

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

2. Other costs. All other reasonable costs to the utility, including attorney's fees and costs of undertaking and completing the investigation resulting in a determination of liability under this section; and

3. Civil penalty. A civil penalty not to exceed \$2,500 due and payable to the utility for each violation of this section.

Sec. 4. 35-A MRSA §2708 is enacted to read:
§2708. Civil liability for utility property wrongfully obtained

A person may not obtain or exercise unauthorized control over the property of a utility with intent to deprive the utility of the property. A person who violates this section is liable in a civil action to the utility owning the property affected for:

1. Cost of replacement. The cost of replacement of the utility property, as necessary;

2. Other costs. All other reasonable costs to the utility, including attorney's fees and costs of undertaking and completing the investigation resulting in a determination of liability; and

3. Civil penalty. A civil penalty not to exceed \$2,500 due and payable to the utility for each violation of this section.

Sec. 5. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 35-A, chapter 27, in the chapter headnote, the words "inspection of meters" are amended to read "inspection of meters and civil liability" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

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

Effective April 3, 2008.

CHAPTER 554

H.P. 1593 - L.D. 2232

An Act To Amend the Games of Cards Law

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

Sec. 1. 17 MRSA §339, sub-§3, as amended by PL 1991, c. 528, Pt. H, §2 and affected by Pt. RRR and amended by c. 591, Pt. H, §2, is further amended to read:

3. Games of cards. The fee for a license issued to an organization to operate a game of cards, when the organization charges no more than ~~\$4~~ a \$5 daily entry fee for participation in the games of cards and

when no money or valuable thing other than the ~~\$4~~ \$5 daily entry fee is gambled by any person in connection with the game of cards, is ~~\$7.50~~ \$30 for each calendar year or portion thereof. For card games that are played by placing a maximum bet of \$1 per hand or deal, the license fee is the same as provided in subsection 2.

Sec. 2. 17 MRSA §341, sub-§1, as amended by PL 1999, c. 716, §9, is repealed and the following enacted in its place:

1. Limits. The maximum bet for licensed games of chance, including card games in which bets are placed per hand or per deal, is \$1 for any one chance, hand or deal. Licensed card games that award part or all of the entry fees paid to participate as prize money and in which no money or thing of value is wagered except for the entry fee are limited to a \$5 daily entry fee and no more than 40 players at any one time at any one location.

See title page for effective date.

CHAPTER 555

H.P. 1630 - L.D. 2267

An Act To Increase the Number of Concealed Firearms Permit Reciprocity Agreements That Maine May Enter into with Other Eligible States

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

Sec. 1. 25 MRSA §2001-A, sub-§2, ¶F, as enacted by PL 2003, c. 452, Pt. N, §2 and affected by Pt. X, §2, is amended to read:

F. A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity. The Chief of the State Police may enter into reciprocity agreements with ~~2~~ any other states that meet the requirements of this paragraph. Reciprocity may be granted to a permit to carry a concealed firearm issued from another state if:

- (1) The other state that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and
- (2) The other state that issued the permit to carry a concealed firearm observes the same rules of reciprocity ~~in regards to~~ regarding a

person issued a permit to carry a concealed firearm under this chapter.

See title page for effective date.

CHAPTER 556

H.P. 482 - L.D. 633

An Act To Improve Funding for the State Snowmobile Trail System

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

Whereas, snowmobile registrations for the 2008-2009 snowmobile season will be issued by the Department of Inland Fisheries and Wildlife beginning in June 2008; and

Whereas, a portion of each snowmobile registration fee is used to create and maintain snowmobile trails throughout the State that attract snowmobile riders from around the world, providing a significant economic benefit at both the local and state levels; and

Whereas, in order to ensure that state-funded snowmobile trails remain safe for public use, this Act must take effect prior to the issuance of the 2008-2009 snowmobile registrations; 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. 12 MRSA §10206, sub-§2, ¶A, as amended by PL 2005, c. 93, §2, is further amended to read:

A. ~~The~~ After the transfers provided in section 13104, subsection 4, the snowmobile and trail-grooming equipment registration fee for residents collected under chapter 937 is credited as follows:

- (1) Twenty-two percent is credited to the General Fund as undedicated revenue;
- (2) Fifty-two percent is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands; and
- (3) Twenty-six percent is annually distributed to the municipality of the owner's residence as shown on the owner's registration

certificate, except that in unorganized territory, 26% is annually distributed to the county of the owner's residence as shown on the owner's registration certificate and credited to the unorganized territory fund of that county established in Title 30-A, section 7502.

Sec. 2. 12 MRSA §10206, sub-§2, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. ~~The~~ After the transfers provided in section 13104, subsection 4, the snowmobile registration fee for nonresidents collected under chapter 937 is credited as follows.

- (1) Eighteen percent is credited to the General Fund as undedicated revenue.
- (2) Seven percent is credited to the Snowmobile Enforcement Fund established under section 10258.
- (3) The remainder is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands.

Sec. 3. 12 MRSA §13104, sub-§4, as amended by PL 2005, c. 12, Pt. III, §41, is further amended to read:

4. Fee. Except as provided in subsection 5, the annual snowmobile registration fee is as follows:

- A. For residents, ~~§33~~ §35. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year.
- B. For nonresidents:
 - (1) Forty-three dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season;
 - (2) Fifty-eight dollars for a 10-consecutive-day registration. A person may purchase more than one 10-day registration in any season; and
 - (3) ~~Sixty-eight~~ Eighty-eight dollars for a seasonal registration.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Five dollars from each registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Conservation. The funds must be used to assist any entity that has a snowmobile trail-grooming contract with the bureau in the purchase of trail-grooming equipment.