

# 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**

**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 ~~12~~ 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 ~~12~~ 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
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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

HIGHWAY FUND	\$17,500	\$0	\$0
TOTAL			

HIGHWAY FUND	\$610,810	\$0	\$0
TOTAL			

**Traffic Safety 0546**

Initiative: Provides funding for the approved reclassification of one State Police Trooper position to a State Police Specialist position retroactive to October of 2013.

HIGHWAY FUND	2014-15	2015-16	2016-17
Personal Services	\$12,062	\$0	\$0
All Other	\$220	\$0	\$0

HIGHWAY FUND	\$12,282	\$0	\$0
TOTAL			

**PUBLIC SAFETY,  
DEPARTMENT OF**

DEPARTMENT	2014-15	2015-16	2016-17
TOTALS			

HIGHWAY FUND	\$161,181	\$0	\$0
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DEPARTMENT	\$161,181	\$0	\$0
TOTAL - ALL FUNDS			

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

**TRANSPORTATION, DEPARTMENT OF**

**Highway Light Capital Z095**

Initiative: Provides additional funding in the Highway Light Capital program and Local Road Assistance Program as a result of increased Highway Fund revenue projections in December 2014.

HIGHWAY FUND	2014-15	2015-16	2016-17
Capital Expenditures	\$6,786,777	\$0	\$0

HIGHWAY FUND	\$6,786,777	\$0	\$0
TOTAL			

**Local Road Assistance Program 0337**

Initiative: Provides additional funding in the Highway Light Capital program and Local Road Assistance Program as a result of increased Highway Fund revenue projections in December 2014.

HIGHWAY FUND	2014-15	2015-16	2016-17
All Other	\$610,810	\$0	\$0

**Multimodal - Island Ferry Service Z016**

Initiative: To implement a recruitment and retention stipend of 15% for Ferry Able Seaman positions based on the August 2014 agreement between the State of Maine and the Maine State Employees Association to address recruitment and retention problems at the Maine State Ferry Service. The hours were reduced from 7 positions, and this initiative puts those hours back.

ISLAND FERRY SERVICES FUND	2014-15	2015-16	2016-17
POSITIONS - FTE COUNT	1.110	0.000	0.000
Personal Services	\$70,164	\$0	\$0

ISLAND FERRY SERVICES FUND	\$70,164	\$0	\$0
TOTAL			

**TRANSPORTATION,  
DEPARTMENT OF**

DEPARTMENT	2014-15	2015-16	2016-17
TOTALS			

HIGHWAY FUND	\$7,397,587	\$0	\$0
ISLAND FERRY SERVICES FUND	\$70,164	\$0	\$0

DEPARTMENT	\$7,467,751	\$0	\$0
TOTAL - ALL FUNDS			

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

Effective April 2, 2015.

**CHAPTER 11  
S.P. 122 - L.D. 307**

**An Act To Amend the  
Shoreland Zoning Laws To  
Exempt Certain Walkways and  
Trails from Setback  
Requirements**