

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION**

NON-EMERGENCY LAWS IS

NOVEMBER 25, 2019

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION**

NON-EMERGENCY LAWS IS

JUNE 16, 2020

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

**Augusta, Maine
2020**

K; after December 31, 2001 for employees identified in subsection 1, paragraph L; ~~and~~ after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, paragraph N must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

- (a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or
- (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 8. 5 MRSA §17851-A, sub-§5, as amended by PL 2007, c. 491, §157, is further amended to read:

5. Contributions. Notwithstanding any other provision of subchapter 3, after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; ~~and~~ after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, paragraph N, a member in the capacities specified in subsection 1 must contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at the rate of 8.65% of earnable compensation until the member has completed 25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

Sec. 9. Transition. If a detective in the employment of the Office of the Attorney General on July 1, 2020 elects to participate in the 1998 Special Plan of the Maine Public Employees Retirement System, as provided in the Maine Revised Statutes, Title 5, section 17851-A, subsection 1, that employee must make that election no later than September 30, 2020 and that employee's participation in the 1998 Special Plan becomes effective October 1, 2020.

Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Moves funds from All Other to Personal Services to fund the additional cost for detectives employed in the Office of the Attorney General on July 1, 2020 to participate in the 1998 Special Plan on a prospective basis.

FEDERAL EXPENDITURES FUND	2019-20	2020-21
Personal Services	\$0	\$13,494
All Other	\$0	(\$13,494)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
Personal Services	\$0	\$3,598
All Other	\$0	(\$3,598)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Administration - Attorney General 0310

Initiative: Moves funds from All Other to Personal Services to fund the additional cost for detectives employed in the Office of the Attorney General on July 1, 2020 to participate in the 1998 Special Plan on a prospective basis.

GENERAL FUND	2019-20	2020-21
Personal Services	\$0	\$6,687
All Other	\$0	(\$6,687)
GENERAL FUND TOTAL	\$0	\$0

ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

See title page for effective date.

CHAPTER 543

H.P. 910 - L.D. 1249

An Act To Prohibit Infringing on the Rights of Association of Dependent Adults

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

Sec. 1. 17-A MRSA §555, sub-§1, ¶¶A and B, as amended by PL 2015, c. 306, §1, are further amended to read:

A. The person recklessly endangers the health, safety or mental welfare of a dependent person. Violation of this paragraph is a Class D crime; ~~or~~

B. The person intentionally or knowingly endangers the health, safety or mental welfare of a dependent person. Violation of this paragraph is a Class C crime;

Sec. 2. 17-A MRSA §555, sub-§1, ¶¶C and D are enacted to read:

C. The person recklessly infringes on a dependent person's rights of association, including but not limited to the right to receive visitors, mail or telephone or electronic communication, for the purpose of establishing or maintaining undue influence over that person. Violation of this paragraph is a Class D crime; or

D. The person intentionally or knowingly infringes on a dependent person's rights of association, including but not limited to the right to receive visitors, mail or telephone or electronic communication, for the purpose of establishing or maintaining undue influence over that person. Violation of this paragraph is a Class C crime.

Sec. 3. 17-A MRSA §555, sub-§2, ¶C is enacted to read:

C. "Undue influence" has the same meaning as in section 109, subsection 4.

See title page for effective date.

CHAPTER 544

S.P. 407 - L.D. 1311

An Act Regarding the Sale of Dogs and Cats at Pet Shops

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

Sec. 1. 7 MRSA §3914, first ¶, as amended by PL 2007, c. 439, §7, is further amended to read:

Animal shelters, kennels, breeding kennels, boarding kennels and pet shops engaged in buying or selling animals shall keep records of the buyer and seller in each transaction for a 2-year period commencing at the time of purchase or sale. The records must be open to inspection by the department or law enforcement officers. A person not in possession of a valid license for an animal shelter, kennel, breeding kennel, boarding kennel or grandfathered pet shop shall obtain a vendor's license under section 4163 prior to selling, offering for sale or exchanging for value a cat or dog. For purposes

of this section, "grandfathered pet shop" has the same meaning as in section 3933.

Sec. 2. 7 MRSA §3933, as amended by PL 2009, c. 343, §16, is further amended to read:

§3933. Pet shops

1. License necessary. A person maintaining a pet shop, as defined in section 3907, shall obtain a license from the department and is subject to rules adopted by the department. The license expires December 31st annually or in a manner consistent with the license provisions of the Maine Administrative Procedure Act, whichever is later. A license issued under this section does not authorize a person to keep for sale or offer for sale dogs or cats unless the pet shop meets the requirements of section 4153, subsection 3, paragraph B. For purposes of this section, a licensed pet shop that meets the requirements of section 4153, subsection 3, paragraph B is a grandfathered pet shop.

2. License fees. The fee for a pet shop license is \$150.

3. Records. A person maintaining a pet shop, as defined in section 3907, shall keep a record of each animal received by the pet shop, except for mice and fish. The record must include the name and address of the person or company from whom the animal was received and the name and address of the person buying or otherwise acquiring the animal from the pet shop. The record must be kept on file for a period of 2 years following the sale or other disposition of the animal by the pet shop and must be made available to the department within 24 hours of the request of the department.

4. Surcharge on sale of dogs and cats by grandfathered pet shops. A person maintaining a grandfathered pet shop shall collect a surcharge of \$25 on each cat or dog sold that has not been neutered and forward the entire surcharge to the department for deposit in the Companion Animal Sterilization Fund established under section 3910-B.

5. Advertising. A grandfathered pet shop license holder advertising to the public the availability of a dog or cat for sale or in any way exchanging a dog or cat for value shall prominently display the state-issued pet shop license number in any publication in which the pet shop license holder advertises. The pet shop license number must be provided to a person adopting or purchasing an animal from the pet shop.

Sec. 3. 7 MRSA §3938-A, as enacted by PL 2007, c. 439, §22, is amended to read:

§3938-A. Minimum age of transfer for cats and dogs

A person or an animal shelter, boarding kennel, breeding kennel or grandfathered pet shop that sells, gives away or otherwise transfers ownership of a dog or cat before it has reached its 56th day of life commits a civil violation for which a fine of not less than \$50 nor