

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

in this section, the method of conducting a referendum recount is governed by Title 21-A, section 737-A.

See title page for effective date.

CHAPTER 192

H.P. 890 - L.D. 1277

An Act To Require the Secretary of State To Inform Commercial Drivers about Human Trafficking Prevention

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

Sec. 1. 29-A MRSA §1253, sub-§6 is enacted to read:

6. Human trafficking prevention; information. A commercial driver's license issued or renewed by the Secretary of State must be accompanied by information that outlines how to recognize human trafficking and how to report human trafficking and includes a telephone number for a national human trafficking hotline.

See title page for effective date.

CHAPTER 193

S.P. 441 - L.D. 1289

An Act To Allow Voluntary Payments in Lieu of Taxes in the Unorganized Territory

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

Sec. 1. 30-A MRSA §7502, sub-§1, as amended by PL 2007, c. 541, Pt. F, §2, is further amended to read:

1. Fund established. There is established in each county one unorganized territory fund to which must be credited all receipts under Title 12, section 10203 and Title 36, sections 1487, 1505 and 1606 and 1612 and all other receipts that are allocated for municipal services in the unorganized territory, and from which all disbursements for municipal services in the unorganized territory are made.

Sec. 2. 36 MRSA §1612 is enacted to read:

§1612. Payment in lieu of taxes in unorganized territory

1. Payment in lieu of taxes in unorganized territory. An owner of property that is exempt from taxation under section 652 and is located in an un-

organized territory may make a voluntary payment in lieu of taxes to the State Tax Assessor.

2. County unorganized territory fund. The State Tax Assessor shall deposit a payment in lieu of taxes in subsection 1 into the county unorganized territory fund under Title 30-A, section 7502, subsection 1 of the county in which the property exempt from taxes is located.

See title page for effective date.

CHAPTER 194

H.P. 802 - L.D. 1139

An Act To Clarify Certain Right-of-way Limitations

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

Sec. 1. 33 MRSA §459 is enacted to read:

§459. Easements and rights-of-way; installation of docks

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

A. "Dock" means a platform used for access to a water body or to secure, protect and provide access to a boat or ship. The platform may extend from a shore over the water body or may be a floating platform attached to a mooring.

B. "Easement or right-of-way" means the right of a person to pass over the land of another person.

C. "Water body" means all inland and coastal waters, including but not limited to all ponds, great ponds, lakes, rivers, streams and coastal waters.

2. Easements or rights-of-way established on or after January 1, 2018. The owner of an easement or right-of-way leading to or touching upon a water body does not have the right by implication to construct a dock on the easement or right-of-way or use the easement or right-of-way to facilitate the construction of a dock on the water body if:

A. The easement or right-of-way is originally established in a written instrument executed on or after January 1, 2018; and

B. The instrument granting or reserving the easement or right-of-way does not expressly include the right to construct a dock on the easement or right-of-way or the right to use the easement or right-of-way to facilitate the construction of a dock on the water body.

See title page for effective date.