

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.

Augusta, Maine
2015

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**

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

Sec. 1. 38 MRSA §439-A, sub-§4-C is enacted to read:

4-C. Exemption from setback requirements for walkways and trails over rivers within a downtown revitalization project. In accordance with the provisions of this subsection, a municipality may adopt an ordinance that exempts pedestrian walkways and trails from the water and wetland setback requirements otherwise applicable under this section.

A. Notwithstanding subsection 4, a municipality may adopt an ordinance pursuant to this subsection that exempts a pedestrian walkway or trail from the otherwise applicable water or wetland setbacks if the following requirements are met:

(1) The walkway or trail is adjacent to a segment of a river that is located within the boundaries of a downtown revitalization project;

(2) If cantilevered over a segment of river, the walkway or trail does not extend over the river more than 10 feet from the normal high-water line;

(3) If cantilevered over a segment of river, the walkway or trail is attached to a structure that was constructed prior to 1971 and is located within a downtown revitalization project; and

(4) If the walkway or trail is cantilevered over a segment of river, the municipal planning board has determined there is no other practical means to construct the walkway or trail without cantilevering over that segment of the river. If there are no other practical means to construct the walkway or trail, approaches to the cantilevered walkway or trail may also cantilever off adjacent retaining walls but no more than is necessary to access the cantilevered walkway or trail.

B. A downtown revitalization project under this subsection must be defined in a project plan approved by the legislative body of the municipality and may include the revitalization of buildings formerly used as mills that do not meet the water or wetland setback requirements in subsection 4.

C. Except for the water and wetland setback requirements in subsection 4, a walkway or trail that meets the requirements of this subsection must meet all other state and local permit requirements and comply with all other applicable rules.

D. A walkway or trail exempt under this subsection may be either privately or publicly owned and maintained.

See title page for effective date.

CHAPTER 12

H.P. 177 - L.D. 245

An Act To Rename B Stream in Houlton as Captain Ambrose Bear Stream

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

Sec. 1. 38 MRSA §467, sub-§15, ¶E, as amended by PL 2003, c. 317, §18, is further amended to read:

E. Meduxnekeag River Drainage.

(1) Meduxnekeag River, main stem.

(a) From the outlet of Meduxnekeag Lake to the international boundary - Class B.

(2) Meduxnekeag River, tributaries - Class B unless otherwise specified.

(a) North Branch of the Meduxnekeag River and its tributaries above the Monticello - T.C, R.2, W.E.L.S. boundary - Class A.

(b) Moose Brook and its tributaries, upstream of the Ludlow Road in Ludlow - Class A.

(c) South Branch of the Meduxnekeag River and its tributaries, upstream of the Oliver Road in Cary - Class A.

(d) ~~B~~ **Captain Ambrose Bear** Stream and tributaries upstream of the Burnt Brow Bridge in Hammond - Class A.

Sec. 2. Name change from B Stream to Captain Ambrose Bear Stream. The county commissioners of Aroostook County shall rename the stream in and near the Town of Houlton in Aroostook County named B Stream to Captain Ambrose Bear Stream in honor of Captain Ambrose Bear, a Maliseet Indian chief who served in the Revolutionary War. The commissioners shall provide notice of the new name to the Commissioner of Agriculture, Conservation and Forestry, the Secretary of the United States Department of the Interior and other public agencies, boards, committees or other groups responsible for changing names of places and ensuring that such name changes appear on maps and other documents.