

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

report to the Joint Standing Committee on Transportation for presentation to the Second Regular Session of the 127th Legislature and a final report to the joint standing committee of the Legislature having jurisdiction over transportation matters to the First Regular Session of the 128th Legislature. The reports must include any findings regarding the effects on road conditions and recommendations for continuance, discontinuance or modification of the allowance under Title 29-A, section 2354-E. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill relating to the subject matter of the final report to the First Regular Session of the 128th Legislature.

Sec. 6. Contingent effective date. That section of this Act that enacts the Maine Revised Statutes, Title 29-A, section 2354-E does not take effect unless the chief engineer of the Department of Transportation, as appointed in accordance with Title 23, section 201, conducts an analysis and determines that commercial vehicles of the proposed configuration and weight can be safely operated on the proposed route of travel. The Commissioner of Transportation shall notify the Secretary of Senate, the Clerk of the House of Representatives and the Revisor of Statutes when the chief engineer of the Department of Transportation has made the determination under this section.

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

Effective May 29, 2015, unless otherwise indicated.

**CHAPTER 120
S.P. 251 - L.D. 693**

**An Act To Amend the Military
Bureau Laws**

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

Sec. 1. 37-B MRSA §181-A, sub-§4, as enacted by PL 1995, c. 600, §2, is amended to read:

4. Drug enforcement duties. The Governor may order Maine National Guard members to active state service to support federal drug enforcement operations under the National Defense Authorization Act of 1989. The Maine National Guard may receive forfeited money and assets seized through federal counter-drug activities in which members of the Maine National Guard participated. The Maine National Guard must use money or assets acquired pursuant to this subsection in support of counter-drug activities. For purposes of this subsection, "counter-drug activities"

means activities that are intended to reduce the supply or use of illegal drugs in the State.

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

**DEFENSE, VETERANS AND EMERGENCY
MANAGEMENT, DEPARTMENT OF**

**Administration - Defense, Veterans and Emergency
Management 0109**

Initiative: Provides a base allocation for funds received through federal counter-drug activities.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

**CHAPTER 121
S.P. 281 - L.D. 807**

**An Act To Amend Maine's
Threatened and Endangered
Species List**

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

Sec. 1. 12 MRSA §12803, sub-§3, ¶N, as amended by PL 2007, c. 166, §1, is further amended to read:

N. Roaring Brook mayfly, *Epeorus frisoni*, ~~endangered~~ threatened;

Sec. 2. 12 MRSA §12803, sub-§3, ¶P, as enacted by PL 2003, c. 573, §6 and affected by §8 and c. 655, Pt. C, §§3 and 6, is amended to read:

P. Clayton's copper, *Lycaena dorcas claytoni*, ~~endangered~~ threatened;

Sec. 3. 12 MRSA §12803, sub-§3, ¶LL, as enacted by PL 2007, c. 166, §1, is amended to read:

LL. Black-crowned night heron, *Nycticorax nycticorax*, ~~threatened~~ endangered;

Sec. 4. 12 MRSA §12803, sub-§3, ¶¶TT and UU, as enacted by PL 2007, c. 166, §1, are amended to read:

TT. Barrow's goldeneye, *Bucephala islandica*, ~~and~~ threatened;

UU. Least bittern, *Ixobrychus exilis*, endangered;

Sec. 5. 12 MRSA §12803, sub-§3, ¶¶VV to AAA are enacted to read:

VV. Cobblestone tiger beetle, *Cicindela marginipennis*, endangered;

WW. Frigga fritillary, *Boloria frigga*, endangered;

XX. Little brown bat, *Myotis lucifugus*, endangered;

YY. Northern long-eared bat, *Myotis septentrionalis*, endangered;

ZZ. Eastern small-footed bat, *Myotis leibii*, threatened; and

AAA. Six-whorl vertigo, *Vertigo morsei*, endangered.

See title page for effective date.

**CHAPTER 122
S.P. 294 - L.D. 820**

**An Act To Amend and Clarify
Certain Notice and Assessment
Provisions of the Maine
Condominium Act**

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

Sec. 1. 33 MRSA §1603-103, sub-§(c), as enacted by PL 1981, c. 699, is amended to read:

(c) Within 30 days after adoption of any proposed budget for the condominium, the executive board shall provide a summary of the budget to all the unit owners, and shall set a date for a meeting of the unit owners to consider ratification of the budget not less than ~~14~~ 10 nor more than 30 days after mailing of the summary. Unless at that meeting a majority of all the unit owners or any larger vote specified in the declaration reject the budget, the budget is ratified, whether or not a quorum is present. In the event the proposed budget is rejected, the periodic budget last ratified by the unit owners ~~shall~~ must be continued until such time as the unit owners ratify a subsequent budget proposed by the executive board.

Sec. 2. 33 MRSA §1603-103, sub-§(g) is enacted to read:

(g) The executive board may make a special assessment, subject to the following ratification requirements.

(1) A special assessment must be ratified by unit owners in accordance with subsection (c), except

that, if payment of any portion of the proposed special assessment is due after the end of the association's current budget year, ratification requires approval of a majority in interest of all unit owners.

(2) If the amount of the special assessment does not exceed 2 months' common charges and the board determines that the assessment is necessary to meet an emergency, the board may make the special assessment immediately in accordance with the terms of the board's vote, without ratification by unit owners.

Sec. 3. 33 MRSA §1603-108, first ¶, as amended by PL 2011, c. 368, §5, is further amended to read:

A meeting of the association must be held at least once each year. Special meetings of the association may be called as provided in the Maine Nonprofit Corporation Act. The bylaws must specify which of the association's officers, not less than 10 nor more than 60 days in advance of any meeting, shall cause notice to be hand delivered or sent prepaid by United States' mail to the mailing address of each unit or to any other mailing address designated in writing by the unit owner or sent by electronic means to any other address, including an e-mail address, specifically designated by the unit owner. The notice of any meeting must state the time and place of the meeting and the items on the agenda, including the general nature of any proposed amendment to the declaration or bylaws, any budget changes and any proposal to remove a director or officer.

See title page for effective date.

**CHAPTER 123
H.P. 737 - L.D. 1068**

**An Act To Require That
Certain Active Duty Military
Personnel Are Eligible for the
Resident Application Fee for a
Concealed Handgun Permit**

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

Sec. 1. 25 MRSA §2003, sub-§15, ¶C, as enacted by PL 1993, c. 524, §12, is amended to read:

C. If the Chief of the State Police is the issuing authority because the applicant is ~~either~~ a resident of an unorganized territory ~~or~~, a nonresident, or an applicant under subsection 18, the application fee must be paid over to the Treasurer of State. The fee must be applied to the expenses of administration incurred by the State Police.