

REVISOR'S REPORT 2021
Chapter 2

**Submitted to the Joint Standing
Committee on Judiciary
pursuant to the Maine Revised Statutes,
Title 1, chapter 4.**

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PART A

Sec. A-1. 2 MRSA §6-D, as amended by PL 1993, c. 410, Pt. L, §2 and PL 2007, c. 58, §3, is corrected to read:

§6-D. Salary of the ~~Executive Director~~ Chief Executive Officer and deputy directors of the Maine Public Employees Retirement System

Notwithstanding Title 5, section 17105, subsection 3, the ~~salary~~ salaries of the ~~Executive Director~~ Chief Executive Officer of the Maine Public Employees Retirement System and deputy directors appointed by the ~~Executive Director of the Maine Public Employees Retirement System~~ chief executive officer are established by the Board of Trustees of the Maine Public Employees Retirement System and may not exceed the maximum rate of salary that may be received by a state employee.

EXPLANATION

Pursuant to Public Law 2021, chapter 548, section 45, references in the Maine Revised Statutes to "Executive Director of the Maine Public Employees Retirement System" are supposed to be changed to "Chief Executive Officer of the Maine Public Employees Retirement System." This section implements that revision but also updates the text to drafting standards.

Sec. A-2. 4 MRSA §1357, sub-§2, ¶D, as amended by PL 2007, c. 491, §54, is corrected to read:

D. Under Option 4, the qualifying member may elect to have a reduced retirement benefit payable to the qualifying member while alive and at the qualifying member's death to have some benefit other than that available under ~~paragraphs~~ paragraph B or C payable to the beneficiary that the qualifying member has designated, if the beneficiary survives the qualifying member. The total value of the benefit paid to the qualifying member during the qualifying member's life plus the benefit paid after the qualifying member's death is the actuarial equivalent of the benefit that the qualifying member would have received without optional modification. The method used to determine the benefit must be approved by the board of trustees, and the beneficiary must be designated by written designation, duly notarized and filed with the executive director on a form provided or specified by the Maine Public Employees Retirement System.

EXPLANATION

This section corrects a clerical error.

Sec. A-3. 4 MRSA §1915, sub-§16, ¶A, as enacted by PL 2021, c. 651, Pt. A, §4 and affected by §8, is corrected to read:

A. Witnessing the marking and sealing of an absentee ballot pursuant to Title 21-A, section ~~754-A~~ 754-A;

EXPLANATION

This section makes a technical correction.

Sec. A-4. 5 MRSA §90-G, sub-§2, as enacted by PL 2021, c. 651, Pt. B, §2 and affected by §7, is corrected to read:

2. Term. A license ~~sued~~ issued under this section is for a term of 7 years.

EXPLANATION

This section corrects a clerical error.

Sec. A-5. 5 MRSA §203-B, as enacted by PL 2021, c. 661, §2, is corrected to read:

§203-B. Funds received pursuant to court orders or other settlements of opioid crisis litigation

Notwithstanding section 203-A and unless specifically ordered by the court to do otherwise, the Attorney General may work with the Treasurer of State to deposit identified revenue or money received as a result of any court order or other agreement resulting from litigation against, or any court settlement with, an opioid manufacturer, an opioid research association or any other person in the opioid industry relating to claims made by or prosecuted by the State into the Maine Recovery Fund described by the Maine State Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds, dated and signed on January 26, 2022, ~~and~~ including Schedule A, Core Strategies and Schedule B, Approved Uses, for spending on approved uses as directed by the Maine Recovery Council as established in section 12004-I, subsection ~~93~~ 94.

EXPLANATION

This section corrects a cross-reference and corrects clerical errors.

Sec. A-6. 5 MRSA §203-C, sub-§2, as enacted by PL 2021, c. 661, §3, is corrected to read:

2. Maine Recovery Council established. The Maine Recovery Council, as established in section 12004-I, subsection ~~93~~ 94 and referred to in this section as "the council," shall direct the disbursement of funds within the Maine Recovery Fund for approved uses.

EXPLANATION

This section corrects a cross-reference.

Sec. A-7. 5 MRSA §12004-I, sub-§54-E, as enacted by PL 2021, c. 688, §1, is corrected to read:

54-E.

Labor	Essential Support Workforce	Not Authorized	26 MRSA §3702
	Advisory Committee		<u>§3802</u>

EXPLANATION

This section corrects a cross-reference.

Sec. A-8. 5 MRSA §12004-I, sub-§93, as enacted by PL 2021, c. 661, §4, is reallocated to 5 MRSA §12004-I, sub-§94.

