

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

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. 9. 28-A MRSA §84, sub-§7 is enacted to read:

7. Annual report. Beginning February 15, 2020, submit a report annually, subject to the approval of the commission, to the Governor and the joint standing committees of the Legislature having jurisdiction over alcoholic beverage matters and appropriations and financial affairs. The joint standing committee of the Legislature having jurisdiction over alcoholic beverage matters may submit to the Legislature legislation based on the report. The report must include:

- A. A complete statement of the revenues and expenses for the bureau for the preceding calendar year;
- B. A complete statement of the information required by section 83-B, subsection 11 for the preceding calendar year;
- C. A complete statement of the information required by section 83-C, subsection 7 for the preceding calendar year;
- D. The information required by section 83-C, subsection 9; and
- E. Any recommendations for changes to this Title.

See title page for effective date.

**CHAPTER 14
H.P. 65 - L.D. 79**

An Act To Protect Shooting Ranges

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

Sec. 1. 12 MRSA §11209, sub-§1, ¶A, as amended by PL 2015, c. 71, §1, is further amended to read:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in ~~subsection~~ subsections 3 and 4 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

Sec. 2. 12 MRSA §11209, sub-§4 is enacted to read:

4. Sport shooting ranges. Unless otherwise prohibited, a person may discharge a firearm on a

sport shooting range as defined in Title 30-A, section 3011, subsection 1 that is within 100 yards of a building if the sport shooting range was established and in regular operation prior to the erection of the building.

See title page for effective date.

**CHAPTER 15
H.P. 291 - L.D. 382**

An Act To Fund Services for Blind and Visually Impaired Persons at the Maine State Library

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

Sec. 1. 27 MRSA §9 is enacted to read:

§9. Blind and Visually Impaired News Access Fund

The Blind and Visually Impaired News Access Fund, referred to in this section as "the fund," is established as a dedicated fund within the Maine State Library to be used to provide access to a news service provided by a national federation for blind and visually impaired persons. The fund is nonlapsing. The fund receives money transferred by the Public Utilities Commission from the state universal service fund pursuant to Title 35-A, section 7104, subsection 9. The Maine State Library may accept gifts or grants, including, but not limited to, federal grants, for the purposes of this section. Funds transferred from the state universal service fund pursuant to Title 35-A, section 7104, subsection 9 and all gifts and grants and authorized appropriations must be deposited in the fund.

Sec. 2. 35-A MRSA §7104, sub-§9 is enacted to read:

9. Blind and Visually Impaired News Access Fund. The commission shall annually transfer \$40,000 from a state universal service fund established pursuant to this section to the Blind and Visually Impaired News Access Fund established under Title 27, section 9.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Blind and Visually Impaired News Access Fund N292

Initiative: Allocates ongoing funds to support access to the National Federation of the Blind's news network for blind and visually impaired persons.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$40,000	\$40,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000

See title page for effective date.

**CHAPTER 16
H.P. 77 - L.D. 91**

An Act To Eliminate Gross Metering

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

Sec. 1. 35-A MRSA §3209-A, as corrected by RR 2017, c. 1, §32, is amended to read:

§3209-A. Net energy billing

The commission may adopt or amend rules governing net energy billing. Rules adopted or amended under this section are ~~routine technical~~ major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. "Net energy billing" means a billing and metering practice under which a customer is billed on the basis of ~~net energy over the billing period taking into account accumulated unused kilowatt-hour credits from the previous~~ the difference between the kilowatt-hours delivered by a transmission and distribution utility to the customer over a billing period and the kilowatt-hours delivered by the customer to the transmission and distribution utility over the billing period, taking into account accumulated unused kilowatt-hour credits from the previous billing period.

Sec. 2. Rules. Within 60 days of the effective date of this Act, the Public Utilities Commission shall amend its net energy billing rules adopted pursuant to the Maine Revised Statutes, Title 35-A, section 3209-A to be substantively equivalent to the rules in effect on January 1, 2017. Notwithstanding Title 35-A, section 3209-A, rules adopted for this purpose are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A. The commission may not make any other changes to rules adopted pursuant to Title 35-A, section 3209-A until July 1, 2020. The net energy billing rules adopted pursuant to this section must apply retroactively to all net energy billing customers that entered into a net energy billing arrangement between March 29, 2017 and the effective date of the rules adopted pursuant to this section.

See title page for effective date.

**CHAPTER 17
H.P. 410 - L.D. 566**

An Act To Protect Vulnerable Adults from Financial Exploitation

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

Sec. 1. 32 MRSA c. 135, sub-c. 8 is enacted to read:

SUBCHAPTER 8

PROTECTION OF VULNERABLE ADULTS FROM FINANCIAL EXPLOITATION

§16801. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Eligible adult. "Eligible adult" means:

A. An individual 65 years of age or older; or

B. An individual protected under the Adult Protective Services Act.

2. Financial exploitation. "Financial exploitation" means:

A. The wrongful or unauthorized taking, withholding, appropriation or use of money, assets or property of an eligible adult; or

B. Any act or omission made by a person, including through the use of a power of attorney, guardianship or conservatorship of an eligible adult, to:

(1) Obtain control, through deception, intimidation or undue influence, over the eligible adult's money, assets or property to deprive the eligible adult of the ownership, use, benefit or possession of the eligible adult's money, assets or property; or

(2) Convert money, assets or property of the eligible adult to deprive the eligible adult of the ownership, use, benefit or possession of the eligible adult's money, assets or property.

3. Qualified individual. "Qualified individual" means an agent, investment adviser representative or individual who serves in a supervisory, compliance or legal capacity for a broker-dealer or investment adviser.

§16802. Governmental disclosures

If a qualified individual reasonably believes that financial exploitation of an eligible adult may have occurred, may have been attempted or is being attempted, the qualified individual shall promptly notify