

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

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Sec. 2. 12 MRSA §13104, sub-§16, as corrected by RR 2015, c. 2, §8, is repealed.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

previously restored by the Secretary of State following an administrative suspension under section 2453 or 2453-A for operating under the influence based on the same facts and circumstances giving rise to the court-ordered suspension.

Sec. 2. 29-A MRSA §2434, sub-§4, as amended by PL 2011, c. 81, §2, is further amended to read:

4. Stay of suspension. The court, on reasonable cause shown, may stay a suspension for a period not to exceed 4 hours from the time of sentencing and issue evidence of that stay, unless the defendant demonstrates that the defendant's license was previously restored by the Secretary of State following an administrative suspension under section 2453 or 2453-A for operating under the influence based on the same facts and circumstances giving rise to the court-ordered suspension, in which case the court may stay a suspension for up to 7 days.

See title page for effective date.

CHAPTER 100

H.P. 208 - L.D. 275

An Act To Expand Disabled Veteran Eligibility for Complimentary Hunting, Fishing and Trapping Licenses

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

Sec. 1. 12 MRSA §10853, sub-§4, as amended by PL 2015, c. 281, Pt. C, §3, is further amended to read:

4. Disabled veteran. A resident disabled veteran or a nonresident disabled veteran who is a resident of ~~New Hampshire or Vermont~~ another state may obtain upon application, at no cost, all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish, and, upon meeting the qualifications as established in section 12853, subsection 4, a guide license. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. The commissioner shall issue all fishing, trapping and hunting licenses and permits requested under this subsection if the commissioner determines the applicant ~~is a disabled veteran~~ meets the requirements of this subsection and is not otherwise ineligible to hold that permit or license. For the purposes of this subsection, "disabled veteran" means a person who:

A. ~~Is a resident as defined in section 10001, subsection 53 or is a resident of New Hampshire or Vermont;~~

B. ~~Is a veteran as defined in Title 37-B, section 505, subsection 2, paragraph A, subparagraph (3) Was honorably discharged from the Armed Forces of the United States or the National Guard;~~ and

C. Has a service-connected disability evaluated at 50% or more.

Each application must be accompanied by satisfactory evidence that the applicant meets the requirements of this subsection. An applicant for a license or permit under this section is subject to the provisions of this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. A permit or license issued under this subsection remains valid for the life of the permit or license holder, as long as the permit or license holder continues to ~~satisfy the residency requirement in section 10001, subsection 53~~ remain a resident of this State or another state and the permit or license issued under this subsection is not revoked or suspended. For a ~~resident of New Hampshire or Vermont~~ nonresident to be eligible under this subsection, that ~~resident's~~ nonresident's state must have a reciprocal agreement with this State.

See title page for effective date.

CHAPTER 101

S.P. 223 - L.D. 661

An Act Regarding the Chain of Custody in Crematories

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

Sec. 1. 22 MRSA §2843, sub-§3-A is enacted to read:

3-A. Permit for burial of cremated remains in public burying ground. If cremated remains are buried in a public burying ground in this State, the person in charge of the public burying ground shall endorse and provide the date the cremated remains were buried on each permit with which that person is presented and return it to the State Registrar of Vital Statistics or to the clerk of the municipality in which the public burying ground is located within 7 days after the date of burial. If there is no person in charge of the public burying ground, an official of the municipality in which the public burying ground is located shall endorse and provide the date the cremated remains were buried on each such permit and present it to the State Registrar of Vital Statistics or the clerk of the municipality. The funeral director or authorized person shall present a copy of each permit, after endorsement, to the State Registrar of Vital Statistics or the clerk of the