

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

B. The court may order that the person performing the forensic risk assessment may interview the parent who is the subject of the order and any other parent of the child and have access to court documents, records of any interview with the child and other relevant documents.

C. The court shall order that the parent ordered to complete the forensic risk assessment is responsible for any fees associated with the assessment unless another parent agrees to pay part or all of the fees.

D. If the parent ordered to complete the forensic risk assessment has completed an assessment in the past year, the court may order the parent to release that assessment to the court, the guardian ad litem or another party and may order the parent to complete a new assessment only if the court determines a new assessment is necessary.

See title page for effective date.

CHAPTER 578

H.P. 1400 - L.D. 1890

An Act To Equalize Sales Tax Treatment of Certain Vehicles

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

Sec. 1. 36 MRSA §1752, sub-§11, ¶B, as amended by PL 2021, c. 181, Pt. B, §§2 and 3, is further amended by amending subparagraph (3-A) to read:

(3-A) The sale, to a person primarily engaged in the business of renting automobiles, of ~~pickup~~ trucks or vans with a gross vehicle weight of less than 26,000 pounds, integral parts of such vehicles or accessories for such vehicles, for rental or for use in such a vehicle rented for a period of less than one year;

Sec. 2. 36 MRSA §1752, sub-§14, ¶A, as amended by PL 2019, c. 401, Pt. B, §5, is further amended by amending subparagraph (4) to read:

(4) In the case of the lease or rental for a period of less than one year of an automobile or of a ~~pickup~~ truck or van with a gross vehicle weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles, the value is the total rental charged to the lessee and includes, but is not limited to, maintenance and service contracts, drop-off or pick-up fees, airport surcharges, mileage fees and any separately itemized charges on the rental agreement to recover the owner's estimated costs of the charges imposed by government authority for title fees, inspection fees, local excise tax and agent fees

on all vehicles in its rental fleet registered in the State. All fees must be disclosed when an estimated quote is provided to the lessee; and

Sec. 3. 36 MRSA §1752, sub-§17-B, as amended by PL 2013, c. 156, §2, is further amended to read:

17-B. Taxable service. "Taxable service" means the rental of living quarters in a hotel, rooming house or tourist or trailer camp; the transmission and distribution of electricity; the rental or lease of an automobile, a camper trailer, or a motor home, as defined in Title 29-A, section 101, subsection 40; the rental or lease of a ~~pickup~~ truck or van with a gross vehicle weight of less than 26,000 pounds from a person primarily engaged in the business of renting automobiles; the sale of an extended service contract on an automobile or truck that entitles the purchaser to specific benefits in the service of the automobile or truck for a specific duration; and the sale of prepaid calling service.

Sec. 4. 36 MRSA §1811, sub-§1, ¶D, as amended by PL 2019, c. 607, Pt. B, §5, is further amended by amending subparagraph (4), division (b) to read:

(b) A ~~pickup~~ truck or van with a gross vehicle weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles; or

See title page for effective date.

CHAPTER 579

S.P. 666 - L.D. 1896

An Act To Allow Certain Bulk Sale Customers To Opt Out of Paper Delivery Tickets

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

Sec. 1. 10 MRSA §2624, sub-§4, as enacted by PL 1973, c. 91, §10, is amended to read:

4. Identity. The identity in the most descriptive terms commercially practicable, including any quality representation made in connection with the sale; and

Sec. 2. 10 MRSA §2624, as amended by PL 2001, c. 491, §2, is further amended by enacting at the end a new paragraph to read:

Notwithstanding any other provision of this section, a vendor using a bulk sale delivery system equipped with the capability of issuing an electronic receipt, ticket or other recorded representation for a bulk sale may give a purchaser the option to receive any information required under this section through electronic means, such as a cellular telephone, a computer or e-mail, in lieu of or in addition to a paper delivery ticket.

If the purchaser opts to receive information electronically, the vendor shall obtain the purchaser's consent in writing, which may be through electronic means.

See title page for effective date.

CHAPTER 580

H.P. 1454 - L.D. 1951

An Act Related to Hunting Dogs and Civil Trespass

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

Sec. 1. 12 MRSA §10265, as amended by PL 2019, c. 501, §7, is further amended to read:

§10265. Landowner Relations Fund

The Landowner Relations Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding the landowner relations program established pursuant to section 10108, subsection 4-A and the Keep Maine Clean program established in section 10108, subsection 4-B. All funds from fees collected under section 10108, subsection 4-A, paragraph C and money accepted by the commissioner pursuant to section 10108, subsection 4-B must be deposited in the fund. Funds from fees collected under section 11163, subsection 3, after the deduction of any administrative costs incurred in collecting the fees, must be deposited in the fund. The fund receives any other funds appropriated or allocated to the fund. The commissioner may accept and deposit into the fund monetary gifts, donations or other contributions from public or private sources for the purposes specified in this section. The fund must be held separate and apart from all other money, funds and accounts.

Sec. 2. 12 MRSA §10657-A is enacted to read:

§10657-A. Civil trespass with hunting dog

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dog handler" means a person involved in releasing a dog to pursue a wild animal, including but not limited to the owner of the dog and any person involved in transporting, loading, unloading, catching, restraining, releasing or tracking the dog.

B. "Turn a hunting dog loose" means to release or to be involved as a dog handler in the release of a dog to pursue a wild animal for the purposes of hunting the wild animal or in order to train the dog in hunting wild animals and includes but is not limited to the release of the dog to join other dogs already in pursuit of the wild animal.

2. Prohibition. While engaging in any activity regulated under this Part, a person may not turn a hunting dog loose in pursuit of a bear, coyote, bobcat, fox or raccoon:

A. Onto the property of another if:

(1) The landowner or the landowner's agent has personally communicated to a dog handler of the dog that the landowner does not want a hunting dog released onto that property; or

(2) The property is posted in accordance with Title 17-A, section 402, subsection 4 or in a manner reasonably likely to come to the attention of a person, unless a dog handler of the dog has express permission from the landowner or the landowner's agent to turn a hunting dog loose onto that property; or

B. In a manner that results in the hunting dog entering the property of another, if a hunting dog has been previously found on that property and any dog handler of the hunting dog has been notified in writing by a law enforcement officer within the previous 365 days that the landowner does not permit hunting dogs on that property.

3. Civil penalties. The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$250 and not more than \$500 may be adjudged.

B. A person who violates this section after having been adjudicated of violating this section in the prior 365 days commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged.

Sec. 3. 12 MRSA §10902, sub-§6, ¶I, as amended by PL 2013, c. 538, §7, is further amended to read:

I. Hunting bear over another person's bait without written permission of that person in violation of section 11301, subsection 1-A; ~~or~~

Sec. 4. 12 MRSA §10902, sub-§6, ¶J, as amended by PL 2013, c. 538, §8, is amended to read:

J. Hunting or any violation of section 10906 while that person's license is revoked; ~~or~~

Sec. 5. 12 MRSA §10902, sub-§6, ¶K is enacted to read:

K. A 2nd violation of civil trespass with a hunting dog in violation of section 10657-A.

Sec. 6. 12 MRSA §10902, sub-§7-D is enacted to read:

7-D. Civil trespass with hunting dog. The commissioner shall revoke the dog training and hunting permit of a person convicted or adjudicated of civil trespass