

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-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

arising from the transferee's reliance on such information.

5. Supplement other requirements. The requirements of this section are in addition to any other requirements or standards in state law.

See title page for effective date.

CHAPTER 125

H.P. 605 - L.D. 854

An Act To Clarify When a Manufactured Home Becomes Residential Real Property

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

Sec. 1. 10 MRSA §9001, sub-§1, ¶E, as enacted by PL 2005, c. 678, §3 and affected by §13, is amended to read:

E. As a valued and important component of the housing industry in this State, manufactured housing is recognized as residential property, whether it is real property or personal property, notwithstanding the requirements of Title 29-A, and manufactured housing for which no certificate of title has been issued is considered real property when it has been permanently affixed to real property that is owned by the owner of the manufactured housing.

Sec. 2. 29-A MRSA §602, sub-§9-A is enacted to read:

9-A. Permanently affixed. "Permanently affixed" means, with respect to manufactured housing, placed on a foundation or slab or other form of permanent attachment to the site and connected to conventional and necessary utility systems.

Sec. 3. 29-A MRSA §652, sub-§9, ¶E, as enacted by PL 2005, c. 678, §7 and affected by §13, is amended to read:

E. Permanently affixed to real property that is owned by the owner of the manufactured housing within 30 days of the date of sale.

Sec. 4. 29-A MRSA §708, as enacted by PL 2005, c. 678, §12 and affected by §13, is amended to read:

§708. Manufactured housing

This subchapter applies to perfection of security interests in manufactured housing that is not permanently affixed to real property that is owned by the owner of the manufactured housing.

See title page for effective date.

CHAPTER 126

H.P. 680 - L.D. 966

An Act To Clarify an Exemption to the Municipal Subdivision Laws

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

Sec. 1. 30-A MRSA §4401, sub-§4, ¶D-6, as enacted by PL 2001, c. 359, §3, is amended to read:

D-6. A division accomplished by the transfer of any interest in land to the owners of land abutting that land ~~that does not create a separate lot~~ does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. If the real estate exempt under this paragraph is transferred within 5 years to another person without all of the merged land, then the previously exempt division creates a lot or lots for the purposes of this subsection.

See title page for effective date.

CHAPTER 127

H.P. 586 - L.D. 835

An Act To Improve Organ Donation Awareness

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

Sec. 1. 29-A MRSA §1312 is enacted to read:

§1312. Maine Organ and Tissue Donation Fund voluntary checkoff

1. Maine Organ and Tissue Donation Fund.

When applying for or renewing a license under this subchapter, a person may designate that a \$2 donation be paid into the Maine Organ and Tissue Donation Fund established in section 1402-B, subsection 4. A person who designates a \$2 donation under this subsection shall include with the person's license application or renewal fee sufficient funds to make the contribution. Each license application form under section 1301, subsection 1 and license renewal form under section 1406 must contain a designation in substantially the following form: "Maine Organ and Tissue Donation Fund donation: () \$2 or () Other \$... ."

2. Contributions credited to Maine Organ and Tissue Donation Fund. The Secretary of State shall determine annually the total amount contributed pursuant to subsection 1. Prior to the beginning of the next year, the Secretary of State shall deduct the cost of administering the Maine Organ and Tissue Dona-

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