

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

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 ~~This paragraph is repealed September 1, 2016.~~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Sec. 1. 17-A MRSA §1055, as amended by PL 2011, c. 464, §18, is repealed.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

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

Sec. 1. 25 MRSA c. 260 is enacted to read:

CHAPTER 260

BLUE ALERT PROGRAM

§2221. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Blue Alert. "Blue Alert" means a notice provided under this chapter to the public through certain state agencies and the media.

2. Blue Alert Program. "Blue Alert Program" means the statewide alert program regarding killed, injured or missing law enforcement officers developed and implemented under this chapter.

3. Department. "Department" means the Department of Public Safety.

4. Law enforcement officer. "Law enforcement officer" has the same meaning as in section 3701, subsection 3.

5. Media. "Media" means print, radio, Internet-based communication systems or other methods of communicating information to the public.

§2222. Blue Alert Program

1. Blue Alert Program. In accordance with this chapter and with the cooperation of the Department of Transportation, the Maine Turnpike Authority, a statewide organization representing broadcast groups in the State, the Office of the Governor and appropriate law enforcement agencies, the department shall develop and implement the Blue Alert Program as provided in subsection 2.

2. Program elements. The Blue Alert Program must be developed and implemented using existing resources and activated when, in the line of duty, a law enforcement officer has been killed or injured or is missing, there is sufficient information available regarding the law enforcement officer's last known location or physical description of an offender or vehicle involved and the department determines that a public notification may aid in:

A. Apprehending a suspected offender who poses an imminent threat to the public or to law enforcement personnel; or

B. Locating a missing law enforcement officer.

3. Standards of procedure. The Blue Alert Program must include standards of procedure for local law enforcement agencies to determine that a condition under subsection 2 exists to notify the department to activate a Blue Alert, a plan for providing relevant

information to the public through an existing system of dynamic message signs located across the State when necessary and training for all law enforcement officers.

4. Rules. The department may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the purposes of this chapter.

See title page for effective date.

CHAPTER 27

H.P. 255 - L.D. 389

**An Act Relating to the Sale of
Hypodermic Apparatuses**

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

Sec. 1. 22 MRSA §2383-B, sub-§6, as amended by PL 2003, c. 386, §19, is further amended to read:

6. Lawful possession of hypodermic apparatuses by livestock owners; sale to livestock owners. A person who owns livestock is authorized to possess and have control of hypodermic apparatuses for the purpose of administering antibiotics, vitamins and vaccines to treat medical conditions or promote the health of that person's livestock, and such possession and control are expressly authorized within the meaning of Title 17-A, section 1111, subsection 1, paragraph A. For the purposes of this subsection, "livestock" means cattle, equines, sheep, goats, swine, members of the genus Lama, poultry, rabbits and cervids as defined in Title 7, section 1333, subsection 1.

A. An agricultural supply store authorized to sell hypodermic apparatuses pursuant to Title 32, section 13787-A, subsection 1 may furnish or sell, without limit in number, hypodermic apparatuses to a person authorized to possess and have control of hypodermic apparatuses pursuant to this subsection, and such furnishing or sale is expressly authorized within the meaning of Title 17-A, section 1110, subsection 1-B.

See title page for effective date.

CHAPTER 28

S.P. 171 - L.D. 442

**An Act To Clarify Municipal
Capacity for Site Location of
Development and Encourage
Local Development**