

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

Oxford	1,247,937
Penobscot	1,033,537
Piscataquis	1,008,711
Somerset	1,463,162
Washington	870,612
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TOTAL COUNTY SERVICES	\$8,104,989
COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND	
Tax Increment Financing Payments	\$2,800,000
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TOTAL REQUIREMENTS	\$24,973,837
COMPUTATION OF ASSESSMENT	
Requirements	\$24,973,837
Less Deductions:	
General -	
State Revenue Sharing	\$0
Homestead Reimbursement	93,945
Miscellaneous Revenues	16,000
Transfer from unassigned fund balance	2,400,000
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TOTAL GENERAL DEDUCTIONS	\$2,509,945
Educational -	
Land Reserved Trust	\$70,000
Tuition/Travel	124,516
United States Forestry Payment in Lieu of Taxes	15,000
Special - Teacher Retirement	208,801
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TOTAL EDUCATION DEDUCTIONS	\$418,317
TOTAL DEDUCTIONS	\$2,928,262
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TAX ASSESSMENT	\$22,045,575

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

Effective June 16, 2015.

**CHAPTER 198
H.P. 222 - L.D. 328**

**An Act To Allow Personal
Representatives of Children
Access to Certain Documents
of the Department of Health
and Human Services
Regarding Child Protective
Activities**

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

Sec. 1. 22 MRSA §4008, sub-§2, ¶J, as amended by PL 2007, c. 140, §6, is further amended to read:

J. A person making a report of suspected abuse or neglect. The department may only disclose that it has not accepted the report for investigation, unless other disclosure provisions of this section apply; ~~and~~

Sec. 2. 22 MRSA §4008, sub-§2, ¶K, as enacted by PL 2007, c. 140, §7 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

K. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pursuant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B-; ~~and~~

Sec. 3. 22 MRSA §4008, sub-§2, ¶L is enacted to read:

L. The personal representative of the estate of a child named in a record who is reported to be abused or neglected.

See title page for effective date.

**CHAPTER 199
H.P. 450 - L.D. 669**

**An Act To Create a Spat
Collection License**

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

Sec. 1. 12 MRSA §6074-A is enacted to read:

§6074-A. Spat collection license

1. Definition. As used in this section, "spat" means sea scallops, *Placopectin magellanicus*, or blue

mussels, *Mytilus edulis*, in the post-larval stage that have gone through metamorphosis and settled on a substrate. The commissioner may, by rule, add additional species to this definition.

2. License required. A person may not engage in the activities authorized under this section without a current spat collection license issued by the commissioner. A person who holds a lease issued under section 6072 or 6072-A or a license issued under section 6072-C is exempt from the requirement to obtain a spat collection license to collect spat on the lease site or in connection with the license issued under section 6072-C if the species is commercially cultured and listed on that person's lease or license.

3. Licensed activity. The holder of a spat collection license may take, possess or sell the spat of marine organisms identified on the spat collection license.

4. Type and amount of gear. The commissioner shall specify on a spat collection license the method of taking and the type and amount of gear authorized by the license.

5. Eligibility. A spat collection license may be issued only to an individual who is a resident of the State.

6. Rules. The commissioner shall adopt rules that define the maximum size of spat for each species that a holder of a spat collection license is authorized to take. The commissioner may adopt rules to limit the amount of spat collected and the type and amount of gear that may be used for spat collection for each species. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. License holder exempted. The holder of a spat collection license is exempt from the requirement to hold a license under this Part for harvesting the species identified on the spat collection license up to the maximum size of spat that is specified for that species in rule. The holder of a spat collection license is exempt from the time restrictions on taking and possessing and minimum size requirements for that species up to the maximum size of spat that is specified for that species in rule.

8. Fees. The fee for a spat collection license is \$75. All fees collected under this subsection accrue to the Aquaculture Management Fund established in section 6072-D.

9. Reporting. The commissioner may require the holder of a spat collection license to report annually on the quantity of spat collected and whether the spat was used for aquaculture or stock enhancement activities.

10. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

Sec. 2. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 200

H.P. 572 - L.D. 838

An Act To Enhance Equity and Efficiency for Off-track Betting Facilities

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

Sec. 1. 8 MRSA §275-A, sub-§7-A is enacted to read:

7-A. Net commission. "Net commission" means the total commission less 4% of the amount wagered.

Sec. 2. 8 MRSA §275-N, as amended by PL 2003, c. 401, §14, is further amended to read:

§275-N. Limitations on off-track betting facilities

The commission may ~~not~~ and license any off-track betting facility regardless of the number of race dates that were conducted in the State for any calendar year ~~unless during the preceding 2 calendar years there were at least 150 race dates on which live racing actually was conducted at the commercial tracks.~~ Interstate simulcasting always must be allowed at any commercial track that conducted at least 136 race dates during the immediately preceding 2 calendar years or at an existing commercial track as defined in section 275-A, subsection 1, paragraph B at which at least 35 race dates were conducted during the preceding 2 years if the interstate simulcasting at the commercial track is conducted during the regular meeting. For the purposes of this section, any race date that the commission determines was canceled due to a natural or other disaster must be counted as a race date. For the purposes of this section and for the purpose of meeting the requirements of section 275-A, subsection 1, any race date that is canceled at a commercial race track due to the inability to meet the requirements of section 275-A, subsection 9-A because of a horse shortage, as verified by the state steward, is counted as a race date.

Sec. 3. 8 MRSA §286, sub-§4, as enacted by PL 1997, c. 528, §46, is amended to read:

4. Off-track betting facility interstate simulcasting with commingled pools. The distribution of the commission on simulcasting of races with commingled pools originating at a racetrack in another state by an off-track betting facility is calculated as a percentage of the commission with respect to the State's share and as percentages of the net commission