

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

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

Augusta, Maine
2014

candidate's authorized committee is broadcast by radio, only the city and state of the address of the person who financed the communication must be stated.

Sec. 2. 21-A MRSA §1014, sub-§6, ¶¶B and C, as enacted by PL 2011, c. 389, §13, are amended to read:

B. Campaign signs produced and distributed at a cost not exceeding \$100, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; ~~and~~

C. Internet and e-mail activities costing less than \$100, as excluded by rule of the commission, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee;

Sec. 3. 21-A MRSA §1014, sub-§6, ¶¶D and E are enacted to read:

D. Communications in which the name or address of the person who made or authorized the expenditure for the communication would be so small as to be illegible or infeasible, including communications on items such as ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fund-raisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section and in electronic media advertisements where compliance with this section would be impractical due to size or character limitations; and

E. Campaign signs that are financed by the candidate or candidate's authorized committee and that clearly identify the name of the candidate and are lettered or printed individually by hand.

See title page for effective date.

CHAPTER 495

H.P. 1192 - L.D. 1620

An Act To Increase the Maximum Gas Safety Administrative Penalty Amounts

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

Sec. 1. 35-A MRSA §4516-A, sub-§§1 and 2, as enacted by PL 2003, c. 505, §35, are amended to read:

1. Violation of this Title. The commission may impose an administrative penalty on a natural gas pipeline utility that violates any provision of this Title relating to safety of pipeline facilities or transportation of gas or any rule issued under this Title in an amount not to exceed ~~\$100,000~~ \$200,000 for each violation. Each day of violation constitutes a separate offense.

2. Maximum administrative penalty. The maximum administrative penalty may not exceed ~~\$1,000,000~~ \$2,000,000 for any related series of violations.

Sec. 2. 35-A MRSA §4705-A, sub-§§1 and 2, as enacted by PL 2003, c. 505, §38, are amended to read:

1. Violation of this Title. The commission may impose an administrative penalty on a gas utility that violates any provision of this Title relating to safety of gas facilities or any rule issued under this Title in an amount not to exceed ~~\$100,000~~ \$200,000 for each violation. Each day of violation constitutes a separate offense.

2. Maximum administrative penalty. The maximum administrative penalty may not exceed ~~\$1,000,000~~ \$2,000,000 for any related series of violations.

See title page for effective date.

CHAPTER 496

S.P. 636 - L.D. 1645

An Act To Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §101, sub-§11, as amended by PL 2013, c. 381, Pt. B, §3, is further amended to read:

11. Bus. "Bus" means a motor vehicle designed for carrying more than ~~46~~ 15 persons, including the operator.

Sec. 2. 29-A MRSA §406, sub-§§1 and 2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are repealed.

Sec. 3. 29-A MRSA §455, sub-§2, as amended by PL 2007, c. 703, §2 and PL 2011, c. 657, Pt. W, §6, is further amended to read:

2. Plate design; optional environmental vanity plates. The Secretary of State, the Commissioner of Agriculture, Conservation and Forestry, the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife in consultation with the joint standing committee of the Legislature having jurisdiction over transportation matters shall determine the plate design.

The design must accommodate the use of numbers and letters as provided in section 453. Upon request and as provided by section 453, the Secretary of State shall issue environmental plates that are also vanity plates. Environmental vanity plates are issued in accordance with this section and section 453. The Secretary of State may modify class codes and create unique identifiers for the purpose of expanding the program. ~~The annual service fee of \$15 for vanity plates is credited to the Highway Fund. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.~~

Sec. 4. 29-A MRSA §456-C, sub-§1, as amended by PL 2007, c. 240, Pt. LLLL, §2, is further amended to read:

1. Sportsman registration plates. The Secretary of State, upon receiving an application and evidence of payment of the registration fee required by section 501 and the excise tax required by Title 36, section 1482, shall issue a registration certificate and a set of sportsman plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters. Vanity plates may not duplicate vanity plates issued in another class of plate. The Secretary of State shall begin issuing ~~sportsmen~~ sportsman registration plates by April 1, 2008. Sportsman vanity plates are issued in accordance with this section and section 453.

Sec. 5. 29-A MRSA §510, sub-§1, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. A farm lot and between farm lots, when used for farm purposes ~~by the owner;~~ or

Sec. 6. 29-A MRSA §510, sub-§2, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. The premises where kept and a woodlot, or between woodlots used for logging purposes ~~by the owner of the log skidder or the owner's employee;~~ or

Sec. 7. 29-A MRSA §510, sub-§3, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. A woodlot and between woodlots used for logging purposes ~~by the owner;~~ or

Sec. 8. 29-A MRSA §510, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Privilege to operate a tractor or skidder suspended. If a person's license has been revoked or suspended, that person may not operate a ~~farm~~ tractor or log skidder on a public way except as provided in subsection 1, paragraphs A and B, subsection 2, paragraph A or subsection 3, paragraphs A and B until the Secretary of State reinstates that person's license or issues to that person another license.

