

# 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.**

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**Augusta, Maine**  
**2013**

tion Fund checkoff and report the remainder to the Treasurer of State, who shall forward that amount to the Maine Organ and Tissue Donation Fund.

**Sec. 2. 29-A MRSA §1402-B, sub-§3, ¶¶C and D,** as enacted by PL 2011, c. 168, §4, are amended to read:

C. Assist the Secretary of State in developing strategies to increase donations that the council may find effective; ~~and~~

D. Establish numerical goals for increasing organ and tissue donation rates in the State, to include a baseline account of current organ and tissue donation rates, as well as periodic benchmarks for success. The bureau may provide monthly donor designation rates for each branch office of the bureau to assist in identifying goals; ~~and~~

**Sec. 3. 29-A MRSA §1402-B, sub-§3, ¶E** is enacted to read:

E. Administer the Maine Organ and Tissue Donation Fund established in subsection 4.

**Sec. 4. 29-A MRSA §1402-B, sub-§4** is enacted to read:

**4. Maine Organ and Tissue Donation Fund.** The Maine Organ and Tissue Donation Fund, referred to in this subsection as "the fund," is established as an interest-bearing account administered by the council for the purpose of facilitating the education and registration of residents of the State in organ donation. Any private or public funds appropriated, allocated, dedicated or donated to the fund, including from the Maine Organ and Tissue Donation Fund checkoff under section 1312, must be deposited into the fund as well as income from any other source directed to the fund. All interest earned by the fund becomes part of the fund. Any balance remaining in the fund at the end of the fiscal year does not lapse but is carried forward into subsequent fiscal years. All money received into the fund must be used for the purposes of the fund except that balances in the fund may be used for the necessary expenses of the council in the administration of the fund.

**Sec. 5. Effective date.** This Act takes effect January 1, 2014.

Effective January 1, 2014.

**CHAPTER 128**

**S.P. 58 - L.D. 169**

**An Act To Provide Revenue to Veterans' Organizations and the Maine Veterans' Memorial Cemetery System Care Fund from Table Game Revenue**

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

**Whereas,** veterans of this State are experiencing difficult times and services to which they are entitled should be provided without delay; and

**Whereas,** enactment of legislation establishing the Coordinated Veterans Assistance Fund, which will aid veterans in need, must take place before July 1, 2013; 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:**

**Sec. 1. 8 MRSA §1036, sub-§2-C, ¶D,** as enacted by PL 2011, c. 417, §10, is amended to read:

D. Two percent of net table game income must be deposited into ~~an account held by the board for distribution to charitable nonprofit organizations that were eligible to conduct beano games and games of chance in accordance with Title 17, chapters 13 A and 62. The account is nonlapsing and no distributions may be made from the account before July 1, 2013~~ the Coordinated Veterans Assistance Fund established in Title 37-B, section 514.

**Sec. 2. 37-B MRSA §512, sub-§1,** as enacted by PL 2009, c. 471, §1, is amended to read:

**1. Maine Veterans' Memorial Cemetery System Care Fund establishment; purpose.** The Maine Veterans' Memorial Cemetery System Care Fund, known in this section as "the fund," is established for the purpose of ensuring ongoing care and maintenance of veterans' graves within the Maine Veterans' Memorial Cemetery System after plot interment allowances for burials within the system are no longer received from the United States Department of Veterans Affairs. The fund is established from deposits of 1/3 of

the funds received from the United States Department of Veterans Affairs for plot interment allowances and from annual deposits from the Coordinated Veterans Assistance Fund established by section 514. The fund may also accept private and public donations. The fund is separate from other perpetual care or cemetery maintenance funds that support veterans' cemeteries and were established prior to the effective date of this section.

**Sec. 3. 37-B MRSA §514** is enacted to read:

**§514. Coordinated Veterans Assistance Fund; establishment; report**

The Coordinated Veterans Assistance Fund, referred to in this section as "the fund," is established to provide financial assistance to veterans' service organizations. Beginning July 1, 2013 the director shall make distributions from the fund as follows:

**1. Transportation for medical needs of veterans.** Fifteen thousand dollars annually to a veterans' service organization that has maintained for the previous 5 years consecutively as of January 1, 2013 a program of providing transportation to veterans receiving medical services at the Veterans Administration Hospital at Togus or outreach centers of the veterans hospital;

**2. Veteran service officers at veterans hospital.** Sixty-four thousand five hundred dollars annually to each veterans' service organization that has funded and maintained a veteran service officer at the Veterans Administration Hospital at Togus for at least one year as of January 1, 2013; and

**3. Other veterans programs.** The remainder of the funds, distributed by the director after payment of any fees applied by the State for administration of the fund, as follows:

A. Sixty-eight percent to the Maine Veterans Memorial Cemetery System Care Fund established by section 512, subsection 1;

B. Twenty percent to organizations that coordinate an annual event to benefit homeless veterans by providing warm clothing and personal items; and

C. Twelve percent to purchase flags for graves at veterans' cemeteries.

Beginning in 2014, the director shall submit a report annually by February 15th regarding the distribution of these funds, including information from organizations that received the funds, to the joint standing committee of the Legislature having jurisdiction over veterans affairs.

