

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

to undertake long-range planning and research, including planning for construction, renovation and reconstruction projects and report findings and recommendations to the board of trustees;

Sec. 14. 20-A MRSA §12713, as amended by PL 1989, c. 878, Pt. I, §11, is further amended to read:

§12713. Presidents' council

The ~~administrative~~ presidents' council ~~shall be~~ is a nonvoting, advisory council composed of the presidents of the colleges to advise the board of trustees and the president of the system. The ~~administrative~~ presidents' council shall advise the president of the system in the performance of the duties assigned under this chapter and shall make recommendations to the president of the system and the board of trustees with respect to the administration of the colleges, courses of study, educational programs, curricula, coordination of programs between the colleges, coordination with other institutions of higher learning and other educational and training institutions and other matters as requested by the president of the system or the board of trustees.

Sec. 15. 20-A MRSA §12716, sub-§1, as amended by PL 1989, c. 443, §52, is further amended to read:

1. Scholarships and campus employment. The board of trustees shall develop and administer a ~~program~~ programs of scholarships and campus employment for college students. ~~Awards shall~~ Scholarships must be based on evidence of individual need and worth.

Students selected to receive a scholarship ~~shall or~~ campus employment must fulfill the following qualifications:

A. Show evidence of the qualifications necessary to complete a course of study successfully and to become a competent ~~technical or craft~~ worker in an industrial, administrative, technical or trade pursuit;

B. Show demonstrated ability and willingness to support the expenses of education and training; and

C. ~~Show~~ For scholarship recipients, show demonstrated need of financial assistance to help pay the cost of college attendance or, in the case of on-campus employment programs, demonstrate the ability to benefit from the increased engagement that such programs provide.

Sec. 16. 20-A MRSA §12722, sub-§9 is enacted to read:

9. Hardship distributions. The board of trustees may make hardship distributions from any of the accumulated assets in a defined contribution retirement

plan account or accounts in accordance with federal regulations.

See title page for effective date.

CHAPTER 180

H.P. 697 - L.D. 996

**An Act To Maintain the
Current Number of Appointees
to the Maine Arts Commission**

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

Sec. 1. 27 MRSA §401, as corrected by RR 2011, c. 2, §34, is amended to read:

§401. Commission

A state commission, to be known as the "Maine Arts Commission," as established by Title 5, section 12004-G, subsection 7-B, must consist of not ~~less~~ more than 15 ~~or more than 21~~ members, each of whom must have a continuing interest in the fields of art and culture in the State, to be appointed by the Governor from among citizens of Maine. In making such appointments, due consideration must be given to the recommendations made by representative civic, educational and professional associations and groups concerned with or engaged in artistic and cultural fields generally.

See title page for effective date.

CHAPTER 181

H.P. 620 - L.D. 871

**An Act To Require Disclosures
Relating to the Sale of
Residential Property Accessible
by a Public Way and Any
Means Other than a Public
Way**

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

Sec. 1. 33 MRSA §173, sub-§4, ¶D, as enacted by PL 1999, c. 476, §1, is amended to read:

D. Underground oil storage tanks as required under Title 38, section 563, subsection 6; ~~and~~

Sec. 2. 33 MRSA §173, sub-§5, as enacted by PL 1999, c. 476, §1, is amended to read:

5. Known defects. Any known defects; ~~and~~

Sec. 3. 33 MRSA §173, sub-§6 is enacted to read:

6. Access to the property. Information describing the means of accessing the property by:

A. A public way, as defined in Title 29-A, section 101, subsection 59; and

B. Any means other than a public way, in which case the seller shall disclose information about who is responsible for maintenance of the means of access, including any responsible road association, if known by the seller.

See title page for effective date.

CHAPTER 182

H.P. 877 - L.D. 1254

An Act To Amend the Law Regarding Super Cribbage Tournaments

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 expiration of the 90-day period to ensure the law regarding super cribbage tournaments is amended before September 30, 2017, allowing the law to remain in effect; 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. 17 MRSA §1836, sub-§4-A, as enacted by PL 2015, c. 163, §1, is amended to read:

4-A. Exception for super cribbage tournament. Notwithstanding any provision of this section to the contrary, the Chief of the State Police may issue up to ~~3~~ 15 licenses per year for the conduct of a super cribbage tournament. For the purposes of this subsection, "cribbage" means a card game that uses a board and pegs to keep score and of which the characteristic feature is a crib into which players discard cards from their dealt hand to create a crib of 4 cards unseen by other players that will be ultimately part of the dealer's hand. The license fee for a super cribbage tournament is \$75. A super cribbage tournament must be conducted in the same manner as prescribed for a tournament game by this section except as follows.

A. The super cribbage tournament may be conducted by a nationally chartered organization that

organizes tournament-style cribbage games and that is exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) so long as the principal organizer has been a member of that organization for a period of not less than 3 years.

B. The minimum number of players required is ~~50~~ 30.

C. The maximum entry fee allowed is \$100 per player.

D. The super cribbage tournament need not be held on premises owned by the licensee.

E. The super cribbage tournament may be conducted over a period of up to 72 hours.

F. Notwithstanding subsection 2, 50% of the proceeds of the super cribbage tournament after prizes are paid must be paid to a bona fide charitable organization, other than the licensee, listed on the tournament application submitted to the Chief of the State Police.

~~This subsection is repealed September 30, 2017.~~

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

Effective June 13, 2017.

CHAPTER 183

H.P. 85 - L.D. 117

An Act To Strengthen the Farm and Open Space Tax Law

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

Sec. 1. 36 MRSA §1102, sub-§4, ¶C is enacted to read:

C. A parcel of land that is located on an island may not be considered contiguous to another parcel of land that is not located on the same island if the parcels of land are separated by water at the normal high-water mark or high tide. A parcel of land located on an island that was included within a parcel classified as farmland before April 1, 2017 and that is excluded from classification as farmland under this paragraph must be considered as land classified as open space land unless the owner withdraws the land from classification under this subchapter.

See title page for effective date.