

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-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

ant to this section may not disclose the names of any donors to any person, except to the Attorney General.

5. Limited reimbursement. The law enforcement agency or law enforcement association may reimburse the designated public benefit corporation only for its advertising costs and may not otherwise pay the designated public benefit corporation for its services provided under this section.

6. Registration and reporting. Each party to the written agreement pursuant to subsection 3 shall comply with all requirements for reporting to and registration with the Department of Professional and Financial Regulation as a charitable organization, or as a charitable organization that is exempt from registration, pursuant to the Charitable Solicitations Act and shall comply with any other reporting and registration requirements related to the event or solicitation.

7. Escrow account. All funds collected by ~~the~~ any designated public benefit corporation under this section must be held in an escrow account pursuant to this subsection.

A. The escrow account must be established by the designated public benefit corporation in a bank or trust company authorized to do business in this State within the meaning of Title 9-B, section 131, subsection 2. The funds deposited in the escrow account must be kept and maintained in an account separate from any other accounts.

B. Checks, drafts and money orders from donors may be made payable only to the bank or trust company described in paragraph A.

C. Funds deposited in the escrow account are not subject to any liens or charges by the escrow agent or judgments, garnishments or creditor's claims against the designated public benefit corporation or beneficiary.

D. The funds may be paid only to the beneficiary, or to the heirs of the beneficiary if the beneficiary dies, and must be paid within 30 days of the conclusion of the event or written solicitation.

8. Accounting. Upon request, ~~the~~ any designated public benefit corporation that is retained to participate in a fund-raising event shall provide an accounting of the funds received from the event or written solicitation and any documents related to the ~~fundraising~~ fund-raising event or solicitation, including the names of the donors, to the Attorney General. The Attorney General may enforce application of funds given or appropriated to public charities and prevent breaches of trust in their administration, pursuant to Title 5, section 194, subsection 2.

See title page for effective date.

CHAPTER 91

S.P. 341 - L.D. 1034

An Act Making Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2017

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations.

The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: Provides funding for the approved reorganization of one Public Service Executive II position from range 34 to range 36.

HIGHWAY FUND	2016-17	2017-18	2018-19
Personal Services	\$2,374	\$0	\$0
HIGHWAY FUND	\$2,374	\$0	\$0
TOTAL			

State Police 0291

Initiative: Provides funding for the approved range change of one Computer Forensic Analyst position from range 25 to range 27 retroactive to January 2015.

HIGHWAY FUND	2016-17	2017-18	2018-19
--------------	---------	---------	---------

Personal Services	\$4,795	\$0	\$0
All Other	\$84	\$0	\$0
	<hr/>	<hr/>	<hr/>
HIGHWAY FUND TOTAL	\$4,879	\$0	\$0

State Police 0291

Initiative: Provides funding for the approved reclassification of one Forensic Technician position to a Forensic Chemist Technician position retroactive to July 2014.

HIGHWAY FUND	2016-17	2017-18	2018-19
Personal Services	\$2,147	\$0	\$0
All Other	\$38	\$0	\$0
	<hr/>	<hr/>	<hr/>
HIGHWAY FUND TOTAL	\$2,185	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
HIGHWAY FUND	\$9,438	\$0	\$0
	<hr/>	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$9,438	\$0	\$0

Sec. A-2. Appropriations and allocations.

The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Provides funding for a portion of the state match to implement an automated overlimit routing, restriction management and permitting system.

HIGHWAY FUND	2016-17	2017-18	2018-19
All Other	\$250,000	\$0	\$0
	<hr/>	<hr/>	<hr/>
HIGHWAY FUND TOTAL	\$250,000	\$0	\$0

PART B

Sec. B-1. Carrying provision; Department of the Secretary of State, Administration - Motor Vehicles program. Notwithstanding any other provision of law, the State Controller shall carry forward up to \$500,000 of any unexpended balance, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, in the Personal Services and All Other line categories at the end of fiscal year 2016-17 to the All Other line category in the next fiscal year in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund to be used for the automated overlimit routing, restriction management and permitting system to improve the efficiency and effectiveness of the department's operations.

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

Effective May 26, 2017.

CHAPTER 92

S.P. 421 - L.D. 1258

An Act To Modernize the Voluntary Response Action Program Funding Process

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

Sec. 1. 38 MRSA §342, sub-§15, as enacted by PL 1993, c. 355, §3, is amended to read:

15. Technical services. The commissioner shall establish a technical services unit within the department to assist any person involved in a real estate transaction in determining whether real property that is the subject of the transaction has been the site of a discharge, release or threatened release of a hazardous substance, hazardous waste, hazardous matter, special waste, pollutant or contaminant, including petroleum products or by-products.

The commissioner may also assist in or supervise the development and implementation of reasonable and necessary response actions. Assistance may include review of agency records and files, review and approval of a requester's investigation plans, site assessments and reports, voluntary response action plans and implementation of those plans.

The fee for department assistance in submitting a voluntary response action plan under section 343-E is equal to 1% of the assessed value of the property at the time the request is submitted, except that the fee may not exceed \$15,000.