EXPLANATION

This section corrects a numbering problem created by Public Law 2021, chapters 623 and 661, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-9. 5 MRSA §17102, sub-§1, as amended by PL 2021, c. 548, §9, is corrected by correcting the first blocked paragraph to read:

The names of proposed trustees elected or appointed under ~~paragraphs~~ paragraph B, C or E must be submitted to the Legislature by the Governor and are subject to review by the joint standing committee of the Legislature having jurisdiction over retirement matters and to confirmation by the Legislature. A member who is elected or appointed may serve in the position of trustee from the date of election or appointment unless the Legislature rejects the confirmation.

EXPLANATION

This section corrects a clerical error.

Sec. A-10. 5 MRSA §17801, sub-§1, ¶B, as amended by PL 2019, c. 540, §1, is corrected by correcting subparagraph (1) to read:

- (1) The commitment provided by this section applies to the protections established under the specific following provisions:
 - (a) Section 17001, subsection 4; and subsection 13, paragraph B, subparagraph (1) and paragraph C, subparagraph (2);
 - (b) Section 17806, subsections 1 to 4;
 - (c) The subsection of section 17851; that is applicable to each member;

- (d) The paragraph of subsection 2 of section 17851-A; that is applicable to each member;
- (e) The paragraph of subsection 4 of section 17851-A; that is applicable to each member; and
- (f) The subsection of section 17852; that is applicable to each member.

EXPLANATION

This section makes grammatical corrections.

Sec. A-11. 7 MRSA §1046, sub-§1, as corrected by RR 2021, c. 1, Pt. B, §122, is corrected to read:

1. Inspection. To sample, inspect, or cause to be analyzed or tested; agricultural, vegetable or tree and shrub seeds transported, sold or offered or exposed for sale within this State for sowing purposes, at such time and place and to such extent as the commissioner considers necessary to determine whether ~~said~~ the agricultural, vegetable or tree and shrub seeds are in compliance with this subchapter, and to notify promptly of any violation; the person who transported, sold; or offered or exposed the seed for sale; and

EXPLANATION

This section makes a technical correction and makes grammatical changes.

Sec. A-12. 7 MRSA §2231, sub-§11, ¶B, as enacted by PL 2019, c. 528, §1, is corrected to read:

B. The number of acres of all land areas licensed for the cultivation of hemp and the square footage of indoor facilities licensed for the cultivation of hemp;

EXPLANATION

This section corrects a clerical error.

Sec. A-13. 9-A MRSA §9-405, sub-§9, as enacted by PL 1987, c. 396, §12, is corrected to read:

9. A creditor has no liability under ~~subsections~~ subsection 1 or 3, or under section 6-113, subsection 2, for any act done or omitted in good faith in conformity with any rule or interpretation thereof by the administrator, notwithstanding that after such act or omission has occurred, the rule or interpretation is amended, rescinded or determined by judicial or other authority to be invalid for any reason.

EXPLANATION

This section corrects a clerical error.

Sec. A-14. 10 MRSA §920, sub-§7, as enacted by PL 1977, c. 548, §1, is corrected to read:

7. Encumbrance of property. Mortgage, pledge or otherwise encumber any property right or thing of value acquired pursuant to ~~the powers~~ a power contained in ~~subsections~~ subsection 4, 5 or 6 as security for the payment of any part of the purchase price thereof;

EXPLANATION

This section corrects a clerical error.

Sec. A-15. 10 MRSA §1247, 3rd ¶, as enacted by PL 1997, c. 473, §3, is corrected to read:

In any action or claim brought against the personal sports mobile dealer on a breach of implied warranty complaint in which it is later determined that the manufacturer is liable, the dealer is entitled to receive from the manufacturer the dealer's reasonable costs and attorney's fees incurred in defending the claim or action. In any such implied warranty action, a dealer has the rights of a buyer under Title 11, section ~~2607~~ 2-607, subsection ~~5~~ (5).

EXPLANATION

This section makes technical corrections.

Sec. A-16. 10 MRSA §1473, as enacted by PL 1975, c. 770, §57, is corrected to read:

§1473. Construction

The provisions of this chapter ~~shall~~ may not be construed to limit or restrict in any way the rights or warranties provided to persons under any other ~~Maine~~ of this State law, except that Title 11, section 2-316, subsection ~~5~~ (5) ~~shall~~ does not apply to transactions under this chapter.

EXPLANATION

This section makes technical corrections.

Sec. A-17. 11 MRSA §3-1404, sub-§(2), as enacted by PL 1993, c. 293, Pt. A, §2, is corrected to read:

(2). If a person whose intent determines to whom an instrument is payable (pursuant to section 3-1110, subsection (1) or (2)) does not intend the person identified as payee to have any interest in the instrument or the person identified as payee of an instrument is a fictitious person, the following rules apply until the instrument is negotiated by special indorsement.

- (a). Any person in possession of the instrument is its holder.
- (b). An indorsement by any person in the name of the payee stated in the instrument is effective as the indorsement of the payee in favor of a person who, in good faith, pays the instrument or takes it for value or for collection.

