

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

Sec. 3. Report. The Department of Health and Human Services shall report in writing by January 15, 2020 to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the implementation of the Maine Revised Statutes, Title 34-B, section 1226, including, but not limited to, the number of applications received; the number of patients served; the costs of patient services provided, including whether the services were reimbursable by the MaineCare program; and the types of services received by patients.

See title page for effective date.

CHAPTER 462

H.P. 827 - L.D. 1190

An Act Regarding Driver's License Suspensions for Nondriving-related Violations

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

Sec. 1. 14 MRSA §3141, sub-§7, as amended by PL 1999, c. 587, §9, is further amended to read:

7. Remedies. Failure to pay by the date fixed by the court's order or an amended order subjects the defendant to the contempt procedures provided in section 3142, ~~suspensions a restricted license~~ under Title 29-A, section ~~2605~~, 2605-A and all procedures for collections provided for in sections 3127-A, 3127-B, 3131, 3132, 3134, 3135 and 3136. An installment agreement under this section must be considered an agreement under section 3125; and a court order to pay under section 3126-A. In addition to other penalties provided by law, the court may impose on the defendant reasonable costs for any failure to appear.

This subsection is repealed October 1, 2021.

Sec. 2. 14 MRSA §3141, sub-§8 is enacted to read:

8. Remedies. Failure to pay by the date fixed by the court's order or an amended order subjects the defendant to the contempt procedures provided in section 3142, suspensions under Title 29-A, section 2605 and all procedures for collections provided for in sections 3127-A, 3127-B, 3131, 3132, 3134, 3135 and 3136. An installment agreement under this section must be considered an agreement under section 3125 and a court order to pay under section 3126-A. In addition to other penalties provided by law, the court may impose on the defendant reasonable costs for any failure to appear.

This subsection takes effect October 1, 2021.

Sec. 3. 14 MRSA §3142, sub-§1, ¶C, as amended by PL 2003, c. 414, Pt. B, §26 and affected

by c. 614, §9 and PL 2005, c. 397, Pt. A, §§51 and 52, is further amended to read:

C. The suspension of any license, certification, registration, permit, approval or other similar document evidencing the granting of authority to hunt, fish or trap or to engage in a profession, occupation, business or industry, not including a registration, permit, approval or similar document evidencing the granting of authority to engage in the business of banking pursuant to Title 9-B or, except as provided in paragraph D, a motor vehicle license or permit issued by the Secretary of State, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, as provided in Title 29-A. Licenses and registration subject to suspension include, but are not limited to:

(1) Licenses issued by the Commissioner of Marine Resources, as provided in Title 12, section 6409;

(2) Licenses issued by the Commissioner of Inland Fisheries and Wildlife, as provided in Title 12, section 10902, subsection 3; and

(3) Watercraft, snowmobile and all-terrain vehicle registrations, as provided in Title 12, section 10902, subsection 3; and

~~(4) Motor vehicle licenses or permits issued by the Secretary of State, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, as provided in Title 29-A, section 2605.~~

This paragraph is repealed October 1, 2021;

Sec. 4. 14 MRSA §3142, sub-§1, ¶D is enacted to read:

D. A restricted license as provided in Title 29-A, section 2605-A.

This paragraph is repealed October 1, 2021; or

Sec. 5. 14 MRSA §3142, sub-§1, ¶E is enacted to read:

E. The suspension of any license, certification, registration, permit, approval or other similar document evidencing the granting of authority to hunt, fish or trap or to engage in a profession, occupation, business or industry, not including a registration, permit, approval or similar document evidencing the granting of authority to engage in the business of banking pursuant to Title 9-B. Licenses and registration subject to suspension include, but are not limited to:

(1) Licenses issued by the Commissioner of Marine Resources, as provided in Title 12, section 6409;

(2) Licenses issued by the Commissioner of Inland Fisheries and Wildlife, as provided in Title 12, section 10902, subsection 3;

(3) Watercraft, snowmobile and all-terrain vehicle registrations, as provided in Title 12, section 10902, subsection 3; and

(4) Motor vehicle licenses or permits issued by the Secretary of State, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, as provided in Title 29-A, section 2605.

This paragraph takes effect October 1, 2021.

Sec. 6. 14 MRSA §3146, as enacted by PL 1987, c. 414, §2, is repealed.

Sec. 7. 14 MRSA §3146-A is enacted to read:

§3146-A. Exemptions

Beginning October 1, 2021, the exemptions from attachment and execution specified in sections 4421 to 4426 do not apply to the collection of fines covered by this chapter.

Sec. 8. 29-A MRSA §2605, sub-§1, as amended by PL 2013, c. 482, §8, is further amended to read:

1. Suspension by clerk. If a person fails to appear in court on the date and time specified in response to a Uniform Summons and Complaint, a summons, a condition of bail or order of court for any criminal violation of Title 23, section 1980; a civil violation under Title 28-A, section 2052; a civil violation under this Title; or any criminal provision of this Title, ~~or for any further appearance ordered by the court, including one for the payment of a fine, either in person or by counsel,~~ or fails to pay a fine imposed for a criminal traffic offense, the clerk shall suspend the person's license or permit, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit. The court shall immediately notify that person of the suspension by regular mail or personal service. Written notice is sufficient if sent to the person's last known address.

