

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

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

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**Augusta, Maine**  
**2015**

|                              |         |     |     |
|------------------------------|---------|-----|-----|
| GENERAL FUND                 | \$0     | \$0 | \$0 |
| OTHER SPECIAL REVENUE FUNDS  | \$3,688 | \$0 | \$0 |
| DEPARTMENT TOTAL - ALL FUNDS | \$3,688 | \$0 | \$0 |

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

Effective April 1, 2015.

## CHAPTER 8

### S.P. 175 - L.D. 446

#### An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division

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

**Sec. 1. 2 MRSA §6-A, sub-§3, ¶E,** as enacted by PL 1985, c. 618, §1, is amended to read:

E. Director of consumer assistance and safety.

**Sec. 2. 5 MRSA §949, sub-§1, ¶E,** as enacted by PL 1985, c. 618, §4, is amended to read:

E. Director of ~~Consumer Assistance~~ consumer assistance and safety.

**Sec. 3. 35-A MRSA §107, sub-§1, ¶A,** as amended by PL 2011, c. 420, Pt. A, §30, is further amended to read:

A. An administrative director, a director of telephone and water utility industries, a director of electric and gas utility industries and a director of consumer assistance and safety;

**Sec. 4. 35-A MRSA §107, sub-§2, ¶A,** as amended by PL 2011, c. 420, Pt. A, §31, is further amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries and the director of consumer assistance and safety serve at the pleasure of the commission and their salaries must be set by the commission within the ranges established by Title 2, section 6-A.

**Sec. 5. 35-A MRSA §107, sub-§2, ¶C,** as amended by PL 2011, c. 420, Pt. A, §32, is further amended to read:

C. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries, the director of consumer assistance and safety and the staff attorney and utility analyst positions, are subject to the Civil Service Law.

**Sec. 6. 35-A MRSA §704, sub-§5, ¶¶A and D,** as enacted by PL 1987, c. 614, §2, are amended to read:

A. Records containing the following information ~~shall be~~ are confidential and are not public records for the purpose of Title 1, section 402, subsection 3:

(1) Information acquired by the ~~Consumer Assistance Division~~ consumer assistance and safety division regarding the payment and credit history and financial condition of a customer who has requested the assistance of the division; and

(2) Information acquired by the ~~Consumer Assistance Division~~ consumer assistance and safety division regarding the medical condition of a customer or member of a customer's family.

D. The ~~Consumer Assistance Division~~ consumer assistance and safety division shall prepare its decisions or abstracts of decisions in a manner ~~which~~ that protects the confidentiality of customer information as provided by this subsection. Those decisions or abstracts of decisions ~~shall~~ must be available for public access.

**Sec. 7. 35-A MRSA §6114, sub-§4,** as enacted by PL 2013, c. 573, §4, is amended to read:

**4. Consumer assistance and safety division.** The commission shall ensure that customers of consumer-owned water utilities retain access to the services provided by the consumer assistance and safety division within the commission.

See title page for effective date.

## CHAPTER 9

### H.P. 170 - L.D. 238

#### An Act To Extend the Period of Time for Persons Who Purchase Special Fuel and Gasoline for Off-highway Use To Apply for the Special Fuel and Gasoline Tax Refunds

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

**Whereas,** many taxpayers when they file income tax returns request a fuel tax refund for fuel purchased for off-highway purposes such as farming and fishing; and

**Whereas,** it is important to change the period for which refund requests may be made during the income tax filing period ending April 15, 2015; 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. 36 MRSA §2908, 2nd ¶,** as amended by PL 2007, c. 438, §70, is further amended to read:

A refund application on a form prescribed by the State Tax Assessor must be filed to claim a refund pursuant to this section. Interest must be paid at the rate determined pursuant to section 186, calculated from the date of receipt of the claim, for all proper claims not paid within 30 days of receipt. Applications for refunds must be filed with the assessor within ~~42~~ 18 months from the date of purchase.

**Sec. 2. 36 MRSA §3218, 2nd ¶,** as amended by PL 2007, c. 438, §87, is further amended to read:

A refund application on a form prescribed by the assessor must be filed to claim a refund pursuant to this section. Interest must be paid at the rate determined pursuant to section 186, calculated from the date of receipt of the claim, for all valid claims not paid within 30 days of receipt. Applications for refunds must be filed with the assessor within ~~42~~ 18 months from the date of purchase.

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

Effective April 2, 2015.

## CHAPTER 10 H.P. 204 - L.D. 286

### An Act Making Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015

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

**Whereas,** the 90-day period may not terminate until after the beginning of the next fiscal year; and

**Whereas,** certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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. Appropriations and allocations.** The following appropriations and allocations are made.

#### PUBLIC SAFETY, DEPARTMENT OF

##### State Police 0291

Initiative: Provides funding for equipment and supplies.

| HIGHWAY FUND | 2014-15   | 2015-16 | 2016-17 |
|--------------|-----------|---------|---------|
| All Other    | \$131,399 | \$0     | \$0     |
| <hr/>        |           |         |         |
| HIGHWAY FUND | \$131,399 | \$0     | \$0     |
| TOTAL        |           |         |         |

##### State Police 0291

Initiative: Provides funding to correct law enforcement personnel safety issues identified through an audit of the State Police program.

| HIGHWAY FUND | 2014-15  | 2015-16 | 2016-17 |
|--------------|----------|---------|---------|
| All Other    | \$17,500 | \$0     | \$0     |