EXPLANATION

This section corrects clerical errors.

Sec. A-18. 11 MRSA §9-1323, sub-§(1), ¶(b), as enacted by PL 1999, c. 699, Pt. A, §2 and affected by §4, is corrected to read:

- (b). Is not made pursuant to a commitment entered into before or while the security interest is perfected by a method other than under section 9-1309 or section 9-1312, subsection (5), (6) or (7).

EXPLANATION

This section corrects clerical errors.

Sec. A-19. 12 MRSA §10054, first ¶, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is corrected to read:

The Bureau of Warden Service is established within the Department of Inland Fisheries and Wildlife. It is equal in organizational level and status with other major organizational units within the department or its successors. The bureau is administered by a director who is immediately responsible to the deputy commissioner. The director is the Game Warden Colonel and is employed pursuant to section 10103, subsection 3 and Title 5, chapter ~~59~~ 71, which are applicable to this position. The director possesses full authority and responsibility for administering all the powers and duties of the bureau, subject to the direction of the commissioner and except as otherwise provided by statute. The responsibilities of the bureau include, but are not limited to:

EXPLANATION

This section corrects a cross-reference.

Sec. A-20. 12 MRSA §10151, sub-§5, ¶A, as enacted by PL 2021, c. 184, §1, is corrected by correcting subparagraph (1) to read:

(1) Notice of the public meeting has been given in accordance with this subsection and the notice includes the method by which the public may attend in accordance with subparagraph 3 (3);

EXPLANATION

This section makes a technical correction.

Sec. A-21. 12 MRSA §10202, sub-§10, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is corrected to read:

10. Review of budget. The joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters shall review that part of the current services budget bill and any supplemental budget bills pertaining to the department in accordance with Title 5 3, section 522-A.

EXPLANATION

This section corrects a cross-reference.

Sec. A-22. 12 MRSA §12260, sub-§6, ¶B, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §224 and affected by §422, is corrected by correcting subparagraph (2) to read:

(2) A person who violates subparagraph 4 (1) after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

EXPLANATION

This section makes a technical correction.

Sec. A-23. 12 MRSA §12503, sub-§2, as amended by PL 2015, c. 301, §35, is corrected to read:

2. Land used for agricultural purposes; domicile. Notwithstanding ~~section 12503~~, subsection 1 and subject to all other applicable laws and rules, any resident and any member of the resident's immediate family, as long as the angler's license to fish is not under suspension or revocation, may fish without a license in open inland waters from land:

- A. To which they are legally entitled to possession;
- B. On which they are actually domiciled; and
- C. That is used exclusively for agricultural purposes.

EXPLANATION

This section corrects a clerical error.

Sec. A-24. 12 MRSA §12912, sub-§3, ¶A, as amended by PL 2013, c. 245, §5, is corrected by correcting subparagraph (2) to read:

(2) On any allocated rapidly flowing river more than 120 passengers per day except on allocated days when a licensed outfitter may carry only up to the number of allocations the outfitter has been allocated. On allocated days, that limit may be exceeded only as provided in section 12913, subsection 2, paragraph A, subparagraph 4 (4). On unallocated days, an outfitter may occasionally carry up to 4 additional passengers to accommodate problems in booking. Abuse of the privilege to carry 4 additional passengers results in its loss for a period to be determined by the commissioner.

EXPLANATION

This section makes a technical correction.

Sec. A-25. 13 MRSA §1034 is corrected to read:

§1034. Jurisdiction

The Superior Court ~~shall have~~ has original and concurrent jurisdiction in all cases under this chapter. Judges of the District Court may cause the persons brought before them on complaint for violation of ~~sections~~ section 1342 or 1343 to recognize with sufficient sureties to appear at the next term of the Superior Court and, in default thereof, shall commit them.

EXPLANATION

This section corrects a clerical error and makes a grammatical change.

Sec. A-26. 13-C MRSA §1408, sub-§2, as amended by PL 2007, c. 323, Pt. C, §18 and affected by Pt. G, §4, is corrected to read:

2. Content of notice. The notice under ~~section~~ subsection 1 must:

A. Be published one time in a newspaper of general circulation in the county where the dissolved corporation's principal office is or was last located or, if none in this State, in Kennebec County;

B. Describe the information that must be included in a claim and provide a mailing address where the claim may be sent; and

C. State that a claim against the dissolved corporation will be barred unless a proceeding to enforce the claim is commenced within 3 years after the publication of the notice.

EXPLANATION

This section corrects a cross-reference.

Sec. A-27. 13-C MRSA §1533, sub-§1, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is corrected to read:

1. Petition to appeal revocation. A foreign corporation may appeal the Secretary of State's revocation of its authority to the Kennebec County Superior Court within 30 days after service of the notice of revocation is perfected under section ~~1510~~ 1510-A. The foreign corporation may appeal by petitioning the court to set aside the revocation and attaching to the petition copies of its application for authority and the Secretary of State's notice of revocation.