If a person who is not an individual fails to appear or pay a fine in a civil violation under this Title or a criminal traffic offense, the clerk shall suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

This subsection is repealed October 1, 2021.

Sec. 9. 29-A MRSA §2605, sub-§1-A is enacted to read:

1-A. Suspension by clerk. If a person fails to appear in court on the date and time specified in response to a Uniform Summons and Complaint, a summons, a condition of bail or order of court for any criminal violation of Title 23, section 1980; a civil

violation under Title 28-A, section 2052; a civil violation under this Title; or any criminal provision of this Title, or for any further appearance ordered by the court, including one for the payment of a fine, either in person or by counsel, or fails to pay a fine imposed for a criminal traffic offense, the clerk shall suspend the person's license or permit, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit. The court shall immediately notify that person of the suspension by regular mail or personal service. Written notice is sufficient if sent to the person's last known address.

If a person who is not an individual fails to appear or pay a fine in a civil violation under this Title or a criminal traffic offense, the clerk shall suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

This subsection takes effect October 1, 2021.

Sec. 10. 29-A MRSA §2605-A is enacted to read:

§2605-A. Restricted license on nonappearance or nonpayment of fine

1. Restricted license. If a person fails to appear in court on the date and time specified by the court for the payment of a fine, either in person or by counsel, upon order of the court, the clerk shall restrict the person's license or permit and the right to operate a motor vehicle in this State to authorize the person to operate a motor vehicle:

A. Between the residence and a place of employment or in the scope of employment, or both;

B. If the person is not employed and is seeking employment, between the residence and an employment office or a site of an employment interview; or

C. Between the residence and an educational facility attended by the person.

2. Notification by Secretary of State. On receipt of a copy of an order of a restriction under this section, the Secretary of State shall immediately notify the person of the restriction by regular mail or personal service.

3. Effect of restriction. A court-ordered restriction under this section has the same force and effect as if issued by the Secretary of State. The restriction remains in effect until the person appears, either in person or by counsel, or pays the fine.

4. Repeal. This section is repealed October 1, 2021.

See title page for effective date.

**CHAPTER 463
H.P. 1176 - L.D. 1696**

**An Act To Provide Funding for
the Maine Bicentennial
Commission**

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

Sec. 1. Appropriations and allocations.
The following appropriations and allocations are
made.

**CULTURAL AFFAIRS COUNCIL, MAINE
STATE**

State of Maine Bicentennial Celebration N257

Initiative: Provides one-time funds for staff support
and other expenses associated with the planning of the
State of Maine bicentennial celebration. Funds appro-
priated for this purpose do not lapse but must be car-
ried forward into the next fiscal year to be used only to
support the expenses of planning the bicentennial cel-
ebration.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$75,000
GENERAL FUND TOTAL	\$0	\$75,000

See title page for effective date.

**CHAPTER 464
H.P. 1187 - L.D. 1707**

**An Act To Reduce the Cost of
Care Resulting from
Blood-borne Infectious
Diseases**

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

Sec. 1. Appropriations and allocations.
The following appropriations and allocations are
made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Maine Center for Disease Control and Prevention
0143**

Initiative: Provides funds to support hypodermic appa-
ratus exchange programs pursuant to the Maine Re-
vised Statutes, Title 22, section 1341, subsection 4.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$75,000

GENERAL FUND TOTAL	\$0	\$75,000
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See title page for effective date.

**CHAPTER 465
H.P. 585 - L.D. 836**

**An Act To Authorize a General
Fund Bond Issue To Build
Maine's Workforce
Development Capacity by
Modernizing and Improving
the Facilities and
Infrastructure of Maine's
Public Universities and
Community Colleges**

Preamble. Two thirds of both Houses of the
Legislature deeming it necessary in accordance with
the Constitution of Maine, Article IX, Section 14 to
authorize the issuance of bonds on behalf of the State
of Maine to provide funds as described in this Act,

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

PART A

Sec. A-1. Authorization of bonds. The
Treasurer of State is authorized, under the direction of
the Governor, to issue bonds in the name and on be-
half of the State in an amount not exceeding
\$49,000,000 for the purposes described in section 5 of
this Part. The bonds are a pledge of the full faith and
credit of the State. The bonds may not run for a period
longer than 10 years from the date of the original issue
of the bonds.

**Sec. A-2. Records of bonds issued; Treas-
urer of State.** The Treasurer of State shall ensure
that an account of each bond is kept showing the num-
ber of the bond, the name of the successful bidder to
whom sold, the amount received for the bond, the date
of sale and the date when payable.

**Sec. A-3. Sale; how negotiated; proceeds
appropriated.** The Treasurer of State may negotiate
the sale of the bonds by direction of the Governor, but
no bond may be loaned, pledged or hypothecated on
behalf of the State. The proceeds of the sale of the
bonds, which must be held by the Treasurer of State
and paid by the Treasurer of State upon warrants
drawn by the State Controller, are appropriated solely
for the purposes set forth in this Part. Any unencum-
bered balances remaining at the completion of the
project in this Part lapse to the Office of the Treasurer
of State to be used for the retirement of general obliga-
tion bonds.