

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

Augusta, Maine
2017

manslaughter. If the charges against the person are dismissed or the person is acquitted of the charges before the final disposition takes place, the person regains the right of custody and control in the same position of priority established in this subsection.

The remains or a dead body is considered abandoned if no one takes custody and control of the remains or dead body for a period of 15 days. A funeral director or practitioner of funeral service who has physical possession of abandoned remains or an abandoned dead body may bury the remains or dead body. The funeral director or practitioner of funeral service may embalm or refrigerate abandoned remains or an abandoned dead body without authorization. A certificate of abandonment that indicates the means of disposition must be filed in the municipality where the death occurred.

See title page for effective date.

CHAPTER 39
H.P. 245 - L.D. 331

**An Act To Correct the Maine
Uniform Trust Code
Concerning Certain
Beneficiaries**

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

Sec. 1. 18-B MRSA §110, sub-§1, ¶C, as enacted by PL 2005, c. 184, §7, is amended to read:

C. Would be a distributee or permissible distributee of trust income or principal if the trust terminated on that date.

See title page for effective date.

CHAPTER 40
H.P. 284 - L.D. 393

**An Act To Clarify That the
Department of Transportation
Is Exempt from Property
Assessment Liabilities When
Acquiring Property by
Condemnation**

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

Sec. 1. 23 MRSA §161, sub-§1, as amended by PL 1971, c. 593, §22, is further amended to read:

1. Reimbursement. When the department acquires real or personal property for transportation purposes,

the department is not required to pay any taxes or assessments on that property. The department, as soon as practicable after the date of payment of just compensation, shall reimburse the owner from whom ~~land or rights in land were~~ the property has been acquired for highway transportation purposes, to the extent the department deems fair and reasonable, for expenses ~~such~~ the owner necessarily incurred for:

A. Recording fees, transfer taxes and similar expenses, if any, incidental to conveying such property to the State;

B. Penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering such real property; and

C. The pro rata portion of real property taxes paid which are allowable to a period subsequent to the date of vesting title in the State, or the effective date of possession of such real property by the State, whichever is earlier.

See title page for effective date.

CHAPTER 41
H.P. 312 - L.D. 432

**An Act To Designate a Maine
Community Litter Cleanup
Day**

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

Sec. 1. 1 MRSA §150-N is enacted to read:

§150-N. Maine Community Litter Cleanup Day

The first Saturday in May is designated Maine Community Litter Cleanup Day, and the Governor shall annually issue a proclamation inviting and urging the citizens of the State to observe this day through appropriate activities such as removing litter from roads.

See title page for effective date.

CHAPTER 42
H.P. 22 - L.D. 21

**An Act To Amend the Law
Regarding the Execution of
Temporary Powers of Attorney**

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

Sec. 1. 18-A MRSA §5-104, sub-§(c), ¶(4), as enacted by PL 2015, c. 467, §2, is amended to read:

(4). An organization, other than an organization whose primary purpose is to provide free legal