

# 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-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**

**§150-L. Native American Heritage and Culture Day**

In recognition of the service and sacrifice of Maine Indian tribes since the beginning of our nation in support for its liberties, and to recognize the thousands of years of Native American heritage and the culture Maine Indian tribes have contributed to the State, the Governor annually shall issue a proclamation designating March 20th as Native American Heritage and Culture Day, and the Governor shall urge the people of the State to observe this day in suitable places and with appropriate ceremony and activity.

See title page for effective date.

**CHAPTER 20  
S.P. 13 - L.D. 12**

**An Act To Limit the Liability  
of Landowners Who Allow  
Recreational Climbing on  
Their Land**

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

**Sec. 1. 14 MRSA §159-A, sub-§1, ¶B,** as amended by PL 2009, c. 156, §1, is further amended to read:

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, environmental education and research, hiking, rock climbing, ice climbing, bouldering, rappelling, recreational caving, sight-seeing, operating snow-traveling and all-terrain vehicles, skiing, hang-gliding, noncommercial aviation activities, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking, swimming or activities involving the harvesting or gathering of forest, field or marine products. It includes entry of, volunteer maintenance and improvement of, use of and passage over premises in order to pursue these activities. "Recreational or harvesting activities" does not include commercial agricultural or timber harvesting.

See title page for effective date.

**CHAPTER 21  
H.P. 37 - L.D. 43**

**An Act To Specify That Theft  
by Deception Includes False  
Claims Regarding Military  
Service**

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

**Sec. 1. 17-A MRSA §354, sub-§2, ¶A,** as repealed and replaced by PL 2001, c. 383, §34 and affected by §156, is amended to read:

A. Creates or reinforces an impression that is false and that the person does not believe to be true, including false claims that the person is a veteran or a member of the Armed Forces of the United States or a state military force and false impressions as to identity, law, value, knowledge, opinion, intention or other state of mind; except that an intention not to perform a promise, or knowledge that a promise will not be performed, may not be inferred from the fact alone that the promise was not performed;

**Sec. 2. 37-B MRSA §509, sub-§6** is enacted to read:

**6. Release of information about military status; false claims.** Upon request by a law enforcement officer or a prosecutor, the bureau may release information regarding a person's military service for the purposes of investigating alleged false claims of service or decoration awarded for service in the Armed Forces of the United States or a state military force.

See title page for effective date.

**CHAPTER 22  
H.P. 65 - L.D. 71**

**An Act To Amend the Laws  
Governing Service of Process  
in Eviction Actions**

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

**Sec. 1. 14 MRSA §6004,** as repealed and replaced by PL 2013, c. 135, §1, is amended to read:

**§6004. Commencement of action**

~~Until September 1, 2016, the~~ The process of forcible entry and detainer must be commenced and service made in the same manner as other civil actions, except that if at least 3 good faith efforts on 3 different days have been made to serve the defendant, service may be accomplished by both mailing the summons

and complaint by first-class mail to the defendant's last known address and leaving the summons and complaint at the defendant's last and usual place of abode. If service has been made by mailing and posting the summons and complaint, the plaintiff shall file with the court an affidavit demonstrating that compliance with the requirement of service has occurred. When the plaintiff lives out of the State and a recognizance is required of the plaintiff, any person may recognize in the plaintiff's behalf and is personally liable. ~~This paragraph is repealed September 1, 2016.~~

~~Beginning September 1, 2016, the process of forcible entry and detainer must be commenced and service made in the same manner as other civil actions. When the plaintiff lives out of the State and a recognizance is required of the plaintiff, any person may recognize in the plaintiff's behalf and is personally liable.~~

See title page for effective date.

## CHAPTER 23

### H.P. 182 - L.D. 264

#### **An Act To Restore the Right To Possess Certain Knives That Are Used by Many Citizens as Tools**

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

**Sec. 1. 17-A MRSA §1055**, as amended by PL 2011, c. 464, §18, is repealed.

See title page for effective date.

## CHAPTER 24

### H.P. 188 - L.D. 270

#### **An Act To Temporarily Reduce the Annual High-stakes Beano Fee from \$50,000 to \$25,000**

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

**Whereas**, passage of this legislation is necessary to ensure the continued operation of high-stakes beano gaming by the Penobscot Nation; and

**Whereas**, many jobs and the operation of an elderly assisted living center depend upon high-stakes beano gaming; and

**Whereas**, this legislation needs to take effect before next year's license fee to operate high-stakes beano games becomes due; 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. 17 MRSA §314-A, sub-§4**, as amended by PL 2011, c. 410, §2, is further amended to read:

**4. Term of license; fees.** A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is \$50,000, except that the annual license fee due in 2008 to 2013 2016 is \$25,000. License fees may be paid in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

**Sec. 2. Retroactivity.** This Act applies retroactively to July 1, 2014.

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

Effective April 16, 2015.

## CHAPTER 25

### H.P. 234 - L.D. 340

#### **An Act To Extend the Statutory Sunset of the Green Power Offer**

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

**Sec. 1. 35-A MRSA §3212-A, sub-§3**, as amended by PL 2009, c. 329, Pt. B, §5, is further amended to read:

**3. Repeal.** This section is repealed ~~December 31, 2015~~ April 1, 2021.

See title page for effective date.

## CHAPTER 26

### S.P. 143 - L.D. 375

#### **An Act To Create a Blue Alert Program in Maine**