EXPLANATION

This section corrects a cross-reference.

Sec. A-28. 14 MRSA §3123, as amended by PL 1997, c. 21, §§1 and 2, is corrected by correcting the section headnote to read:

§3123. Service of disclosure ~~of~~ subpoena

EXPLANATION

This section corrects a clerical error.

Sec. A-29. 14 MRSA §4422, sub-§17, as enacted by PL 2021, c. 382, §2, is corrected to read:

17. Cash; bank account. The debtor's interest in cash or in deposit accounts or other accounts of a financial institution, equal to any amount in cash or in the deposit account or other account of financial institutions, but not exceeding \$3,000. The plaintiff, defendant or ~~any~~ other account owner may file an ex parte motion for dissolution ~~of~~ or modification in the court in which a judgment or prejudgment order was entered for a hearing to establish how and to which account any exemption should be applied.

EXPLANATION

This section corrects a clerical error.

Sec. A-30. 14 MRSA §4601, 2nd ¶, as enacted by PL 1987, c. 184, §21, is corrected to read:

In addition to any other provisions of law, attachments of real or personal estates may be enforced and their duration may be extended as provided in sections 3131, 3132 and 4651.

EXPLANATION

This section corrects a clerical error.

Sec. A-31. 15 MRSA §101-C, sub-§1, as amended by PL 2013, c. 234, §1, is corrected to read:

1. Written demand for records. When a person or entity has been ordered to perform an examination or evaluation pursuant to section 101-D, a diagnostic evaluation pursuant to section 3309-A, a competency examination pursuant to section 3318-A, an evaluation and treatment pursuant to section 3318-B, or an examination of a juvenile with reference to insanity or abnormal condition of mind, and the person to be examined has sought the examination, joined in a request or order for the examination or has entered a plea or answer of not criminally responsible by reason of insanity, that person or entity may make written demand upon any individual, partnership, association, corporation, institution or governmental entity to produce the records or copies of the records, in whatever medium preserved, of the subject of the examination or evaluation.

EXPLANATION

This section corrects a clerical error.

Sec. A-32. 15 MRSA §109, sub-§3, ¶C, as enacted by PL 2019, c. 405, §2, is corrected to read:

- C. For forensic patients placed outside the State pursuant to ~~subsection~~ section 103:
- (1) Reviewing reports submitted to the commissioner by the state institution pursuant to section 104-A, subsection 1 and provided to the committee by the superintendent pursuant to subsection 4;
 - (2) Reviewing medical records or other records at the request of the patient or the patient's guardian if the patient who is the subject of the review or the patient's guardian has provided informed, written consent; and
 - (3) Receiving verbal reports at least twice per year from the superintendent of the state institution monitoring the person's placement outside the State;

EXPLANATION

This section corrects a cross-reference.

Sec. A-33. 15 MRSA §2136, sub-§8, as enacted by PL 2001, c. 469, §1, is corrected to read:

8. State DNA data bank. "State DNA data bank" means the repository of DNA samples maintained by the Chief of the State Police at the crime lab collected pursuant to Title 25, chapter 194 and this chapter.

EXPLANATION

This section corrects a cross-reference.

Sec. A-34. 17 MRSA §2264-A, sub-§1, as amended by PL 2021, c. 374, §3, is corrected to read:

1. Disposal of 15 pounds or less or 27 cubic feet or less of litter; intentional release of 16 to 24 balloons. A person who intentionally releases 16 to 24 balloons at one time in violation of this chapter or who disposes of 15 pounds or less or 27 cubic feet or less of litter commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

EXPLANATION

This section makes a technical correction.

Sec. A-35. 17-A MRSA §1101, sub-§1, as amended by PL 2019, c. 528, §2, is corrected to read:

1. "Marijuana" includes the leaves, stems, flowers and seeds of all species of the plant genus ~~cannabis~~ Cannabis, whether growing or not; but does not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin including hashish and does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, fiber, oil or cake or the sterilized seed of such plant that is incapable of germination. "Marijuana" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

EXPLANATION

This section makes a technical correction.

Sec. A-36. 17-A MRSA §1102, sub-§4, ¶G, as amended by PL 2019, c. 528, §6, is corrected by correcting subparagraph (1) to read:

(1) Tetrahydrocannabinols that are naturally contained in a plant of the genus ~~cannabis~~ Cannabis or a cannabis plant, excluding tetrahydrocannabinols contained

in hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D, as well as synthetic equivalents of the substances contained in the cannabis plant or in the resinous extracts of cannabis or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity, including the following:

- (a) Delta-1 cis or trans tetrahydrocannabinol and their optical isomers;
- (b) Delta-6 cis or trans tetrahydrocannabinol and their optical isomers; or
- (c) Delta-3,4 cis or trans tetrahydrocannabinol and their optical isomers;

EXPLANATION

This section makes a technical correction.

