

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

combination red and white flashing auxiliary light mounted in the windshield or on the dashboard at the front of the vehicle or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood and one red auxiliary light mounted in the rear window area. The light or lights may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. A light mounted on the dashboard or in the windshield must be shielded so that the emitted light does not interfere with the operator's vision. The use of lights may be revoked at any time by the fire chief.

(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle red or combination red and white flashing auxiliary lights and red auxiliary lights of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service. The use of lights may be revoked at any time by the chief official of the emergency medical service.

(4) A police vehicle may be equipped with display and use red emergency lights. The red emergency lights may comprise up to 50% of the emergency lights used on the police vehicle.

See title page for effective date.

CHAPTER 22

S.P. 110 - L.D. 344

An Act To Provide Opportunity for Energy Cost Reduction for Maine Businesses and Citizens

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

Sec. 1. 35-A MRSA §1912, as amended by PL 2015, c. 445, §7, is further amended to read:

§1912. Limitation

The commission may not execute under this chapter a physical energy storage contract after June 1, 2017 or an energy cost reduction contract after December 31, ~~2018~~ 2020. The commission may continue to administer existing physical energy storage contracts and enter into agreements regarding the resale of physical energy storage capacity purchased through a

physical energy storage contract after June 1, 2017. The commission may continue to administer existing energy cost reduction contracts and enter into agreements regarding the resale of natural gas pipeline capacity purchased through an energy cost reduction contract after December 31, ~~2018~~ 2020.

See title page for effective date.

CHAPTER 23

S.P. 45 - L.D. 97

An Act To Establish Speed Limits at Loring Commerce Centre and Brunswick Landing

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 establish speed limits for property owned or under the control of the Midcoast Regional Redevelopment Authority and the Loring Development Authority of Maine as soon as possible in order to protect users of roads on these properties; 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 §2073, as amended by PL 2013, c. 107, §1, is further amended by adding at the end a new paragraph to read:

The Department of Transportation and the Maine State Police may establish speed limits within the limits of the property owned by or under the control of the Midcoast Regional Redevelopment Authority in Brunswick, established in Title 5, section 13083-G, and the Loring Development Authority of Maine in Limestone, established in Title 5, section 13080. The speed limits must be posted by the Midcoast Regional Redevelopment Authority and the Loring Development Authority of Maine in accordance with written directions or policies of the Department of Transportation.

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

Effective April 20, 2017.

CHAPTER 24

S.P. 285 - L.D. 885

An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes

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

Whereas, state tax law needs to be updated to conform to federal law before the 90-day period expires to avoid delay in the processing of income tax returns for 2016; and

Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the state income tax and certain other state taxes; 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. 36 MRSA §111, sub-§1-A, as amended by PL 2015, c. 388, Pt. A, §1 and affected by §16, is further amended to read:

1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, ~~2015~~ 2016.

Sec. 2. Application. This Act applies to tax years beginning on or after January 1, 2016 and to any prior tax years as specifically provided by the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2016.

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

Effective April 26, 2017.

CHAPTER 25

H.P. 164 - L.D. 208

An Act To Allow Vehicles Hauling Animal Bedding To Travel over County or Town Ways without a Permit

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

Sec. 1. 29-A MRSA §2395, sub-§4, as amended by PL 1999, c. 600, §1, is further amended to read:

4. Designation by counties and municipalities. County commissioners and municipal officers may designate public ways other than those in subsection 3 and impose restrictions within their respective jurisdictions similar to those made by the Department of Transportation under subsection 3. Any vehicle delivering home heating fuel or organic animal bedding material and operating in accordance with a permit issued by the Department of Transportation pursuant to this section may travel over any county or town way without a specific municipal or county permit. A municipality may impose additional restrictions for ~~home heating fuel delivery trucks~~ a vehicle delivering home heating fuel or organic animal bedding material to operate on public ways within that municipality but may not require a permit to operate according to those restrictions.

See title page for effective date.

CHAPTER 26

H.P. 29 - L.D. 28

An Act To Allow Alternate Flashing Headlights on a School Bus

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

A. Only an ambulance; an emergency medical service vehicle; a fire department vehicle; a police vehicle; a Department of Agriculture, Conservation and Forestry vehicle used for forest fire control; a Department of Corrections vehicle as described in subsection 1, paragraph B, subparagraph (6); a school bus as defined in section 2301, subsection 5; and a highway maintenance vehicle