

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

**CHAPTER 139
H.P. 457 - L.D. 628**

**An Act To Ensure
Comprehensive Access to
Menstrual Products in All
Maine's Jails, County
Correctional Facilities and
State Correctional and
Detention Facilities**

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

Sec. 1. 30-A MRSA §1565 is enacted to read:

§1565. Menstrual products

Any person who is incarcerated in a jail or other county correctional facility who menstruates has a right to comprehensive access to menstrual products, including, but not limited to, sanitary pads and tampons, provided and available at all times and without inconvenience or charge to the incarcerated person.

Sec. 2. 34-A MRSA §3031, sub-§§7 and 8, as enacted by PL 1983, c. 459, §6, are amended to read:

7. Area for personal effects. A reasonably secure area for the maintenance of permitted personal effects; ~~and~~

8. Visitation. A reasonable opportunity to visit with relatives and friends, in accordance with departmental policies and institutional procedures, provided that the department may restrict or prohibit visits when the restriction or prohibition is necessary for the security of the institution; ~~and~~

Sec. 3. 34-A MRSA §3031, sub-§9 is enacted to read:

9. Menstrual products. Comprehensive access to menstrual products, including, but not limited to, sanitary pads and tampons, provided and available at all times and without inconvenience or charge to a person who menstruates who resides in a correctional or detention facility.

See title page for effective date.

**CHAPTER 140
H.P. 551 - L.D. 746**

**An Act To Allow
Municipalities To Determine
the Duration of Development
Districts Funded by
Assessments**

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

Sec. 1. 30-A MRSA §5224, sub-§2, ¶H, as amended by PL 2013, c. 184, §3, is repealed and the following enacted in its place:

H. The duration of the development district, subject to the following conditions:

(1) A development district that is a tax increment financing district may not exceed a total of 30 tax years beginning with the tax year in which the designation of the development district is effective pursuant to section 5226, subsection 3 or, if specified in the development program, the subsequent tax year; and

(2) A development district that is funded by assessments under section 5228 and that is not a tax increment financing district is not limited in duration unless a limitation on duration is established by the legislative body of the municipality or plantation adopting the development program. Any limitation in the duration of a development district that is not a tax increment financing district and that is established by the legislative body of the municipality or plantation may later be extended by the legislative body; and

See title page for effective date.

**CHAPTER 141
H.P. 597 - L.D. 823**

**An Act To Exempt Vehicles
That Are 20 Years Old or
Older from Titling
Requirements When the
Vehicles Are Recycled,
Salvaged or Scrapped**

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

Sec. 1. 29-A MRSA §652, sub-§18, as enacted by PL 2015, c. 88, §3, is amended to read:

18. Vehicle model year at least 20 years old. A vehicle that is model year 1995, 1996, 1997, 1998 or

~~1999~~ that is at least 20 years old according to its model year at the time of sale or transfer of ownership to a recycler, salvage vehicle dealer or scrap processor if:

A. ~~A~~ The recycler, salvage vehicle dealer or scrap processor obtains the seller's name and the address of the seller's residence from a government-issued photograph identification document or credential and maintains the seller's name and address and vehicle identification number of the scrapped vehicle for a period of at least one year; and

B. ~~A~~ The recycler, salvage vehicle dealer or scrap processor reports the destruction of the vehicle to the Secretary of State within 30 days in a manner prescribed by the Secretary of State.

This subsection applies only to vehicles that are scrapped. For purposes of this subsection, a government-issued photograph identification document or credential includes, but is not limited to, a current and valid United States passport, military identification, driver's license or nondriver identification card.

See title page for effective date.

**CHAPTER 142
H.P. 622 - L.D. 848**

An Act Concerning Disclosure Requirements for Transfers of Properties Accessed by Means Other Than a Public Way

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

Sec. 1. 33 MRSA §193, sub-§§1 and 2, as enacted by PL 2017, c. 345, §4, are repealed.

Sec. 2. 33 MRSA §193, sub-§3 is enacted to read:

3. Access to the property. Information describing the means of accessing the property by:

A. A public way, as defined in Title 29-A, section 101, subsection 59; and

B. Any means other than a public way, in which case the seller shall disclose information about who is responsible for maintenance of the means of access, including any responsible road association, if known by the seller.

See title page for effective date.

**CHAPTER 143
H.P. 687 - L.D. 932**

An Act Regarding the Transfer of a Deceased Person's Moose Permit to a Family Member

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

Sec. 1. 12 MRSA §11154, sub-§15, as enacted by PL 2015, c. 95, §1, is amended to read:

15. Moose permit transfer; family members. The commissioner, in cases involving exceptional extenuating circumstances as determined by the commissioner, may authorize a person who holds a valid moose permit to transfer that permit to a family member who meets the eligibility and permit requirements under this section and who is not otherwise prohibited from holding the moose permit, except that the commissioner shall transfer a moose permit to a family member who meets the eligibility and permit requirements under this section and who is not otherwise prohibited from holding the moose permit if the permit holder dies at any time prior to or during the moose hunting season if a moose has not yet been harvested under that permit. A transferor and a transferee are subject to the elimination of any accumulated points under subsection 8 and the 3-year ineligibility period under subsection 5. For purposes of this subsection, "family member" means the transferor's spouse, child, stepchild, grandchild, parent, grandparent, stepparent, brother, sister, half-sister, half-brother or adopted child.

The commissioner shall adopt rules to implement this subsection and may establish a transfer fee to recover administrative costs associated with transferring moose permits. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 144
H.P. 715 - L.D. 960**

An Act To Allow Municipalities with Municipal Shellfish Conservation Ordinances To Establish Minimum and Maximum Size Limits for Shellfish That Are at Least as Strict as Those Limits Established by the State

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