Sec. 9. 29-A MRSA §515-B, sub-§3, as enacted by PL 1999, c. 734, §1, is amended to read:

3. Design. The Secretary of State shall determine the design of the Purple Heart motorcycle registration plate. Upon request and as provided by section 453, the Secretary of State shall issue Purple Heart motorcycle registration plates that are also vanity plates. Purple Heart vanity plates are issued in accordance with this section and section 453. ~~The annual service fee of \$15 for vanity plates is credited to the Highway Fund.~~

Sec. 10. 29-A MRSA §521, sub-§5, as amended by PL 2011, c. 23, §1, is repealed and the following enacted in its place:

5. Application; issuance. The following provisions apply to an application for and the issuance of a disability plate or placard.

A. An application for a disability plate or placard must be accompanied by the certificate of a physician, physician assistant, nurse practitioner or registered nurse attesting to the applicant's physical disability as defined in subsection 1. The physician, physician assistant, nurse practitioner or registered nurse shall designate the duration of the applicant's disability not to exceed 6 years or designate the applicant's disability as permanent. The Secretary of State shall issue to an eligible applicant disability plates and windshield placards upon request. A disability plate or placard issued to a person for whom the duration of the person's disability has been designated as not exceeding 6 years expires upon the expiration of the duration of the disability as designated by the physician, physician assistant, nurse practitioner or registered nurse.

B. When the Secretary of State determines the disability to be permanent from the application, the disability plate or placard expires upon the expiration date of that person's driver's license or nondriver identification card issued by this State. The applicant is not required to continue to provide proof of disability upon renewal of the applicant's disability plate or placard.

C. When the applicant's need for the disability plate or placard terminates or the applicant dies, the disability plate or placard must be returned to the Secretary of State. Notwithstanding subsection 2, paragraphs B and C, the provisions of this subsection, as regards the issuance of a disability plate or placard for a person with a permanent disability, apply only to that person.

Sec. 11. 29-A MRSA §523, sub-§4, as enacted by PL 1997, c. 69, §1, is amended to read:

4. Veterans vanity plates. Upon request and as provided by section 453, the Secretary of State shall issue veterans registration plates that are also vanity plates. Veterans registration vanity plates are issued in accordance with this section and section 453. ~~The annual service fee of \$15 for vanity plates is credited to the Highway Fund.~~

Sec. 12. 29-A MRSA §956, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 13. 29-A MRSA §1304, sub-§1, ¶H, as amended by PL 2013, c. 381, Pt. B, §16, is further amended to read:

H. A person under 21 years of age may not apply for a license unless:

(1) A period of 6 months has passed from the date the person was issued a learner's permit; and

(2) The person has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. The parent, stepparent or guardian, or a spouse or employer pursuant to section 1302, subsection 1, paragraphs B and C, must certify the person's driving time on a form prescribed by the Secretary of State. A parent, stepparent, guardian, spouse or employer who certifies a driving log pursuant to this subsection and was not the licensed driver accompanying the applicant must provide the name and address of the licensed driver who accompanied the applicant for the majority of the ~~35~~ 70 hours of driving. The Secretary of State may complete the certification for an applicant at least 18 years of age and who has no parent, stepparent, guardian, spouse or

employer if the applicant provides the name and address of the licensed driver who accompanied the applicant for the majority of the ~~35~~ 70 hours of driving.

A person 21 years of age or older is not required to submit certification of driving time to the Secretary of State.

Sec. 14. 29-A MRSA §1851, sub-§§5 and 6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

5. Left after repair completed. Left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work; or

6. Left on residential property. Left on an individual's residential property for more than 6 months; or

Sec. 15. 29-A MRSA §1851, sub-§7 is enacted to read:

7. Left at storage facility. Left at a storage facility, if the owner has failed to pay storage or rental fees.

Sec. 16. 29-A MRSA §2472, sub-§2-B, as enacted by PL 2011, c. 654, §12, is amended to read:

2-B. Reexamination. The holder of a juvenile provisional license convicted of an offense listed in section 2551-A, subsection 1, paragraph A, as limited by section 2551-A, subsection 3, must successfully complete an examination pursuant to section 1301, subsection 4 as prescribed by the Secretary of State ~~before the suspension may be terminated~~ within 90 days after that license is restored. Failure to successfully complete the examination results in a subsequent suspension.

See title page for effective date.

CHAPTER 497

S.P. 651 - L.D. 1657

An Act To Ensure Equity in Teacher Retirement Costs for Private Academies

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to be in place in time to apply to the 2013-2014 school year; and