Sec. A-37. 18-B MRSA §1205, sub-§2, ¶A, as enacted by PL 2021, c. 235, §1, is corrected to read:

- A. The Act applies to a trust created before, on or after ~~the~~ October 1, 2021;

EXPLANATION

This section corrects a clerical error.

Sec. A-38. 18-C MRSA §5-403, sub-§3, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is corrected to read:

3. Notice to others. In a proceeding on a petition under section 5-402, notice of the hearing also must be given to the persons required to be listed in the petition under section 5-402, subsection ~~3~~ 2, paragraphs A to C and any other person interested in the respondent's welfare as the court determines at least 14 days prior to the hearing. Failure to give notice under this subsection does not preclude the court from appointing a conservator.

EXPLANATION

This section corrects a cross-reference.

Sec. A-39. 19-A MRSA §1806, as enacted by PL 2017, c. 328, §6, is corrected to read:

§1806. Other actions

~~Nothing in this~~ This chapter ~~limits~~ does not limit a grandparent's ability to file any action not governed by the provisions of this chapter with respect to a child, including but not limited to an action to establish de facto parentage of a child under section 1891, an action for guardianship of a child under Title ~~18-A~~ 18-C, Article 5 and a child protection petition under Title 22, section 4032, subsection 1, paragraph C.

EXPLANATION

This section corrects a cross-reference and makes a grammatical correction.

Sec. A-40. 19-A MRSA §4103, sub-§2, as enacted by PL 2021, c. 647, Pt. A, §3 and affected by Pt. B, §65, is corrected to read:

2. Minor child. A person responsible for a child, as defined in Title 22, section 4002, subsection 9, or a representative of the department when a minor child has been:

A. A victim of abuse as defined in section 4102, subsection 1 by a family or household member, a dating partner or an individual related by consanguinity or affinity; or

B. A victim of conduct:

(1) Described as stalking in Title 17-A, section 210-A;

(2) Constituting any crime described in Title 17-A, chapter 11;

(3) Described as unauthorized dissemination of certain private images in Title 17-A, section 511-A;

(4) Described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively;

(5) Described as sexual exploitation of a minor or dissemination of sexually explicit material in Title 17-A, section 282 or 283, respectively; or

(6) Described as harassment by telephone or by electronic communication device in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2;

For purposes of this paragraph, the conduct need not have been perpetrated by a family or household member, a dating partner or an individual related by consanguinity or affinity;

EXPLANATION

This section makes technical corrections.

Sec. A-41. 20-A MRSA §4003, as enacted by PL 1981, c. 693, §§5 and 8 and amended by PL 2003, c. 689, Pt. B, §6, is corrected to read:

§4003. Water supply

If a school building of a school administrative unit is supplied by a water supply operated by the school administrative unit and which serves only the school buildings under the control of the school board, the water supply ~~shall~~ is not be considered a public water supply under Title 22, sections ~~2651~~ 2651-B and ~~2652~~ 2653. The school board shall ensure that this water supply meets standards set by the Department of Health and Human Services for private water supplies of schools.

EXPLANATION

This section corrects cross-references and makes grammatical changes.

Sec. A-42. 20-A MRSA §8306, sub-§5, as corrected by RR 2003, c. 2, §45, is corrected to read:

5. Reorganizing centers and regions. The state board may, in compliance with section ~~8307~~ 8307-A:

- A. Change existing boundaries of centers and regions;
- B. Change the status of a center to a region or a region to a center;
- C. Dissolve existing regions or centers;
- D. Create new regions or centers; or
- E. Create alternative organizational methods of delivering career and technical education.

EXPLANATION

This section corrects a cross-reference.

Sec. A-43. 20-A MRSA §9101, sub-§1, as enacted by PL 2021, c. 632, §1, is corrected to read:

1. Innovative Instruction and Tutoring Grant Program Fund. The Innovative Instruction and Tutoring Grant Program Fund, referred to in this chapter as "the fund," is established in the department to encourage the facilitation of innovative instruction and ~~tutoring~~ tutoring programs, including so-called high-impact tutoring, that address learning loss or unfinished learning through the use of project-based learning and other interdisciplinary approaches. Eligible local education providers throughout the State may be awarded grants upon approval of their applications. The commissioner shall administer the fund. For the purposes of this chapter, "local education provider" means a school administrative unit, a school in the unorganized territory under chapter 119, a public charter school under chapter 112 or a school or program established under subpart 2.

EXPLANATION

This section corrects a clerical error.

