

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

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Off-Road Recreational Vehicles Program Z224

Initiative: Provides allocations to conduct research on issues related to the management of ATVs; to assist in the formation of nonprofit ATV groups; to make grants-in-aid to political subdivisions, educational institutions, regional planning agencies, ATV groups and others to construct and maintain ATV trails; to purchase equipment; to assist in the design and development of ATV trails; to purchase, lease or otherwise acquire interests in land, including, but not limited to, fee or easement interests for ATV trails or sport-riding facilities; to provide protection to landowners against ATV-related suit or liability; and to otherwise provide for the wise and orderly management of ATVs.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$867,936	\$867,936
	\$867,936	\$867,936
OTHER SPECIAL REVENUE FUNDS TOTAL	\$867,936	\$867,936

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

DEPARTMENT TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$867,936	\$867,936
	\$867,936	\$867,936
DEPARTMENT TOTAL - ALL FUNDS	\$867,936	\$867,936

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

ATV Enforcement Fund N308

Initiative: Provides allocations for personnel services costs, safety and education programs and the purchase of equipment or machinery related to the enforcement of ATV laws.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$124,960	\$124,960
	\$124,960	\$124,960
OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,960	\$124,960

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

DEPARTMENT TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$124,960	\$124,960
	\$124,960	\$124,960
DEPARTMENT TOTAL - ALL FUNDS	\$124,960	\$124,960
SECTION TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$992,896	\$992,896
	\$992,896	\$992,896
SECTION TOTAL - ALL FUNDS	\$992,896	\$992,896

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

Effective May 1, 2019.

CHAPTER 76

H.P. 572 - L.D. 767

An Act To Ensure the Availability of In-person Visitation in County Jails

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

Sec. 1. 30-A MRSA §1556-A is enacted to read:

§1556-A. Visitation

Except as otherwise provided in this section, and subject to any conditions and limitations required for the safety and security of a county jail as determined on a case-by-case basis by the sheriff of the county jail, the sheriff shall provide for in-person visitation between a prisoner and a visitor of the prisoner.

1. Video-only visitation. Upon a determination by the sheriff of a county jail that in-person visitation between a particular prisoner and a visitor of the prisoner may jeopardize the safety and security of the jail, the sheriff may restrict that prisoner to video-only visitation. Upon a determination by the sheriff that the jail facility is unable to provide a safe and secure location for any in-person visitation, the sheriff, on a short-term basis only, may restrict all visitation at the jail to video-only visitation.

2. Contact visitation. Subject to any conditions and limitations required for the safety and security of a county jail as determined on a case-by-case basis by the sheriff, the sheriff shall provide opportunities for in-person visitation involving physical contact between a prisoner and a visitor of the prisoner, unless the sheriff determines that the jail facility is unable to provide a safe and secure location for any in-person visitation involving physical contact.

See title page for effective date.

**CHAPTER 77
H.P. 92 - L.D. 110**

**An Act Regarding Credit
Ratings Related to Overdue
Medical Expenses**

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

Sec. 1. 10 MRSA §1310-H, sub-§3, as enacted by PL 2013, c. 228, §1, is amended to read:

3. Nonliability. A person may not be held liable for any violation of this section if the person shows by a preponderance of the evidence that at the time of the alleged violation the person maintained reasonable procedures to ensure compliance with the provisions of subsections 1 ~~and~~ 2 and 4.

Sec. 2. 10 MRSA §1310-H, sub-§4 is enacted to read:

4. Reporting of medical expenses on a consumer report. Notwithstanding any provision of federal law, a consumer reporting agency shall comply with the following provisions with respect to the reporting of medical expenses on a consumer report.

A. A consumer reporting agency may not report debt from medical expenses on a consumer's consumer report when the date of the first delinquency on the debt is less than 180 days prior to the date that the debt is reported.

B. Upon the receipt of reasonable evidence from the consumer, creditor or debt collector that a debt from medical expenses has been settled in full or paid in full, a consumer reporting agency:

- (1) May not report that debt from medical expenses; and
- (2) Shall remove or suppress the report of that debt from medical expenses on the consumer's consumer report.

C. As long as the consumer is making regular, scheduled periodic payments toward the debt from medical expenses reported to the consumer reporting agency as agreed upon by the consumer

and medical provider, the consumer reporting agency shall report that debt from medical expenses on the consumer's consumer report in the same manner as debt related to a consumer credit transaction is reported.

See title page for effective date.

**CHAPTER 78
H.P. 143 - L.D. 180**

**An Act To Allow for the
Regulation of Transportation
Network Companies at
Airports by Certain
Municipalities**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, most tourism in Maine occurs between Memorial Day and Labor Day each year; and

Whereas, this legislation allows certain municipalities to govern transportation operations at local airports; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order for it to be in effect during the summer tourist season; 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. 29-A MRSA §1677, as enacted by PL 2015, c. 279, §2, is repealed and the following enacted in its place:

§1677. Municipal action

1. Authority restricted. Notwithstanding any other provision of law to the contrary, a municipality or other political subdivision may not adopt an ordinance, regulation or procedure governing the operations of a transportation network company, driver or motor vehicle used by a transportation network company driver to provide a prearranged ride or impose a tax or fee on or require a license for a transportation network company, driver or motor vehicle used by a transportation network company driver to provide a prearranged ride, except as provided in subsection 2.

2. Primary airports. A municipality or other political subdivision operating a public airport that