**Sec. 4. Honorable service commemoration in fiscal year 2014-15.** Notwithstanding the Maine Revised Statutes, Title 37-B, section 514, the Director of the Bureau of Maine Veterans' Services within the

Department of Defense, Veterans and Emergency Management shall make a one-time distribution of \$15,000 to the fund established by Title 37-B, section 511.

**Sec. 5. Gambling Control Board to transfer funds.** Within 30 days after the effective date of this Act, all funds received as of June 30, 2013 by the Gambling Control Board within the Department of Public Safety for distribution to charitable nonprofit organizations pursuant to the Maine Revised Statutes, Title 8, section 1036, subsection 2-C, paragraph D must be transferred to the Maine Veterans' Memorial Cemetery System Care Fund established in Title 37-B, section 512.

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**Veterans Services 0110**

Initiative: Establishes the Coordinated Veterans Assistance Fund with 2% of the net table game income from the casino in Bangor.

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
All Other	\$186,707	\$152,360	\$148,448
OTHER SPECIAL REVENUE FUNDS TOTAL	\$186,707	\$152,360	\$148,448

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS**

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS	\$186,707	\$152,360	\$148,448
DEPARTMENT TOTAL - ALL FUNDS	\$186,707	\$152,360	\$148,448

**PUBLIC SAFETY, DEPARTMENT OF Gambling Control Board Z002**

Initiative: Reduces funding from eliminating the 2% of net table game income from the casino in Bangor previously distributed to charitable nonprofit organiza-

tions that were eligible to conduct beano games and games of chance.

	2012-13	2013-14	2014-15
<b>OTHER SPECIAL REVENUE FUNDS</b>			
All Other	(\$186,707)	(\$152,360)	(\$148,448)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$186,707)</b>	<b>(\$152,360)</b>	<b>(\$148,448)</b>
<b>PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS</b>			
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$186,707)</b>	<b>(\$152,360)</b>	<b>(\$148,448)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$186,707)</b>	<b>(\$152,360)</b>	<b>(\$148,448)</b>
<b>SECTION TOTALS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 24, 2013.

**CHAPTER 129**

**H.P. 144 - L.D. 184**

**An Act To Enhance Transparency in Government by Implementing a Waiting Period for Legislators before They May Register as Lobbyists**

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

**Sec. 1. 1 MRSA §1008, sub-§4**, as amended by IB 1995, c. 1, §5, is further amended to read:

**4. Lobbyist activities.** To administer the lobbyist disclosure laws, Title 3, chapter 15, and enforce the

waiting period required before former Legislators may engage in compensated lobbying as provided by section 1024;

**Sec. 2. 1 MRSA §1024** is enacted to read:

**§1024. Waiting period before engaging in lobbying activities**

**1. Actions precluded.** Beginning with the convening of the 127th Legislature, a person who has served as a Legislator may not engage in activities that would require registration as a lobbyist or lobbyist associate as defined by Title 3, section 312-A, subsections 10 and 10-A, respectively, until one year after that person's term as a Legislator ends. This subsection may not be construed to prohibit uncompensated lobbying by a former Legislator during the one-year period following the end of that Legislator's most recent term in office.

**2. Complaints and investigations.** A person may file a complaint with the commission specifying an alleged violation of this section. The commission staff shall notify the party against whom the complaint has been filed and may undertake the investigation of the alleged violation if directed by the commission. The commission may direct commission staff to undertake an investigation of an alleged violation of this section on its own motion.

**3. Penalty.** A person who intentionally violates this section is subject to a civil penalty not to exceed \$1,000, payable to the State and recoverable in a civil action.

See title page for effective date.

**CHAPTER 130**

**H.P. 744 - L.D. 1051**

**An Act To Clarify the Authority and Responsibility of Forest Rangers**

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

**Sec. 1. 12 MRSA §8901, sub-§2**, as amended by PL 2011, c. 657, Pt. W, §7 and c. 682, §38, is further amended to read:

**2. Powers and duties.** Forest rangers and the state supervisor shall:

A. Subject to supervision of the director, supervise the state ~~forest fire~~ wildfire control program, including personnel and facilities of all types;

B. Have the final on-site authority and responsibility for the control of ~~forest fires~~ wildfires;