatical changes.
2 Section 5 updates outdated language.
3 Section 6 corrects gender-specific language and makes grammatical changes.
4 Section 7 corrects a reference to the Department of Administrative and Financial
5 Services and makes a grammatical change.
6 Section 8 corrects gender-specific language and makes a grammatical change.
7 Section 9 clarifies an ambiguous term.
8 Section 10 corrects a headnote.
9 Section 11 makes a grammatical correction.
10 Section 12 makes a technical correction.
11 Section 13 repeals an obsolete definition that is not gender neutral.
12 Section 14 repeals an obsolete definition that is not gender neutral.
13 Section 15 corrects gender-specific language.
14 Section 16 corrects a clerical error.
15 Section 17 adds a cross-reference to address a gender-specific term and makes
16 technical corrections and grammatical changes.
17 Section 18 corrects a reference to the Director of the Governor's Energy Office.
18 Section 19 corrects a clerical error.
19 Section 20 corrects gender-specific language and makes grammatical changes.
20 Section 21 corrects gender-specific language and makes grammatical changes.
21 Section 22 corrects gender-specific language and makes grammatical changes.
22 Section 23 corrects gender-specific language and makes grammatical changes.
23 Sections 24 and 25 correct the allocation of a subsection enacted in Public Law 2023,
24 chapter 669.
25 Sections 26 and 27 correct a cross-reference.
26 Sections 28 and 29 make a technical correction.
27 Section 30 corrects a conflict created by Public Law 2023, chapters 583 and 646, which
28 affected the same provision of law, by repealing the provision and replacing it with the
29 chapter 583 version.
30 Section 31 makes a technical correction.
31 Section 32 corrects a cross-reference.
32 Sections 33 to 35 repeal an obsolete provision.
33 Section 36 corrects a cross-reference.
34 Section 37 makes a technical correction.

1 Sections 38 to 48 correct a conflict created by Public Law 2023, chapters 241 and 309,
2 which affected the same provisions of law, by incorporating the changes made by both
3 laws.

4 Section 49 repeals an obsolete chapter.

5 Section 50 corrects a reference to the Children's Health Insurance Program.

6 Section 51 corrects a conflict created by Public Law 2023, chapters 646 and 679, which
7 affected the same provision of law, by repealing the provision and replacing it with the
8 chapter 679 version.

9 Section 52 corrects a cross-reference.

10 Section 53 corrects a conflict created by Public Law 2023, chapters 67 and 676, which
11 affected the same provision of law, by repealing the provision.

12 Section 54 makes technical corrections.

13 Section 55 corrects a reference to the United States Department of Transportation,
14 Federal Railroad Administration.

15 Sections 56 and 57 remove an obsolete cross-reference.

16 Section 58 corrects gender-specific language and makes a technical correction.

17 Section 59 makes a technical correction.

18 Section 60 makes technical corrections.

19 Section 61 makes technical corrections.

20 Section 62 makes technical corrections.

21 Section 63 corrects a cross-reference.

22 Section 64 corrects a reference.

23 Section 65 corrects a reference.

24 Section 66 corrects a reference.

25 Section 67 removes an obsolete cross-reference.

26 Section 68 corrects a conflict created by Public Law 2023, chapters 641 and 679, which
27 affected the same provision of law, by repealing the provision and replacing it with the
28 chapter 679 version.

29 Section 69 corrects a clerical error.

30 Section 70 corrects cross-references.

31 Section 71 makes a technical correction.

32 Section 72 removes an obsolete reference, corrects gender-specific language and
33 makes grammatical changes.

34 Sections 73 and 74 correct a numbering problem created by Public Law 2023, chapters
35 643 and 675, which enacted 3 substantively different provisions with the same section
36 number.

37 Section 75 makes a technical correction.

- 1 Section 76 makes a grammatical change and a technical correction.
- 2 Section 77 corrects a conflict created by Public Law 2023, chapters 644 and 660, which
- 3 enacted 2 substantively different provisions with the same subsection number, by repealing
- 4 the provision and replacing it with the chapter 660 version.
- 5 Sections 78 and 79 make technical corrections.
- 6 Sections 80 and 81 correct the allocation of a subsection enacted in Public Law 2023,
- 7 chapter 669.