

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

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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

tion of the public peace, health and safety; now, therefore,

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

Sec. 1. 36 MRSA §208-A, sub-§2, ¶C, as repealed and replaced by PL 2007, c. 322, §2, is amended to read:

C. The municipality's equalized tax rate of residential property following the sudden and severe disruption in municipal valuation exceeds the most recent state average of residential property for which data is available.

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

Effective June 23, 2015.

CHAPTER 237

H.P. 492 - L.D. 716

An Act To Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Maine's snowmobile industry is a vital part of the economy and depends on the quantity and quality of the State's snowmobile trails; and

Whereas, the State's snowmobile trails are created and maintained by a volunteer network of snowmobile clubs supported in part by snowmobile registration fees; and

Whereas, these snowmobile clubs are struggling to maintain the snowmobile trail system at current funding levels, and, unless additional funding is provided for snowmobile trail creation and maintenance, the State's snowmobile trails will begin to deteriorate, causing economic hardship throughout the State; and

Whereas, as snowmobile trail creation and maintenance must be planned for and started well before the beginning of the snowmobile season, this Act must take effect prior to 90 days after the adjournment of the Legislature; 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 §13104, sub-§3, as amended by PL 2009, c. 213, Pt. OO, §19, is further amended to read:

3. Form of registration. The snowmobile registration must be in such form as the commissioner may determine except that the commissioner shall develop a single form of registration that can be used for ~~either~~ the 3-day, 10-day or seasonal nonresident registrations.

Sec. 2. 12 MRSA §13104, sub-§4, as repealed and replaced by PL 2011, c. 129, §1 and amended by c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

4. Fee. Except as provided in subsection 5, the annual snowmobile registration fee is as follows:

A. For residents, ~~\$40~~ \$45. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year; and

B. For nonresidents:

(1) ~~Forty-three~~ Forty-nine dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season; ~~and~~

(2) ~~Eighty-eight~~ Ninety-nine dollars for a seasonal registration; ~~and~~

(3) Seventy-five dollars for a 10-consecutive-day registration. A person may purchase more than one 10-day registration in any season.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Five dollars from each registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry. The funds must be used to assist any entity that has a snowmobile trail grooming contract with the Bureau of Parks and Lands in the purchase of trail-grooming equipment. The funds also may be used for the repair or overhaul of trail-grooming equipment.

~~Seven~~ Twelve dollars from each resident snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Six dollars from each nonresident 3-day snowmobile registration fee, \$6 from each nonresident 10-day snowmobile registration fee and \$11 from each nonresident seasonal snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the De-

partment of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Sec. 3. 12 MRSA §13104, sub-§17 is enacted to read:

17. Snowmobile Trail Fund Donation Sticker Program. The commissioner shall establish the Snowmobile Trail Fund Donation Sticker Program. The commissioner shall design and issue 3 different Snowmobile Trail Fund donation stickers to reflect a donor's donation of \$25, \$50 and \$100, respectively. For every donation \$2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

A Snowmobile Trail Fund donation sticker is in addition to and separate from the snowmobile registration requirements of this section.

Sec. 4. Policies for the distribution of Snowmobile Trail Fund revenues; development and review. The Commissioner of Agriculture, Conservation and Forestry shall develop written policies specifying the criteria the Department of Agriculture, Conservation and Forestry will use to distribute additional revenues raised pursuant to this act to snowmobile clubs. The policies must distribute the additional revenue to eligible snowmobile organizations using a per mile reimbursement formula. To the extent feasible, the additional revenues must be distributed in a geographically equitable manner.

The Commissioner of Agriculture, Conservation and Forestry shall submit written policies for review to the Joint Standing Committee on Inland Fisheries and Wildlife and that committee may report out a bill to the Second Regular Session of the 127th Legislature pertaining to the distribution of Snowmobile Trail Fund revenues.

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

Effective June 23, 2015.

CHAPTER 238

H.P. 819 - L.D. 1186

An Act To Promote Professional Training and Security in Maine Courts

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to

provide support for critical court functions such as entry screening and security as soon as possible; 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. 4 MRSA §17-D is enacted to read:

§17-D. Fees for training, security and other expenses

The State Court Administrator may establish fees on lawyers, guardians ad litem, interpreters, mediators and other professionals who routinely participate in court proceedings to cover the costs of training, orientation, continuing education, background investigations, entry screening and security provided to these professionals. The State Court Administrator also may establish fees on 3rd parties to cover the costs of the use of court facilities for purposes not related to court functions by those 3rd parties. All fees collected under this section must be deposited in a nonlapsing Other Special Revenue Funds account to be used for these purposes only. This account may receive money from grants, gifts, bequests and donations.

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

Effective June 23, 2015.

CHAPTER 239

H.P. 197 - L.D. 279

An Act Regarding Payment under the Business Equipment Tax Reimbursement Program

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

Sec. 1. 36 MRSA §6656, sub-§1, as amended by PL 2009, c. 213, Pt. S, §15 and affected by §16, is further amended to read:

1. Reimbursement claim. Notwithstanding any other provision of law, except as provided in subsection 1-A, section 6652 and section 6662, upon receipt of a timely and properly completed claim for reimbursement, the State Tax Assessor shall certify that the claimant is eligible for reimbursement under this chapter. The assessor shall determine the benefit for each claimant and shall certify to the State Controller the amounts to be transferred to the Business Equipment