

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

Title. A licensee provided product in accordance with this subsection:

A. Shall maintain a record of each product received and the date on which it was received;

B. Shall maintain a record of the name of the incorporated civic organization or similarly purposed national organization the event was designed to benefit and for which the product is provided;

C. Shall ensure that the product provided is served only at the event designed to benefit the incorporated civic organization or similarly purposed national organization;

D. Shall ensure that excess product that was donated for the event is returned to the donor within a reasonable period after the event; and

E. Shall ensure that containers holding donated product are returned to the donor for recycling as appropriate and not presented for redemption under Title 32, chapter 28.

Sec. 4. 28-A MRSA §709, sub-§2, ¶¶J and K, as enacted by PL 2011, c. 629, §15, are amended to read:

J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; or

K. Donations authorized under section ~~708-B~~ 708-C; or

Sec. 5. 28-A MRSA §709, sub-§2, ¶L is enacted to read:

L. Product supplied by licensees authorized under section 1052-D for the purposes of providing taste-testing samples under a taste-testing event license.

Sec. 6. 28-A MRSA §1071, sub-§6, as amended by PL 2011, c. 629, §19, is further amended to read:

6. Server requirements. A manufacturer licensed by the bureau under section 1355-A, a certificate of approval holder or a wholesaler who provides malt liquor, wine, fortified wine or spirits for the public event or gathering being sponsored may serve its product at the event. An incorporated civic organization issued a license in accordance with this section shall provide the names of those persons not licensed under chapters 51, 55 or 59 who will be serving alcoholic beverages at the public event or gathering being sponsored. In the event that a server from that list is unavailable, a licensed manufacturer, distributor, wholesaler, small winery or small brewery that has provided alcoholic beverages to be served at the event may provide serving assistance.

See title page for effective date.

CHAPTER 215

S.P. 320 - L.D. 929

An Act Relative to the Escheat of United States Savings Bonds

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

Sec. 1. 33 MRSA §1952, sub-§15-B is enacted to read:

15-B. United States savings bond. "United States savings bond" means property, tangible or intangible, in the form of a savings bond issued by the United States Treasury whether in paper form, electronic form or paperless form, along with all the proceeds of the savings bond.

Sec. 2. 33 MRSA §1953, sub-§1, ¶P, as amended by PL 2001, c. 439, Pt. L, §3, is further amended to read:

P. Notwithstanding paragraph E, property contained in a prearranged funeral or burial plan described in Title 32, section 1401, including deposits containing funds from such a plan, 3 years after the death of the person on whose behalf funds were paid into the plan; and

Sec. 3. 33 MRSA §1953, sub-§1, ¶Q, as enacted by PL 2001, c. 439, Pt. L, §4, is amended to read:

Q. Property distributable in the course of a demutualization or related reorganization of an insurance company, 2 years after the earlier of:

(1) The date of the distribution of the property; or

(2) The date of last contact with a policyholder; and

Sec. 4. 33 MRSA §1953, sub-§1, ¶R is enacted to read:

R. A United States savings bond, as described in section 1954-B, 3 years after its date of final maturity.

Sec. 5. 33 MRSA §1954-B is enacted to read:

§1954-B. United States savings bonds

1. Presumed abandoned in this State. Notwithstanding section 1953, subsection 1, paragraph K and sections 1963, 1970 and 1976, a United States savings bond subject to this chapter or held or owing in this State by any person is presumed abandoned in this State if:

A. The last known address of the owner of the United States savings bond is in this State; and

B. The United States savings bond has remained unclaimed for 3 years after its date of final maturity.

2. Escheat; procedure. United States savings bonds that are presumed abandoned and unclaimed under subsection 1, including bonds in the possession of the administrator, and those lost, stolen or destroyed bonds registered to persons with last known addresses in this State, escheat to the State 3 years after the bonds are presumed abandoned, and all property rights and legal title to and ownership of the United States savings bonds, including all rights, powers and privileges of survivorship of any owner, co-owner or beneficiary, vest solely in the State according to the following procedure.

A. Within 180 days after the 3-year period in this subsection has passed, if no claim has been filed in accordance with this chapter for the United States savings bonds, the administrator shall commence a civil action in the Kennebec County Superior Court or in any other court of competent jurisdiction for a determination that the United States savings bonds escheat to the State. The administrator may postpone the bringing of such an action until sufficient United States savings bonds have accumulated in the administrator's custody to justify the expense of such a proceeding.

B. The administrator shall make service by publication of the civil action in accordance with Maine Rules of Civil Procedure, Rule 4 and Title 1, sections 601 and 603.

C. If no person files a claim or appears at the hearing to substantiate a claim or if the court determines that a claimant is not entitled to the property claimed by the claimant, the court, if satisfied by evidence that the administrator has substantially complied with the laws of this State, shall enter a judgment that the United States savings bonds have escheated to the State and all property rights and legal title to and ownership of the United States savings bonds, including all rights, powers and privileges of survivorship of any owner, co-owner or beneficiary, vest solely in the State.

D. The administrator shall redeem the United States savings bonds escheated to the State. When the escheated proceeds have been recovered by the administrator, the administrator shall first pay all costs incident to the collection and recovery of the proceeds from the redemption of the United States savings bonds and then promptly deposit the remaining balance of the proceeds in the Unclaimed Property Fund under section 1964 to be distributed in accordance with law.

3. Claims after escheat. Notwithstanding sections 1966 and 1967, any person making a claim for a United States savings bond escheated to the State under this section may file a claim with the administrator. Upon being provided sufficient proof of the validity of the person's claim, the administrator may pay the claim and may subtract any expenses and costs incurred by the State in securing full title and ownership of the property by escheat. If payment has been made to a claimant, no action may be maintained by any other claimant or the State or any state officer for or on account of the funds.

See title page for effective date.

CHAPTER 216

H.P. 775 - L.D. 1124

An Act To Manage Risks Associated with the Installation of Natural Gas Pipelines

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

Sec. 1. 35-A MRSA §2503, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

1. Application. The application must be in writing and describe the facilities, the requested location, evidence of notice provided to owners of facilities in the applicable public way, the minimum depth if an underground facility, the minimum height of any attached wires or cables, if ~~above ground~~ aboveground facilities, all in the manner and form ~~which that~~ the licensing authority requires.

Sec. 2. 35-A MRSA §2503, sub-§3, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

3. Objection. Objection to the application may be filed according to this subsection.

A. Any person owning property ~~which that~~ abuts the applicable public way or any owner of facilities in the applicable public way may file a written objection with the appropriate licensing authority within 14 days after publication by the applicant. The written objection ~~shall~~ must state the reason for the objection. The written objection must be served by delivery in hand or by registered or certified mail.

B. If the applicant proceeds without publication of the application, any person owning property ~~which that~~ abuts the applicable public way or any owner of facilities in the applicable public way may file a written objection with the appropriate licensing authority within 90 days after installa-