

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

sponders to the participant's residence to check on the participant's well-being.

See title page for effective date.

CHAPTER 119
S.P. 324 - L.D. 985

**An Act To Promote Medical
Care for Visiting Athletic
Teams**

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

Sec. 1. 32 MRSA §2582 is enacted to read:

**§2582. Exemption for licensed person
accompanying visiting athletic team**

1. Licensed person accompanying visiting athletic team. This chapter does not apply to a person who holds a current unrestricted license to practice osteopathic medicine and surgery in another state when the person, pursuant to a written agreement with an athletic team located in the state in which the person holds the license, provides medical services to any of the following while the team is traveling to or from or participating in a sporting event in this State:

- A. A member of the athletic team;
- B. A member of the athletic team's coaching, communications, equipment or sports medicine staff;
- C. A member of a band or cheerleading squad accompanying the team; or
- D. The team's mascot.

2. Restrictions. A person authorized to provide medical services in this State pursuant to subsection 1 may not provide medical services at a health care facility, including a hospital, ambulatory surgical facility or any other facility where medical care, diagnosis or treatment is provided on an inpatient or outpatient basis.

Sec. 2. 32 MRSA §3270-F is enacted to read:

**§3270-F. Exemption for licensed person
accompanying visiting athletic team**

1. Licensed person accompanying visiting athletic team. This chapter does not apply to a person who holds a current unrestricted license to practice medicine and surgery in another state when the person, pursuant to a written agreement with an athletic team located in the state in which the person holds the license, provides medical services to any of the following while the team is traveling to or from or participating in a sporting event in this State:

- A. A member of the athletic team;
- B. A member of the athletic team's coaching, communications, equipment or sports medicine staff;
- C. A member of a band or cheerleading squad accompanying the team; or
- D. The team's mascot.

2. Restrictions. A person authorized to provide medical services in this State pursuant to subsection 1 may not provide medical services at a health care facility, including a hospital, ambulatory surgical facility or any other facility where medical care, diagnosis or treatment is provided on an inpatient or outpatient basis.

See title page for effective date.

CHAPTER 120
H.P. 724 - L.D. 1022

**An Act Regarding the Contents
of a Commercial Vehicle
Towed without the Consent of
the Vehicle's Owner**

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

Sec. 1. 29-A MRSA §1861, first ¶, as enacted by PL 2007, c. 150, §9, is amended to read:

A person holding or storing an abandoned vehicle, holding or storing a vehicle towed at the request of the vehicle's operator, owner or owner's agent or holding or storing a vehicle stored at the request of a law enforcement officer may hold the vehicle and all its accessories, contents and equipment, not including the personal effects of the registered owner, until reasonable towing and storage charges of the person holding or storing the vehicle are paid, except that a person may not hold the perishable cargo of a commercial motor vehicle, as defined in 49 Code of Federal Regulations, Part 390.5, as amended, when the perishable cargo being transported in interstate or intrastate commerce is not owned by the motor carrier or driver of the commercial motor vehicle being held and the person holding or storing the towed vehicle is presented with evidence of insurance, as defined in section 1551, covering the commercial motor vehicle and the vehicle's cargo. For purposes of this paragraph, "perishable cargo" means cargo of a commercial motor vehicle that is subject to spoilage or decay or is marked with an expiration date.

Sec. 2. 29-A MRSA §1863 is enacted to read:

§1863. Commercial motor vehicle nonconsensual tow

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commercial motor vehicle" has the same meaning as in 49 Code of Federal Regulations, Part 390.5, as amended.

B. "Commercial motor vehicle nonconsensual tow" means the towing of a commercial motor vehicle, its contents or other items related to removing the commercial motor vehicle from a roadway or a parking area without the consent of the owner, possessor, agent, insurer or lienholder.

2. Requirement to itemize invoice. Before demanding payment for any charge relating to a commercial motor vehicle nonconsensual tow, the towing facility must itemize the invoice, in detail, for all costs incurred with the recovery, towing, cleanup or storage of the towed vehicle or its contents.

3. No liability without itemization. A customer who has received a commercial motor vehicle nonconsensual tow is not liable for any charge not itemized on the invoice under subsection 2.

See title page for effective date.

**CHAPTER 121
H.P. 756 - L.D. 1078
An Act To Establish Municipal
Cost Components for
Unorganized Territory
Services To Be Rendered in
Fiscal Year 2017-18**

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2017-18 is as follows:

Fiscal Administration - Office of the State Auditor	\$225,510
Education	12,264,663
Forest Fire Protection	150,000
Human Services - General Assistance	65,000
Property Tax Assessment - Operations	1,031,446
Maine Land Use Planning Commission - Operations	549,577
TOTAL STATE AGENCIES	\$14,286,196
 County Reimbursements for Services:	
Aroostook	\$1,288,800
Franklin	888,252
Hancock	238,750
Kennebec	12,823
Oxford	1,273,300
Penobscot	1,071,109
Piscataquis	1,014,232
Somerset	1,663,298
Washington	1,008,408
TOTAL COUNTY SERVICES	\$8,458,972
 COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND	
Tax Increment Financing Payments	\$3,957,568
TOTAL REQUIREMENTS	\$26,702,736
 COMPUTATION OF ASSESSMENT	