Sec. A-44. 20-A MRSA §9504, as amended by PL 1997, c. 771, §5, is corrected to read:

§9504. Rules

The commissioner shall adopt rules for the administration and enforcement of this chapter. The rules must establish requirements relating to advertising, records and record keeping, health and sanitation, safety, personnel, tuition, fees, contracts and other matters

that protect the public and consumer interests and must establish requirements for payment of refunds, and notices and information to be provided to students. Rules adopted pursuant to this chapter are routine technical rules pursuant to Title 5, chapter 375, subchapter H-A 2-A.

EXPLANATION

This section makes a technical correction.

Sec. A-45. 20-A MRSA §10955, sub-§1, as amended by PL 1989, c. 502, Pt. A, §57, is corrected to read:

1. Form; terms; manner of sale. All evidences of indebtedness issued in connection with the financing transactions pursuant to this chapter may be in serial form; may bear such date or dates; may mature at such time or times, and in such amount or amounts; may bear interest at such rate or rates, including variable or adjustable; may be payable in such form and at such time or times and at such place or places; and may include such redemption and conversion privileges as those votes may provide. All evidences of indebtedness ~~shall~~ must be issued and sold under such terms and conditions as the trustees determine. The votes ~~shall~~ must provide that the treasurer ~~shall~~ manually sign evidences of indebtedness and other related financing documents and the votes may provide for counter-signature of those evidences of indebtedness and related documents by another officer, either manually or in facsimile form. All such evidences of indebtedness ~~shall be~~ are deemed to be negotiable instruments under ~~the Uniform Commercial Code~~, Title 11, Article 8 8-A.

EXPLANATION

This section corrects a cross-reference, makes a technical correction and makes grammatical changes.

Sec. A-46. 20-A MRSA §11004, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

1. Officers. The board shall annually elect from its members a ~~chairperson~~ chair and ~~vice-chairperson~~ vice-chair and shall appoint and at its pleasure remove or discharge ~~said~~ those officers.

EXPLANATION

This section makes technical corrections and makes a grammatical change.

Sec. A-47. 20-A MRSA §11417, sub-§1, ¶J, as amended by PL 2015, c. 170, §16 and affected by §30, is corrected to read:

J. Employ persons, including private legal counsel and financial experts, on either a temporary or permanent basis, in order to carry out any of its powers and duties. Employees of the authority are not subject to Title 5, ~~chapters~~ chapter 71 ~~and or Title 5, chapter 372~~, subchapter 2;

EXPLANATION

This section corrects clerical errors.

Sec. A-48. 20-A MRSA §15671, sub-§3, as amended by PL 2005, c. 2, Pt. D, §33 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is corrected to read:

3. Specialized student populations. In recognition that educational needs can be more costly for some student populations than for others, special student populations are specifically addressed in ~~sections~~ section 15675 and section 15681-A, subsection 2.

EXPLANATION

This section corrects clerical errors.

Sec. A-49. 20-A MRSA §15675, sub-§1, ¶B, as amended by PL 2019, c. 398, §32, is corrected to read:

B. For a school administrative unit with more than 15 and fewer than 251 English learners, the unit receives an additional weight of .50 per student; and

Sec. A-50. 20-A MRSA §15675, sub-§1, ¶C, as amended by PL 2019, c. 398, §32, is corrected to read:

C. For a school administrative unit with 251 or more English learners, the unit receives an additional weight of .525 per student; ~~and~~.

EXPLANATION

These sections make technical corrections.

Sec. A-51. 20-A MRSA §15689-B, sub-§9, as enacted by PL 2021, c. 571, §36, is corrected to read:

9. Career and technical education region. This section applies to a career and technical education region in the same manner as to a school ~~administration~~ administrative unit.

EXPLANATION

This section corrects a clerical error.

Sec. A-52. 21-A MRSA §23, sub-§9, as enacted by PL 1985, c. 161, §6, is corrected to read:

9. Registration of treasurer. The Commission on Governmental Ethics and Election Practices shall keep the registration of a treasurer under section ~~4013~~ 1013-A in its office for 2 years.

EXPLANATION

This section corrects a cross-reference.

Sec. A-53. 21-A MRSA §1203-C, sub-§28, as enacted by PL 2021, c. 552, Pt. A, §1, is corrected to read:

