

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

cludes but is not limited to local residents and the owner of the nonproductive industrial or manufacturing site, to provide advice regarding the redevelopment of the site.

C. If the authority is unable to provide technical assistance to a municipality or the owner of a nonproductive industrial or manufacturing site that is qualified for technical assistance under this subsection, as determined by rule, the authority may provide a planning grant to the municipality or the owner of the nonproductive industrial or manufacturing site.

D. The authority shall adopt rules related to the implementation of this subsection, including rules regarding the application process and eligibility of applicants for technical assistance and planning grants. Rules adopted under this paragraph are routine technical rules pursuant to chapter 375, subchapter 2-A.

3. Implementation grants; rules. The authority may provide grants for implementing a project for the redevelopment and marketing of a nonproductive industrial or manufacturing site located in a rural community that has experienced severe economic decline and employment loss due to the nonproductive nature of the site. An applicant for a grant must demonstrate the capacity to undertake the project with a reasonable prospect of bringing it to successful completion.

The authority shall adopt rules, which are routine technical rules pursuant to chapter 375, subchapter 2-A, related to the implementation of this subsection, including rules regarding:

A. The application process for implementation grants; and

B. The criteria and scoring system for awarding implementation grants. The scoring system must include, but is not limited to, an evaluation of the plan for redeveloping and marketing the nonproductive industrial or manufacturing site, community support for the project and consistency with any applicable regional economic development plan.

§13120-S. Inventory of nonproductive industrial or manufacturing sites

By January 1, 2018 and annually thereafter, the authority, in consultation with the Office of Business Development within the department, shall make or require an inventory to be made of all nonproductive industrial or manufacturing sites in the State that are available for redevelopment.

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

Effective June 12, 2017.

CHAPTER 175

H.P. 10 - L.D. 9

**An Act To Prohibit the
Creation of a Firearms Owner
Registry**

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

Sec. 1. 25 MRSA §2014 is enacted to read:

§2014. Government firearms or firearms owners registry prohibited

Notwithstanding any other provision of law to the contrary, a government agency of this State or a political subdivision of this State may not keep or cause to be kept a comprehensive registry of privately owned firearms and the owners of those firearms within its jurisdiction.

See title page for effective date.

CHAPTER 176

H.P. 484 - L.D. 693

**An Act To Clarify the Laws
Governing Hunting from a
Vehicle**

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

Sec. 1. 12 MRSA §11212, as amended by PL 2015, c. 327, §1, is repealed.

Sec. 2. 12 MRSA §11212-A is enacted to read:

§11212-A. Hunting or shooting from a motor vehicle or motorboat

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

A. "Loaded firearm or crossbow" means a firearm with a cartridge or shell in the chamber or in an attached magazine, clip or cylinder or a muzzle-loading firearm charged with powder, lead and a primed ignition device or mechanism or a cocked and armed crossbow.

B. "Vehicle" means a motor vehicle or a trailer or other type of vehicle being hauled by a motor vehicle.

2. Prohibition; vehicles. A person may not shoot while in or on a vehicle, have a loaded firearm or crossbow while in or on a vehicle or rest a loaded firearm or crossbow on a vehicle except as provided in subsection 3.

3. Exceptions. The following exceptions apply to subsection 2.

A. While hunting, a person who is not in or on a vehicle may rest a loaded firearm or crossbow that is under the person's control on the vehicle to shoot only when the vehicle is not in motion and the engine of the vehicle is not running.

B. While hunting, a person who is on but not within an enclosed area or passenger compartment of an all-terrain vehicle or snowmobile may shoot a firearm or crossbow or rest a loaded firearm or crossbow that is under the person's control on the all-terrain vehicle or snowmobile to shoot only when the all-terrain vehicle or snowmobile is not in motion and the engine of the all-terrain vehicle or snowmobile is not running.

C. While target shooting and not hunting, a person who is on but not within an enclosed area or passenger compartment of a vehicle may shoot a firearm or crossbow or rest a loaded firearm or crossbow that is under the person's control on the vehicle to shoot only when the vehicle is not in motion and the engine of the vehicle is not running.

D. Notwithstanding paragraph A, a paraplegic or single or double amputee of the legs may shoot from a vehicle that is not in motion.

E. A person who is 21 years of age or older and is not otherwise prohibited from possessing a firearm or is 18 years of age or older and under 21 years of age and is on active duty in the Armed Forces of the United States or the National Guard or is an honorably discharged veteran of the Armed Forces of the United States or the National Guard and is not otherwise prohibited from carrying a firearm may have in or on a vehicle a loaded pistol or revolver.

4. Prohibition; motorboats. A person may not shoot while in or on a motorboat, except that:

A. A person may hunt migratory waterfowl from a motorboat in accordance with federal regulations; and

B. A person may shoot from a motorboat if that boat is not being propelled by its motor.

5. Possession of wild animals or wild birds. A person may not possess a wild animal or wild bird

taken in violation of subsections 2 or 3, except as otherwise provided in this Part.

6. Penalty. A person who violates this section commits a Class E crime.

See title page for effective date.

CHAPTER 177

H.P. 149 - L.D. 193

An Act To Protect Retirement Accounts from Creditor Collection

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

Sec. 1. 14 MRSA §4422, sub-§13, ¶D, as amended by PL 2001, c. 306, §3, is further amended to read:

D. Alimony, support or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor; or

Sec. 2. 14 MRSA §4422, sub-§13, ¶E, as amended by PL 2001, c. 306, §4, is further amended to read:

E. A payment or account under a stock bonus, pension, profitsharing, annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, unless:

(1) The plan or contract was established by or under the auspices of an insider that employed the debtor at the time the debtor's rights under the plan or contract arose;

(2) The payment is on account of age or length of service; and

(3) The plan or contract does not qualify under the United States Internal Revenue Code of ~~1954~~ 1986, Section 401(a), 403(a), 403(b), 408 or 409; ~~or.~~

Sec. 3. 14 MRSA §4422, sub-§13, ¶F, as enacted by PL 2001, c. 306, §5, is repealed.

Sec. 4. 14 MRSA §4422, sub-§13-A is enacted to read:

13-A. Retirement funds. Retirement funds to the extent those funds are in a fund or account that is exempt from taxation under the United States Internal Revenue Code of 1986, Section 401, 403, 408, 408A, 414, 457 or 501(a), up to an aggregate value of \$1,000,000. This subsection does not exempt: