

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

(k) The nature and extent of customer commitment to use the project or the fuel or energy the project distributes, transmits or generates;

(l) The cost advantages to end users of the fuel or energy to be distributed, transmitted or generated by the project, to the extent those advantages may affect market penetration by the project; and

(m) The nature and extent of the applicant's equity contribution to payment of the costs of the project; such a contribution may not be less than 25% of the expected cost of the project.

This paragraph is repealed January 1, 2020.

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

Effective May 26, 2017.

CHAPTER 96

H.P. 400 - L.D. 558

An Act To Improve Moose Hunting

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 must take effect before the 2017 moose lottery permit deadline; 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 §11154, sub-§5, as amended by PL 2011, c. 370, §5, is further amended to read:

5. Eligibility. Except as provided in this subsection, a resident, nonresident or alien who is eligible to obtain a Maine hunting license or who will be eligible to obtain a Maine hunting license by the opening day of the open moose season is eligible to apply for a moose hunting permit. Beginning in 2011, a person who has obtained a moose hunting permit is ineligible to obtain another permit until 3 years have elapsed after the issuance of the last permit. This limitation does not apply to subpermittees under subsection 7. A person under 10 years of age on the opening day of the

open moose season is eligible to apply for a moose hunting permit and may accrue points under subsection 8 but is ineligible to receive a moose hunting permit.

Sec. 2. 12 MRSA §11154, sub-§7, as amended by PL 2011, c. 370, §7, is further amended to read:

7. Subpermittees. An applicant for a moose permit may indicate on the application filed pursuant to subsection 6 the name of a subpermittee-designate and the name of an alternate subpermittee-designate. A person under 10 years of age on the opening day of the open moose season may not be a subpermittee-designate or alternate subpermittee-designate. If the applicant is issued a moose permit under subsection 9 and upon application to the commissioner, the permittee may change that person's subpermittee-designate or alternate subpermittee-designate until 30 days prior to the start of the moose hunting season for which the permit was issued. Thirty days prior to the start of the applicable moose hunting season, the subpermittee-designate becomes a subpermittee. The permittee may authorize the subpermittee to participate in the moose hunt with the permittee. The permittee may authorize the alternate subpermittee-designate to participate in the hunt in place of the subpermittee-designate if the permittee notifies the department of the authorization at least 5 business days prior to the first day of the moose season, in which case the alternate subpermittee-designate becomes the subpermittee. The permittee may choose not to authorize a subpermittee to participate in the hunt.

A. A person may not sell a subpermittee or an alternate subpermittee designation.

B. A person who violates paragraph A commits a Class E crime.

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

Effective May 28, 2017.

CHAPTER 97

H.P. 147 - L.D. 191

An Act To Allow Open Snowmobile and All-terrain Vehicle Weekends and Events

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

Sec. 1. 12 MRSA §13104, sub-§7, ¶E is enacted to read:

E. The commissioner may annually establish one 3-consecutive-day period, 2 days of which are weekend days, during which a nonresident may

operate in the State a snowmobile that is not registered in this State if the nonresident's snowmobile has a valid registration from another state or a Canadian province.

Sec. 2. 12 MRSA §13104, sub-§16, as corrected by RR 2015, c. 2, §8, is repealed.

Sec. 3. 12 MRSA §13155, sub-§1-A, ¶A, as amended by PL 2009, c. 184, §2, is further amended to read:

A. The following exceptions apply.

(1) Registration is not required for an ATV operated on land on which the owner lives or on land on which the owner is domiciled, as long as the ATV is not operated elsewhere within the jurisdiction of the State.

(2) Registration is not required for an ATV operated by a commercial ski area for the purpose of packing snow or for rescue operations on the commercial ski area, unless the ATV is required to cross a public way during that operation.

(3) An ATV owned and operated in the State by the Federal Government, the State or a political subdivision of the State is exempt from registration fees but must be registered and is required to display registration numbers.

(4) An ATV registration for the farm use specified in Title 29-A, section 501, subsection 8, paragraph E is not required for a vehicle registered with the Secretary of State under Title 29-A, section 501, subsection 8.

(5) An ATV registered in another state or in a Canadian province may be operated without being registered pursuant to this section at a special event organized to occur in this State if the special event organizer submits a request in writing to the commissioner 60 days prior to the special event and provides the commissioner with a map of the trails to be used during the special event and the commissioner approves the request.

(6) An ATV owned or under the control of an ATV manufacturer may be operated without a Maine registration at a demonstration event organized to occur in this State if such operation is approved by the commissioner. An ATV manufacturer or a representative of an ATV manufacturer must submit a request in writing to the commissioner at least 60 days prior to the demonstration event and shall include a description and the location of the event.

(7) The commissioner may annually establish one 3-consecutive-day period, 2 days of

which are weekend days, during which a non-resident may operate in the State an ATV that is not registered in this State if the nonresident's ATV has a valid registration from another state or a Canadian province.

See title page for effective date.

CHAPTER 98

H.P. 387 - L.D. 543

An Act Regarding Political Action Committee Expenditures

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

Sec. 1. 21-A MRSA §1054-B is enacted to read:

§1054-B. Payments to Legislators by political action committees

If a Legislator is a principal officer or treasurer of a political action committee or is one of the individuals primarily responsible for raising contributions or making decisions for the political action committee, the committee may not compensate the Legislator for services provided to the committee. The committee may not make payments to or compensate a business owned or operated by the Legislator. The committee may reimburse the Legislator for expenses incurred in the proper performance of the duties of the Legislator, for purchases made on behalf of the committee and for travel expenses associated with volunteering for the committee. Allowable reimbursement for expenses does not include payments from the committee that are determined by the commission to be for the purpose of personal financial enrichment of the Legislator.

See title page for effective date.

CHAPTER 99

S.P. 232 - L.D. 670

An Act To Allow for Consistent Application of Credit for Driver's License Suspensions Imposed by the Court

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

Sec. 1. 29-A MRSA §2411, sub-§5-A, as amended by PL 2011, c. 81, §1, is further amended to read:

5-A. Notice and custody. The court shall give notice of a license suspension and shall take physical custody of the driver's license, except when the defendant demonstrates that the defendant's license was