

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

Augusta, Maine
2013

**CHAPTER 17
H.P. 197 - L.D. 288**

**An Act Concerning Brucellosis
Vaccines for Cattle**

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

Sec. 1. 7 MRSA §1812, 2nd ¶, as repealed and replaced by PL 1987, c. 446, §2, is amended to read:

~~Female cattle~~ Cattle brought into the State may enter ~~without having been vaccinated for brucellosis, provided they are imported from brucellosis-free states and countries pursuant to the provisions of 9 Code of Federal Regulations, Part 78. In order to import female cattle over 120 days of age from class A and B states as defined in the 9 Code of Federal Regulations, Part 78, those cattle must be vaccinated for brucellosis before entering the State.~~

Sec. 2. 7 MRSA §1812, 5th ¶, as amended by PL 2001, c. 572, §42, is repealed.

See title page for effective date.

**CHAPTER 18
S.P. 117 - L.D. 284**

**An Act To Amend the Duties of
the Division of Forestry**

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

Sec. 1. 12 MRSA §8002, sub-§1, ¶¶E and F, as enacted by PL 1979, c. 545, §3 and amended by PL 2011, c. 657, Pt. W, §7, are amended to read:

E. Have the responsibility for management of particular portions of land owned by the State when management is entrusted to the division by statute or is transferred by mutual agreement of the division and other state agencies; ~~and~~

F. Conduct information, education, planning and research programs designed to promote the purposes of the division as set forth in this Part: ~~and~~

Sec. 2. 12 MRSA §8002, sub-§1, ¶G is enacted to read:

G. Conduct a landowner relations program to assist landowners in dealing with public use of private lands.

Sec. 3. 12 MRSA §8002, sub-§2, ¶C, as enacted by PL 1979, c. 545, §3 and amended by PL 2011, c. 657, Pt. W, §7, is repealed.

See title page for effective date.

**CHAPTER 19
S.P. 152 - L.D. 372**

**An Act To Transfer the
Responsibilities of the
Department of Public Safety,
Maine Communications
System Policy Board to the
Bureau of Consolidated
Emergency Communications**

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

Sec. 1. 5 MRSA §12004-I, sub-§74-D, as enacted by PL 2003, c. 678, §1, is repealed.

Sec. 2. 25 MRSA §1531, as amended by PL 2009, c. 617, §§1 to 4, is repealed.

Sec. 3. 25 MRSA §1532, as enacted by PL 2003, c. 678, §2, is repealed.

Sec. 4. 25 MRSA §1533, sub-§2, as enacted by PL 2009, c. 317, Pt. C, §1, is amended to read:

2. Director; duties. The Commissioner of Public Safety shall hire a Director of the Bureau of Consolidated Emergency Communications, referred to in this chapter as "the director." The director shall ~~establish and~~ carry out policies and procedures ~~established by the board.~~ The director shall administer the bureau to safeguard the public safety by the provision of 24-hour per day E-9-1-1 call-taking and dispatching services to first responders.

Sec. 5. 25 MRSA §1535, as amended by PL 2011, c. 505, §2, is further amended to read:

§1535. Fees for public safety answering point services and dispatch services

The ~~board~~ bureau, in accordance with this section, shall establish the fees that must be paid by political subdivisions for public safety answering point services and dispatch services provided by the department to those political subdivisions, including services provided pursuant to section 2923-A. All political subdivisions that are to be provided public safety answering point services and dispatch services shall provide to the ~~board~~ bureau all information the ~~board~~ bureau determines necessary in order to establish the fees.

1. **Fees.** The ~~board~~ bureau shall seek to establish fees under this section that are based on the incremental costs of providing public safety answering point services and dispatch services to political subdivisions.

2. **Base funding level.** In order to determine incremental costs under subsection 1, the ~~board~~ bureau shall first establish a base funding level, consistent with the department's legislatively approved budget for public safety answering point services and dispatch services, required to provide public safety answering point services and dispatch services to State Government entities. The base funding level must be based on services provided by the department prior to the provision of emergency dispatch and E-9-1-1 call-taking services to municipal and county governments as a result of actions taken by the bureau under section 1533. The base funding level must be excluded by the ~~board~~ bureau from its determination of incremental costs under subsection 1.

3. **Consideration of population.** If a fee established under this section for a political subdivision is based in whole or in part on population, the population of the political subdivision may not include persons held at a correctional facility, as defined in Title 34-A, section 1001, subsection 6, within the political subdivision.

Sec. 6. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 25, chapter 192-B, in the chapter headnote, the words "maine communications system policy board" are amended to read "bureau of consolidated emergency communications" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 20
S.P. 224 - L.D. 634

**An Act Regarding Permits for
Final Disposition of Dead
Human Bodies**

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

Sec. 1. 22 MRSA §2843, sub-§§2 and 3, as amended by PL 2009, c. 601, §27, are further amended to read:

2. **Permit for disinterment or removal.** A dead human body may not be disinterred or removed from any vault or tomb until the person in charge of the disinterment or removal has obtained a permit from the State Registrar of Vital Statistics or from the clerk of the municipality where the dead human body is

buried or entombed. The permit must be issued upon receipt of a notarized application signed by the next of kin of the deceased who verifies that the signer is the closest surviving known relative and, ~~where when~~ any other family member of equal or greater legal or blood relationship or a domestic partner of the decedent also survives, that all such persons are aware of, and do not object to, the disinterment or removal. ~~Nothing contained in this~~ This subsection precludes does not preclude a court of competent jurisdiction from ordering or enjoining disinterment or removal pursuant to section 3029 or in other appropriate circumstances. For purposes of this subsection, "domestic partner" means one of 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

3. **Permit for burial.** The person in charge of each burying ground or crematory in this State shall endorse, and provide the date the body was disposed of on, each such permit with which that person is presented, and return it to the State Registrar of Vital Statistics or to the clerk of the municipality in which such burying ground or crematory is located within 7 days after the date of disposition. If there is no person in charge of the burying ground, an official of the municipality in which the burying ground is located shall endorse, and provide the date the body was disposed of on, each such permit, and present it to the State Registrar of Vital Statistics or the clerk of the municipality. The funeral director or authorized person shall present a copy of each permit, after endorsement, to the State Registrar of Vital Statistics or the clerk of the municipality where death occurred and to the clerk who issued the permit.

See title page for effective date.

CHAPTER 21
H.P. 235 - L.D. 325

**An Act To Repeal Provisions of
the Law That Apply or Refer
to State Facilities for Persons
with Intellectual Disabilities**

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

Sec. 1. 4 MRSA §152, sub-§4, as amended by PL 2011, c. 542, Pt. A, §1 and c. 614, §1, is repealed and the following enacted in its place:

4. Exclusive jurisdiction. Original jurisdiction, not concurrent with that of the Superior Court, of mental health commitment hearings under Title 34-B, chapter 3, subchapter 4, habitual truancy actions under Title 20-A, chapters 119 and 211 under which equita-