

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

§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 | |

| | |
|-----------------------------------------------------------------|-------------------------|
| Requirements | \$26,702,736 |
| Less Revenue | |
| Deductions: | |
| General | |
| Revenue | |
| State Revenue Sharing | \$80,000 |
| Homestead | 100,000 |
| Reimbursement | |
| Miscellaneous Revenues | 10,000 |
| Transfer from unassigned fund balance | 900,000 |
| | <hr/> |
| TOTAL GENERAL REVENUE DEDUCTIONS | \$1,090,000 |
| | |
| Educational | |
| Revenue | |
| Land Reserved Trust | \$70,000 |
| Tuition/Travel | 110,768 |
| United States Forestry | 15,000 |
| Payment in Lieu of Taxes | |
| Special - Teacher Retirement | 230,000 |
| | <hr/> |
| TOTAL EDUCATION REVENUE DEDUCTIONS | \$425,768 |
| | |
| TOTAL REVENUE DEDUCTIONS | <hr/> \$1,515,768 <hr/> |
| | |
| TAX ASSESSMENT BEFORE COUNTY TAXES and OVERLAY (Title 36 §1602) | \$25,186,968 |

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

Effective June 2, 2017.

**CHAPTER 122
H.P. 206 - L.D. 273**

An Act To Add an Exception to Prescription Monitoring Program Requirements

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

Sec. 1. 22 MRSA §7253, sub-§3, as enacted by PL 2015, c. 488, §9, is repealed and the following enacted in its place:

3. Exceptions. The requirements to check prescription monitoring information established in this section do not apply:

A. When a licensed or certified health care professional directly orders or administers a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility; or

B. When a licensed or certified health care professional directly orders, prescribes or administers a benzodiazepine or opioid medication to a person suffering from pain associated with end-of-life or hospice care.

See title page for effective date.

**CHAPTER 123
S.P. 194 - L.D. 579**

An Act Regarding Transfers of Liquor between Licensed Manufacturers' Facilities

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

Sec. 1. 28-A MRSA §1355-A, sub-§2, ¶K is enacted to read:

K. For the purposes of selling liquor for on-premises and off-premises consumption, a licensee who operates more than one facility licensed for the manufacture of liquor under this section may:

(1) Transfer product produced by the licensee in bulk or packaged in kegs, bottles or cans, including by the case, at one facility licensed for the manufacture of liquor to another facility at which the licensee is licensed to manufacture liquor or to any location where the licensee: