

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

Sec. 1. 10 MRSA §1293-A, as enacted by PL 2011, c. 236, §16 and affected by §18, is amended to read:

§1293-A. Prohibited acts

A supplier may not:

1. Coercion involving deliveries and orders. Mandate, coerce or attempt to coerce any dealer to order or accept delivery of equipment or repair parts not required by law that have not been voluntarily ordered by the dealer, unless the equipment or repair parts are comprised of safety features required by the supplier;

2. Interference in dealer's business. Require any dealer to refrain from participation in the management or acquisition of, or investment in, any other business; or

3. Coercion involving sale of equipment. Prevent, coerce or attempt to coerce a dealer from having an investment in or holding a dealership contract for the sale of competing product lines or makes of equipment or require the dealer to provide separate facilities for competing product lines or makes of equipment; or

4. Recover costs for reimbursement. If the supplier has reimbursed a dealer for equipment, repair parts or labor to avoid a violation of this section, recover the supplier's costs of that reimbursement.

See title page for effective date.

CHAPTER 42

H.P. 234 - L.D. 324

An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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. Appropriations and allocations.

The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

Transcap Trust Fund Z064

Initiative: Reduces funding to align allocation with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
All Other	(\$220,686)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$220,686)	\$0	\$0

MUNICIPAL BOND BANK, MAINE

DEPARTMENT TOTALS	2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS	(\$220,686)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$220,686)	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Reduces funding by managing vacancies.

HIGHWAY FUND	2012-13	2013-14	2014-15
Personal Services	(\$155,809)	\$0	\$0
HIGHWAY FUND TOTAL	(\$155,809)	\$0	\$0

State Police 0291

Initiative: Provides funding for the approved arbitration decision that awarded retroactive range changes for 4 Forensic Chemist I positions and 2 Forensic Scientist positions from range 23 to range 25, the reclassification of one State Police Forensic Specialist posi-

tion to a State Police Computer Forensic Examiner position and the reclassification of one State Police Sergeant position to a State Police Lieutenant position. The retroactive portion of the range changes will be covered by salary savings.

HIGHWAY FUND	2012-13	2013-14	2014-15
Personal Services	\$24,077	\$0	\$0
HIGHWAY FUND TOTAL	\$24,077	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2012-13	2013-14	2014-15
HIGHWAY FUND	(\$131,732)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$131,732)	\$0	\$0

TRANSPORTATION, DEPARTMENT OF Fleet Services 0347

Initiative: Provides funding for the purchase of parts and supplies and reduces Personal Services to fund the purchases.

FLEET SERVICES FUND - DOT	2012-13	2013-14	2014-15
Personal Services	(\$2,200,000)	\$0	\$0
All Other	\$2,200,000	\$0	\$0
FLEET SERVICES FUND - DOT TOTAL	\$0	\$0	\$0

Highway and Bridge Capital 0406

Initiative: Provides funding for capital projects.

HIGHWAY FUND	2012-13	2013-14	2014-15
Capital Expenditures	\$2,000,000	\$0	\$0
HIGHWAY FUND TOTAL	\$2,000,000	\$0	\$0

Multimodal - Freight 0350

Initiative: Adjusts funding to correct allocations for passenger rail that were made to the Multimodal - Freight program in error in Public Law 2011, chapter 658.

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
Personal Services	(\$55,000)	\$0	\$0
All Other	\$55,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Multimodal - Island Ferry Service Z016

Initiative: Provides funding for increased repairs and fuel costs.

ISLAND FERRY SERVICES FUND	2012-13	2013-14	2014-15
All Other	\$450,000	\$0	\$0
ISLAND FERRY SERVICES FUND TOTAL	\$450,000	\$0	\$0

Multimodal - Transit 0443

Initiative: Transfers funding from the discontinued Van-pool Services program to the Multimodal Transit program.

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
All Other	\$200,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$0	\$0

Urban-Rural Initiative Program 0337

Initiative: Adjusts funding for the Urban-Rural Initiative Program at the appropriate rate in accordance with the Maine Revised Statutes, Title 23, section 1803-B.

HIGHWAY FUND	2012-13	2013-14	2014-15
All Other	\$213,160	\$0	\$0
HIGHWAY FUND TOTAL	\$213,160	\$0	\$0

Van-pool Services 0451

Initiative: Transfers funding from the discontinued Van-pool Services program to the Multimodal Transit program.

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
All Other	(\$200,000)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$200,000)	\$0	\$0
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TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS

	2012-13	2013-14	2014-15
HIGHWAY FUND	\$2,213,160	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
FLEET SERVICES FUND - DOT	\$0	\$0	\$0
ISLAND FERRY SERVICES FUND	\$450,000	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$2,663,160	\$0	\$0
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SECTION TOTALS

	2012-13	2013-14	2014-15
HIGHWAY FUND	\$2,081,428	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$220,686)	\$0	\$0
FLEET SERVICES FUND - DOT	\$0	\$0	\$0
ISLAND FERRY SERVICES FUND	\$450,000	\$0	\$0

SECTION TOTAL - ALL FUNDS	\$2,310,742	\$0	\$0
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PART B

Sec. B-1. Appropriations and allocations.
The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Claims Board 0097

Initiative: RECLASSIFICATIONS

	2012-13	2013-14	2014-15
Personal Services	\$8,021	\$0	\$0
All Other	(\$8,021)	\$0	\$0

HIGHWAY FUND TOTAL	\$0	\$0	\$0
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 16, 2013.

CHAPTER 43

S.P. 232 - L.D. 642

An Act To Exempt All-terrain Vehicle Trail Management from Storm Water Management Requirements

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

Sec. 1. 38 MRSA §420-D, sub-§7, ¶H, as enacted by PL 2011, c. 359, §1 and amended by c. 657, Pt. W, §5, is further amended to read:

H. Trail management activities that are part of the development and maintenance of the statewide snowmobile or all-terrain vehicle trail system developed as part of the Maine Trails System under Title 12, section 1892, including new construction and maintenance of trails, do not require review pursuant to this section if, for each trail being managed:

- (1) The trail is constructed and maintained in accordance with best management practices for motorized trails established by the Department of Agriculture, Conservation and Forestry;
- (2) The trail is the minimum feasible width for its designated use; and
- (3) No lane exceeds 12 feet in width and no trail includes more than 2 lanes.

As used in this paragraph, "trail management activities" includes the construction and maintenance of motorized trails used for motorized or multiple use.

See title page for effective date.

CHAPTER 44

H.P. 73 - L.D. 91

An Act To Raise the School Construction Bond Cap

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

Sec. 1. 20-A MRSA §15905, sub-§1, ¶A, as amended by PL 2011, c. 1, Pt. E, §1, is further amended to read: