

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

~~4. Disposal of pharmaceuticals. The agency shall ensure that only agency officers handle the unused pharmaceuticals received pursuant to subsection 3. The All unused pharmaceuticals received under the program must be disposed of by the agency in a manner that is designed to be effective, secure and in compliance with local, state and federal environmental requirements, including the federal Resource Conservation and Recovery Act of 1976, as amended.~~

5. Unused Pharmaceutical Disposal Program Fund; funding. The Unused Pharmaceutical Disposal Program Fund, referred to in this chapter as "the fund," is established within the agency to be used by the director of the agency to fund or assist in funding the ~~program~~ safe, effective and proper disposal of unused pharmaceuticals. Any balance in the fund does not lapse but is carried forward to be expended for the same purposes in succeeding fiscal years. The fund must be deposited with and maintained and administered by the agency. The agency may accept funds into the fund from any non-General Fund source, including grants or contributions of money or other things of value, that it determines necessary to carry out the ~~purposes of this chapter~~ safe, effective and proper disposal of unused pharmaceuticals. Money ~~received~~ accepted into the fund by the agency to ~~establish and maintain the program~~ must be used for the expenses of ~~administering this chapter~~ safe, effective and proper disposal of unused pharmaceuticals.

6. Rulemaking. The agency shall adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. Disposal; funding. The program must operate with funding solely from the fund provided in subsection 5. ~~The program may begin operation for 2 years on July 1st of any year in which notice is given by April 1st by the director of the agency to the State Budget Officer that funding has been procured for the fund that is sufficient to operate the program for 2 years.~~

See title page for effective date.

CHAPTER 122

S.P. 302 - L.D. 877

An Act To Establish Separate Geospatial Data Accounts for Use by the Maine Library of Geographic Information Board

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

Sec. 1. 5 MRSA §2006 is enacted to read:

§2006. Geospatial data accounts

1. Accounts established. There are established within the office separate accounts, referred to in this section as "the accounts," to be administered by the geographic information board.

2. Sources of funding. The following must be paid into the accounts:

A. All money appropriated for inclusion in the accounts;

B. All interest earned from investments of the accounts;

C. Any money allocated from Other Special Revenue Funds accounts for the purpose of the accounts;

D. Proceeds from any bonds issued for the purpose of the accounts; and

E. Matching funds received from the Federal Government or other legal entity for geospatial data acquisition expenditures made from the accounts pursuant to subsection 4.

3. Use of accounts. The purpose of the accounts is to continue projects developed by the geographic information board. The accounts must be used to provide and maintain to the extent practicable statewide GIS data sets necessary for the efficient delivery of state services and to conserve state expenditures through partnerships with other GIS stakeholders interested in acquiring the same data sets. The accounts may be used at the discretion of the geographic information board for acquiring geospatial data primarily including but not limited to the following data sets:

A. An orthoimagery program. Imagery collected through this program must be from all areas of the State and be 4-band images that include the red, green, blue and near infrared bands; and

B. An elevation data set. A consistent statewide elevation data set must be collected using light detection and ranging technology or an equivalent method.

4. Matching funds. Money in the accounts used to purchase geospatial data must be matched by funding from other sources at at least a one-to-one ratio.

5. Annual report. The Chief Information Officer shall submit a written report by January 15, 2014 and annually thereafter to the Governor and the Legislature on the accounts' balance and expenditures.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Information Services 0155

Initiative: Provides a base allocation to establish geo-spatial data accounts.

FEDERAL EXPENDITURES FUND	2013-14	2014-15
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

**CHAPTER 123
H.P. 923 - L.D. 1296**

An Act To Require the Secretary of State To Suspend a Person's License in Certain Instances Regardless of whether an Accident Report Has Been Filed

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

Sec. 1. 29-A MRSA §1603, sub-§7, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

7. Unsatisfied judgment. Upon receipt of a judgment against the owner or operator of a vehicle involved in an accident reported pursuant to section 2251, subsection 2 that resulted from a cause of action that arose from that accident, the Secretary of State shall immediately suspend the license and registration of the judgment debtor. Upon receipt of a judgment against the owner or operator of a vehicle resulting from an accident not reported pursuant to section 2251, subsection 2 that occurred on a public way or in a place where public traffic may reasonably be anticipated and caused bodily injury or death or property damage of at least \$1,000, the Secretary of State shall immediately suspend the license and registration of the judgment debtor.

See title page for effective date.

**CHAPTER 124
S.P. 415 - L.D. 1178**

An Act To Encourage the Use of Biofuels in the State

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

Sec. 1. 10 MRSA §1663 is enacted to read:

§1663. Sale of biomass-based diesel blends and biodiesel blends

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Biodiesel" means the mono-alkyl esters of long chain fatty acids derived from plant or animal matter that meets the requirements of the American Society of Testing and Materials Standard D6751.

B. "Biomass-based diesel" means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the United States Environmental Protection Agency under 42 United States Code, Section 7545 (2012).

C. "Biomass-based diesel blend" and "biodiesel blend" mean a blend of biomass-based diesel or biodiesel and petroleum-based diesel fuel.

2. Number 2 heating oil. For purposes of this section, all references to diesel include #2 heating oil.

3. Transfer document. A person that sells or otherwise transfers title to a biomass-based diesel blend or biodiesel blend to any other person for resale of the product shall prepare a document evidencing the transfer. This transfer document may be in the form of an invoice, bill of lading, bill of sale or other written instrument meeting the requirements of this subsection. This transfer document must include the name of the transferor, the name of the transferee, the date of the transfer, the volume in gallons of the product transferred and either the volume in gallons or the percentage of biomass-based diesel or biodiesel that is contained in the blended product. A person making such a transfer shall maintain the transfer document required by this subsection for a period of 4 years from the transfer date. As used in this subsection, the term "resale" does not include a sale of product purchased at a retail outlet.

4. Transferee not liable. A transferee of a biomass-based diesel blend or biodiesel blend is not liable for failing to verify the accuracy of the information included in any transfer document conforming to the requirements of subsection 3 or for any other liability