28. Senate District 28. Senate District 28, wholly located in Cumberland County, consists of the following census units in the minor civil division of Portland: Tract 000100; Tract 000200; Tract 000300; Tract 000500; Tract 000600; Tract 001000; Tract 001100; Tract 001200; Tract 001300; Tract 002300; and Blocks 230050015001000, 230050015001001, 230050015001002, 230050015001003, 230050015001004, 230050015001005, 230050015001006, 230050015001007, 230050015001008, 230050015001009, 230050015001010, 230050015001011, 230050015001012, 230050015001013, 230050015001014, 230050015001015, 230050015001016, 230050015001017, 230050015001018, 230050015001019, 230050015001020, 230050015002000, 230050015002001, 230050015002002, 230050015002003, 230050015002004, 230050015002005, 230050015002006, 230050015002007, 230050015002008, 230050015002009, 230050015002010, 230050015002011, 230050015002012, 230050015002013, 230050015002015, 230050015002016, 230050015002017, 230050015002018, 230050015002019, 230050015002020, 230050015002021, 230050015002022, 230050015002023, 230050015002024, 230050015002025, 230050015002026, 230050015002027, 230050015002028, 230050015002029, 230050015002030, 230050015002031, 230050015002032, 230050015003000, 230050015003001, 230050015003002, 230050015003003, 230050015003004, 230050015003005, 230050015003006, 230050015003007, 230050015003008, 230050015003009, 230050015003010, 230050015003011, 230050015003012, 230050015003013, 230050015003014, 230050015003015, 230050015003016, 230050018001000, 230050018001001, 230050018001006, 230050018001007, 230050018001009, 230050018001010, 230050018001011, 230050018001012, 230050018001013, 230050018002000, 230050018002006, 230050018002007, 230050018002008, 230050018002009, 230050018002010, 230050018002011, 230050018002012, 230050018002013, 230050018002014, 230050018002015, 230050018002016, 230050018002017, 230050018002018, 230050018002019, 230050018002020, 230050018002021, 230050018002022, 230050018002023, 230050018002024, 230050018002025, 230050018002026, 230050018004005, 230050018004006, 230050018004007, 230050020021026, 230050020021027, 230050020021028, 230050020021029, 230050020021030, 230050020021032, 230050020021033, 230050020021034, 230050020021035, 230050020021036, 230050020021037, 230050020021038, 230050020021039,

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230050022002008,	230050022002009,	230050022002010,	230050022003000,
230050022003001,	230050022003002,	230050022003003,	230050022003004,
230050022003005,	230050022003006,	230050022003007,	230050022003008,
230050022003009,	230050024001000,	230050024001001,	230050024001002,
230050024001003,	230050024001004,	230050024001005,	230050024001006,
230050024001007,	230050024001008,	230050024001009,	230050024001010,
230050024001011,	230050024001012,	230050024001013,	230050024001014,
230050024001015,	230050024001016,	230050024001017,	230050024001018,
230050024001019,	230050024001020,	230050024001021,	230050024001022,
230050024001023,	230050024001024,	230050024001025,	230050024001026,
230050024001027,	230050024001028,	230050024001029,	230050024001030,
230050024001031,	230050024001032,	230050024001033,	230050024001034,
230050024001035,	230050024001036,	230050024001037,	230050024001038,
230050024001039,	230050024001040,	230050024001041,	230050024001042,
230050024001043,	230050024001044,	230050024001045,	230050024001046,
230050024001047,	230050024001048,	230050024001049,	230050024001050,
230050024001051,	230050024001052,	230050024001053,	230050024001054,
230050024002000,	230050024002001,	230050024002002,	230050024002003,
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230050024002008,	230050024002009,	230050024002010,	230050024002011,
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230050024002016,	230050024002017,	230050024002018,	230050024002019,
230050024002020,	230050024002021,	230050024002022,	230050024002023,
230050024002024,	230050024002025,	230050024002026,	230050024003000,
230050024003001,	230050024003002,	230050024003003,	230050024003014,
230050024003016,	230050024003017,	230050024003018,	230050024003019,
230050024003020 and	230050024003021.		

EXPLANATION

This section corrects a clerical error.

Sec. A-54. 21-A MRSA §1204-C, sub-§140, as enacted by PL 2021, c. 552, Pt. B, §1, is corrected to read:

140. House District 140. House District 140, wholly located in York County, consists of the minor civil divisions of Arundel and Dayton and the following census blocks from the minor civil division of Lyman: 230310245011000, 230310245011001, 230310245011002, 230310245011003, 230310245011004, 230310245011005, 230310245011006, 230310245011007, 230310245011008, 230310245011009, 230310245011010, 230310245011011, 230310245011012, 230310245011015, 230310245011016, 230310245011017, 230310245011018, 230310245011019, 230310245011020, 230310245011021, 230310245011022, 230310245011023,

230310245011024, 230310245011025, 230310245011026, 230310245011027,
230310245011028, 230310245011029, 230310245011030, 230310245011033,
230310245011034, 230310245011043, 230310245012000, 230310245012001,
230310245012002, 230310245012003, 230310245012004, 230310245012005,
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230310245012010, 230310245012011, 230310245012012, 230310245012016,
230310245012017, 230310245012018, 230310245012019, 230310245012020,
230310245012021, 230310245012022, 230310245012023, 230310245012024,
230310245012025 and 230310245012034.

