

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

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

Augusta, Maine
2019

notice may instead be sent to the owner of the land on which the sign is placed.

2. **Authority to remove sign.** If the owner fails to remove the sign as required, the ~~commissioner~~ department shall remove the sign if it is on a state or state aid highway that is not in an urban compact municipality and the governing municipality may remove the sign if it is located on a town way or state or state aid highway in an urban compact municipality at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.

5. **Summary removal of illegal signs within the public right-of-way.** ~~Signs which are~~ A sign that is erected in nonconformance with this chapter and which are that is within the limits of any public right-of-way shall be is subject to immediate removal by the commissioner department if the public right-of-way is a state or state aid highway not in an urban compact municipality. The department may remove any sign on any public right-of-way for the purposes of public safety. A sign that is erected in nonconformance with this chapter and that is within the limits of a town way or a state or state aid highway in an urban compact municipality may be removed by the municipality having jurisdiction over that way or highway.

See title page for effective date.

CHAPTER 229

H.P. 1214 - L.D. 1699

An Act To Make a Technical Correction to the Law Governing Certification of Seed Potatoes

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

Sec. 1. 7 MRSA §2103-A, sub-§2, as enacted by PL 1987, c. 336, is amended to read:

2. **Post-harvest tested.** ~~No A seed potato may be certified which that~~ has not been winter post-harvest tested may not be certified. Seed shipped before winter post-harvest test results are available shall must be certified based on field certification.

See title page for effective date.

CHAPTER 230

H.P. 1234 - L.D. 1732

An Act To Eliminate the Scallop Drag Size Limitation in Blue Hill Bay

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

Sec. 1. 12 MRSA §6723, as amended by PL 2015, c. 494, Pt. A, §5, is repealed.

See title page for effective date.

CHAPTER 231

H.P. 1188 - L.D. 1652

An Act To Make Technical Changes to the Taxation of Marijuana

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

Whereas, state tax law needs to be updated before the 90-day period expires to avoid delay in the development of adult use marijuana rules, to allow the Legislature time to act on that rulemaking before it adjourns and to avoid delay in the processing of adult use marijuana establishment licenses; and

Whereas, legislative action is immediately necessary to ensure continued and efficient administration of state taxation of marijuana and state administration of adult use marijuana; 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:

PART A

Sec. A-1. 28-B MRSA §511, sub-§1, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

1. **Record keeping; inspection of records.** A licensee shall maintain a complete set of all records of the licensee's business transactions, which must be open to inspection and examination by the department upon demand and without notice during all business hours. Records must be maintained by a licensee at a minimum for a period comprising the current tax year