

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

sions. The Department of Administrative and Financial Services, Bureau of Human Resources and the Department of Public Safety shall assist the board in developing the report, and the board shall seek the input of an association, the membership of which consists exclusively of counties, municipalities and other political or administrative subdivisions, in the development of the report.

This paragraph is repealed October 1, 2022.

A mental injury is not considered to arise out of and in the course of employment if it results from any disciplinary action, work evaluation, job transfer, layoff, demotion, termination or any similar action, taken in good faith by the employer.

See title page for effective date.

CHAPTER 295

H.P. 915 - L.D. 1318

An Act To Align State Relocation Assistance with That of the Federal Government and Make Technical Changes to Recently Enacted Laws

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

Sec. 1. 23 MRSA §244, sub-§1, ¶D, as amended by PL 2005, c. 642, §2, is further amended to read:

D. Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization or small business at its new site, in accordance with criteria to be established by the department, but not to exceed \$20,000 the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended.

Sec. 2. 23 MRSA §244-A, sub-§1, as amended by PL 1989, c. 208, §§13 and 21, is further amended to read:

1. Owner. In addition to payments otherwise authorized, the department shall make an additional payment not in excess of \$22,500 the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than 180 90 days prior to the initiation of negotiations for the acquisition of the property. The additional payment shall must include the following elements:

A. The amount, if any, which that when added to the acquisition cost of the dwelling acquired by the department equals the reasonable cost of a comparable replacement dwelling. All determinations required to carry out this paragraph shall must be made in accordance with standards established by the department;

B. The amount, if any, which that will compensate the displaced person for any increased interest costs and other debt service costs which that person is required to pay for financing the acquisition of any such comparable replacement dwelling. The amount shall may be paid only if the dwelling acquired by the department was encumbered by a bona fide mortgage which that was a valid lien on the dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of that dwelling. In calculating the amount to be paid under this section, increased interest costs and other debt service costs shall must be reduced to discounted present value. The payment shall must be an amount which that will reduce the mortgage balance on the replacement dwelling to an amount which that could be amortized with the same monthly payment for principal and interest as that for the mortgage on the displaced dwelling; and

C. Reasonable expenses incurred by the displaced person for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

Sec. 3. 23 MRSA §244-B, sub-§1, as amended by PL 1989, c. 208, §§15 and 21, is further amended to read:

1. Lease or rent. The amount necessary to enable the displaced person to lease or rent for a period not to exceed 42 months; a comparable replacement dwelling, but not to exceed \$5,250 the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended. At the discretion of the department, a payment under this subsection may be made in periodic installments. Computation of a payment under this subsection to a low-income displaced person for a comparable replacement dwelling shall must take into account the person's income; or

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Deallocates funds provided in Public Law 2017, chapter 283, Part A for the annual maintenance

of the software licensing and hardware for the administration of active directory and e-mail services.

HIGHWAY FUND	2017-18	2018-19
All Other	(\$51,059)	(\$51,059)
HIGHWAY FUND TOTAL	(\$51,059)	(\$51,059)

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
HIGHWAY FUND	(\$51,059)	(\$51,059)
DEPARTMENT TOTAL - ALL FUNDS	(\$51,059)	(\$51,059)

**TRANSPORTATION, DEPARTMENT OF
Multimodal - Passenger Rail Z139**

Initiative: Allocates funds previously deallocated in Public Law 2017, chapter 283, Part A related to the state support for the Northern New England Passenger Rail Authority.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,000,000	\$1,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000,000	\$1,000,000

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$1,000,000	\$1,000,000
DEPARTMENT TOTAL - ALL FUNDS	\$1,000,000	\$1,000,000

SECTION TOTALS	2017-18	2018-19
HIGHWAY FUND	(\$51,059)	(\$51,059)
OTHER SPECIAL REVENUE FUNDS	\$1,000,000	\$1,000,000
SECTION TOTAL - ALL FUNDS	\$948,941	\$948,941

See title page for effective date.

**CHAPTER 296
H.P. 1044 - L.D. 1520**

**An Act To Create an
Aquaculture License**

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

Sec. 1. 12 MRSA §6073-B, as enacted by PL 2007, c. 522, §2, is amended to read:

§6073-B. Harvester license exemption; aquaculture

The holder of a lease issued under section 6072, 6072-A or 6072-B or a license issued under section 6072-C is exempt from any requirement under sections 6421, 6501, 6601, 6745, 6746, 6748, 6748-A, 6748-D, 6751, 6801-A and 6803 to hold a separate license for the removal, possession, ~~or transport or sale~~ of the cultured organisms, ~~except for molluscan bivalve shellfish~~, from the leased area or the licensed gear, except that, beginning May 1, 2018, a person may not sell organisms cultured on the lease site or under the limited-purpose aquaculture license without a license issued under section 6810-B.

Sec. 2. 12 MRSA §6073-C, as reallocated by RR 2007, c. 2, §4, is amended to read:

§6073-C. Harvester license exemption; scallop aquaculture

The holder of a lease issued under section 6072, 6072-A or 6072-B or a license issued under section 6072-C is exempt from any requirement under sections 6701, 6702 and 6703 to hold a separate license for the removal, possession, ~~or transport or sale~~ of scallops from the leased area or the licensed gear when the final product form is the adductor muscle only, except that, beginning May 1, 2018, a person may not sell organisms cultured on the lease site or under the limited-purpose aquaculture license without a license issued under section 6810-B. This exemption does not apply to scallops in any other form.

Sec. 3. 12 MRSA §6301, sub-§2, ¶V, as amended by PL 2013, c. 492, §2, is further amended to read:

V. A lobster processor license issued under section 6851-B expires on March 31st of each year; ~~and~~

Sec. 4. 12 MRSA §6301, sub-§2, ¶W, as enacted by PL 2013, c. 492, §3, is amended to read:

W. A commercial green crab only license issued under section 6808 expires on April 30th of each year; ~~and~~

Sec. 5. 12 MRSA §6301, sub-§2, ¶X is enacted to read: