

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

Marine Fisheries Commission Interstate Fishery Management Plan for American Lobster. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The commissioner shall notify the joint standing committee of the Legislature having jurisdiction over marine resources matters when initiating rulemaking pursuant to this subsection.

See title page for effective date.

CHAPTER 513

S.P. 598 - L.D. 1743

An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board

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

Sec. 1. 8 MRSA §1001, sub-§13-A, as enacted by PL 2013, c. 212, §2, is amended to read:

13-A. Electronic ~~facsimile~~ table game. "Electronic ~~facsimile~~ table game" means a game approved by the board that is played in an electronic or electromechanical format that replicates a table game by incorporating all or part of the characteristics of the game. "Electronic ~~facsimile~~ table game" does not include a slot machine.

Sec. 2. 8 MRSA §1001, sub-§43-A, as enacted by IB 2009, c. 2, §15, is amended to read:

43-A. Table game. "Table game" means a card game, dice game or other game of chance, including, but not limited to, blackjack, poker, dice, craps, roulette, baccarat, money wheels, wheel of fortune or ~~any electronic facsimile of such a~~ an electronic table game located in a casino. Table games are governed under this chapter and excluded from the definition of "game of chance" in Title 17, section ~~330~~ 1831, subsection ~~2~~ 5.

See title page for effective date.

CHAPTER 514

S.P. 609 - L.D. 1751

An Act To Extend the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91

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

Sec. 1. 28-A MRSA §1056, sub-§3, as enacted by PL 2021, c. 3, §1, is amended to read:

3. Repeal. This section is repealed ~~September 10, 2022~~ March 30, 2025.

Sec. 2. 28-A MRSA §1355-A, sub-§5, ¶F-1, as enacted by PL 2021, c. 91, §1, is amended by amending the first blocked paragraph to read:

This paragraph is repealed ~~September 10, 2022~~ March 30, 2025.

See title page for effective date.

CHAPTER 515

H.P. 1386 - L.D. 1876

An Act Regarding Abandoned Motor Vehicle Storage Fees and Lienholder Notification

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

Sec. 1. 29-A MRSA §1854, as amended by PL 2017, c. 240, §§1 to 4, is further amended to read:

§1854. Notification of vehicle owner

1. Notification in writing. Except as provided in subsection 1-A, the owner of the premises where a vehicle described in section 1851 is located or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of that vehicle. The notification must be in writing and on a form provided by the Secretary of State.

1-A. Notification in writing; auto repair and storage facilities. The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the vehicle owner is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent. The notification must be in writing and on a form provided by the Secretary of State.

1-B. Notification to lienholder. The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall determine if the title is issued by the Secretary of State under section 657. If the title is issued by the Secretary of State under section 657, the owner of the premises or the owner's agent shall determine if a lienholder is identified on the title of the vehicle. If a lienholder is identified on the title of the vehicle, the owner of the premises or the owner's agent shall notify the lienholder that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the lienholder is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent.

2. Contents of notification. A notification under ~~this section subsection 1 or 1-A~~ must include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. This notification also must include the date the vehicle came into possession of the owner, the owner's agent or person in charge of the premises where the vehicle is located, under what circumstances the vehicle came into that person's possession and whether the vehicle is salvage.

3. Response. On receipt of a notification under ~~this section subsection 1 or 1-A~~, the Secretary of State shall inform the vehicle owner and lienholder, if any, by regular mail that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle identification number, give the name and address of the party claiming ownership, state the charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the vehicle, and the date that the title or letter of ownership will pass to the new owner. If the party is claiming ownership of the vehicle pursuant to section 603, subsection 6, the notice must inform the vehicle owner and lienholder that the owner must pay to the Secretary of State the fee required in section 603 to transfer the title. A copy of this letter must be provided to the person claiming ownership.

4. Publication. If the Secretary of State finds no record of ~~the a~~ vehicle with respect to which the Secretary of State is notified under subsection 1 or 1-A, the owner of the premises where the vehicle is located shall publish a notice once in a newspaper of general circulation in the county where the premises is located. That notice must clearly:

- A. Describe the vehicle by the year, make, model and vehicle identification number;
- B. State that if the owner of the vehicle or lienholder has not properly retrieved it and paid all reasonable charges for its towing, storage and repair within 14 days from the publication, ownership of the vehicle passes to the owner of the premises where the vehicle is located; and
- C. State how the owner of the premises may be contacted.

Sec. 2. 29-A MRSA §1857, as amended by PL 2017, c. 240, §6, is further amended to read:

§1857. Limits

If the notification to the Secretary of State required by section 1854 is made more than 14 days after receipt of a vehicle described in section 1851 or if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days

of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed \$900 \$1,500 for a 30-day period.

See title page for effective date.

CHAPTER 516

H.P. 541 - L.D. 736

An Act To Enhance the Ecological Reserve System

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

Sec. 1. 12 MRSA §1805, as enacted by PL 1999, c. 592, §3 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

§1805. Designation of ecological reserve

The director may designate ecological reserves on parcels of land under the jurisdiction of the bureau ~~that were included in the inventory of potential ecological reserves published in the July 1998 report of the Maine Forest Biodiversity Project, "An Ecological Reserves System Inventory: Potential Ecological Reserves on Maine's Existing Public and Private Conservation Lands."~~ The director may designate additional ecological reserves or remove the designation of a parcel of land as an ecological reserve only in conjunction with the adoption of a management plan for a particular parcel of land, and the process for adoption of that management plan must provide for public review and comment on the plan. When a proposed management plan includes designation of an ecological reserve, the director shall notify the joint standing committee of the Legislature having jurisdiction over ~~matters pertaining to~~ public lands matters of the proposal. When a proposed management plan includes the removal of a parcel of land of 10 acres or more as an ecological reserve, the director shall submit a report to the joint standing committee of the Legislature having jurisdiction over public lands matters prior to the bureau's updating the accompanying management plan for the parcel of land. The report must include a description of the parcel of land, the reasons for the removal of the designation as an ecological reserve, the intended uses of the parcel of land and the benefits to the public as a result of the removal of the designation as an ecological reserve. The joint standing committee of the Legislature having jurisdiction over public lands matters may report out a bill relating to the subject matter of the report.

1. Allowed uses. ~~Allowed uses~~ The director may within an ecological reserve ~~must be~~ allow uses that are compatible with the purpose of the ecological reserve and may do not cause significant impact on natural community composition or ecosystem processes. ~~Allowed uses~~ Uses that the director may allow include