

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

Whereas, recently enacted federal legislation, the Consolidated and Further Continuing Appropriations Act, 2015, Public Law No. 113-235, provides that specified federal funds may not be used to enforce that change in regulation in a state that, like Maine, allowed issuance of a commercial learner's permit to the state's residents under 18 years of age prior to May 9, 2011; and

Whereas, many of the State's vocational and technical schools provide commercial driver education instruction and programs to residents under 18 years of age, which allows them to obtain their commercial license upon reaching 18 years of age and which allows them to gain employment in the trucking industry upon reaching the age of majority; and

Whereas, the State's economy benefits by having a pool of licensed commercial drivers to meet the needs of the trucking industry; 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. 29-A MRSA §1304, sub-§4-A, ¶D, as enacted by PL 2013, c. 381, Pt. B, §16, is repealed.

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

Effective April 30, 2015.

**CHAPTER 47
S.P. 202 - L.D. 586**

**An Act To Amend the Maine
Economic Development
Venture Capital Revolving
Investment Program**

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

Sec. 1. 10 MRSA §1026-N, sub-§3, as enacted by PL 1995, c. 424, §1, is amended to read:

3. Disbursements from fund. If an application is approved, the authority shall determine the amount to be invested in the private venture capital fund, taking into account:

A. The size of the region served by the private venture capital fund and the expected demand for venture capital investments in that region; and

B. The demand for venture capital investments from other eligible private venture capital funds in relation to the total amount available in the fund and whether an eligible private venture capital fund will serve a geographic area or segment of potential businesses not served by other applicants.

Funds must be disbursed directly to and retained by the eligible private venture capital fund in accordance with a contract of investment between the private venture capital fund and the authority. All money invested in the private venture capital fund by the authority must be held in the name of the authority. Investment earnings on amounts invested by the authority must be credited to the authority and periodically paid to the authority. Any uncommitted balances existing in the fund at any time may, at the discretion of the authority, be transferred to the Economic Recovery Program Fund established in section 1023-I.

See title page for effective date.

**CHAPTER 48
S.P. 246 - L.D. 688**

**An Act To Amend the Laws
Related to the Bolduc
Correctional Facility**

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

Sec. 1. 34-A MRSA §3266, as amended by PL 1999, c. 583, §§24 and 25, is repealed.

Sec. 2. 34-A MRSA §4205 is enacted to read:

§4205. Employees of the facility

Employees of the facility have the same power as do deputy sheriffs in their respective counties to search for and apprehend escapees from the facility when authorized to do so by the director.

See title page for effective date.

**CHAPTER 49
H.P. 481 - L.D. 705**

**An Act Relating to Insurance
Licensing**

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

Sec. 1. 24-A MRSA §1416-A, sub-§2, as amended by PL 2005, c. 43, §1, is further amended to read:

2. Biennial license continuation fees. Each non-resident adjuster and consultant must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by January 1st of even-numbered years. Each nonresident business entity must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by April 1st of odd-numbered years. Each resident adjuster ~~and consultant~~ must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by October 1st of even-numbered years. Each resident consultant must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by the date the completion of the consultant's biennial education requirements is due in accordance with section 1482. Each resident business entity must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by December 1st of even-numbered years.

Sec. 2. 24-A MRSA §1419, as amended by PL 2001, c. 259, §23, is further amended to read:

§1419. Duty to notify of changes; payment of late fee

Unless a different time is set by another provision of law, any change of ~~business~~ address, ~~business~~ telephone number, ~~e-mail~~ address, name or other material change in the conditions or qualifications set forth in the original application of a licensee must be reported to the superintendent no later than 30 days after the change. This requirement includes any conviction of a crime other than a traffic violation or any disciplinary action brought by an insurance regulatory official of any other jurisdiction against the licensee or against any officer, director, member or partner in a business entity. A licensee shall report to the superintendent any administrative action taken against the licensee in another jurisdiction or by another governmental agency in this State within 30 days of the final disposition of the matter. This report must include a copy of the order, consent to order or other relevant legal documents. Within 30 days of the initial pretrial hearing date, a licensee shall report to the superintendent any criminal prosecution of the licensee taken in any jurisdiction. The report must include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents. If any notice required under this section is received after the prescribed time period, the licensee shall pay the late fee for filing as prescribed in section 601.

Sec. 3. 24-A MRSA §1477 is enacted to read:

§1477. Reciprocity

1. Reciprocity. The superintendent shall waive any requirements for a nonresident adjuster license applicant with a valid license from that applicant's home state, except the requirements imposed by sec-

tions 1420-G and 1472, subsection 2, paragraph B, if the applicant's home state awards nonresident licenses to residents of this State on the same basis. If the applicant's home state does not license adjusters for the license or authority sought, the applicant shall designate as the applicant's home state any state in which the applicant is licensed and in good standing.

See title page for effective date.

CHAPTER 50

S.P. 35 - L.D. 98

An Act Amending the Trap Limit for the Swans Island Lobster Conservation Area

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 trap limit in the Swans Island Lobster Conservation Area is 550 per individual and Zone B allows 800 traps per individual; and

Whereas, it is necessary that this Act take effect by June 2015 in order to take advantage of the plentiful summer harvest and in order to provide needed support to persons who fish for lobster in the Swans Island Lobster Conservation Area and to the lobster industry; 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. 12 MRSA §6482, sub-§1, ¶A, as enacted by PL 2013, c. 342, §1, is amended to read:

A. An individual registered to obtain Swans Island Lobster Conservation Area trap tags under this section may not place or maintain in the Swans Island Lobster Conservation Area more than ~~550~~ 600 traps. Each trap must bear the appropriate tag.

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

Effective April 30, 2015.