EXPLANATION

This section corrects a clerical error.

Sec. A-55. 22 MRSA §1844, sub-§4, ¶E, as enacted by PL 2005, c. 670, §1 and affected by §4, is corrected to read:

E. The parties to a cooperative agreement may withdraw their application and thereby terminate all proceedings under this chapter as follows:

(1) Without the approval of the department, any party or the Superior Court at any time prior to the filing of an answer or responsive pleading in a court action under section 1848, subsection 2 or prior to entry of a consent decree under section 1848, subsection 9; or

(2) Without the approval of the department or any party at any time prior to the issuance of a final decision under paragraph ~~G~~ F if a court action has not been filed under section 1848, subsection 2.

EXPLANATION

This section corrects a cross-reference.

Sec. A-56. 22 MRSA c. 409, headnote is corrected to read:

CHAPTER 409

~~CRIPPLED CHILDREN~~ CHILDREN WITH DISABILITIES

EXPLANATION

This section makes a technical correction.

Sec. A-57. 22 MRSA §2097, 6th ¶, as enacted by P&SL 1975, c. 90, §A, §1, is corrected to read:

The council shall elect the ~~chairperson~~ chair and such other officers from its members as it ~~deems~~ considers appropriate.

EXPLANATION

This section makes a technical correction and a grammatical change.

Sec. A-58. 22 MRSA §2098, first ¶, as enacted by P&SL 1975, c. 90, §A, §1, is corrected to read:

The council shall meet at the call of the ~~chairperson~~ chair or at the call of 1/4 of the members appointed and currently holding office. The council shall meet at least once every 3 months. The council shall keep minutes of all meetings, including a list of people in attendance.

EXPLANATION

This section makes a technical correction.

Sec. A-59. 22 MRSA §2127, sub-§2, ¶E, as enacted by PL 1999, c. 401, Pt. MM, §1 and affected by §5, is corrected to read:

E. Implement a patient screening process to determine patient eligibility for Medicaid, the Cub Care program under ~~Title 22~~, section 3174-T and the sliding fee scale; and

EXPLANATION

This section corrects a clerical error.

Sec. A-60. 22 MRSA §2127, sub-§6, as enacted by PL 1999, c. 401, Pt. MM, §1 and affected by §5, is corrected to read:

6. Coordination with Medicaid and the Cub Care program. The department shall coordinate assistance under this chapter with Medicaid and the Cub Care program under ~~Title 22~~, section 3174-T in a manner most likely to obtain and maximize federal matching funds.

EXPLANATION

This section corrects a clerical error.

Sec. A-61. 22 MRSA §3174-III, as enacted by PL 2021, c. 738, §1, is reallocated to 22 MRSA §3174-JJJ.

EXPLANATION

This section corrects a numbering problem created by Public Law 2021, chapters 708 and 738, which enacted 2 substantively different provisions with the same section number.

Sec. A-62. 22 MRSA §3266, as enacted by PL 1973, c. 790, §3, is corrected to read:

§3266. Acceptance of federal provisions

All provisions of ~~sections~~ the United States Social Security Act, Title XVI, Sections 1611, 1612, 1613, 1614 and 1615, as amended, relating to determination of benefits; and ~~sections~~ Sections 1631, 1632 and 1633, as amended, relating to procedural and general provisions, ~~of Title XVI of the United States Social Security Act, as amended~~, are accepted and are deemed to apply to the program of state supplemental security income benefits to the extent that they may be required to conduct a state supplemental income program as pursuant to this Part.

EXPLANATION

This section corrects clerical errors.

Sec. A-63. 22 MRSA §3767, 2nd ¶, as enacted by PL 1997, c. 530, Pt. A, §16, is corrected to read:

The department may bring proceedings in the District Court or Superior Court in the county where the child resides or in the county where the parent may be found to compel any person liable under this section to contribute to the support of any child receiving that assistance if, after reasonable efforts on the part of the department, voluntary contributions have not been made. The department shall bring the action as a petition for support upon not less than 7 days' notice. The court may order either one or both parents of the child to contribute to the support of the child by paying money weekly or monthly as determined in accordance with ~~Title 19, chapter 7, subchapter I-A and~~ Title 19-A, chapter 63 and may enforce obedience by appropriate decrees, execution issuing for that money when payable. An order for child support under this section may include an order for the payment of part or all of the medical expenses, hospital expenses and other health care expenses of the child or an order to provide a policy or contract for coverage of those expenses. When a parent is committed to jail as a defendant on execution under this section, the county having jurisdiction of the process shall bear the expense of the defendant's commitment and support. The defendant may petition the court issuing that execution for relief and the judge of the court, after due notice to the department and hearing on the petition, may order the defendant's discharge from imprisonment on the terms and conditions justice requires.

EXPLANATION

This section corrects a cross-reference.

Sec. A-64. 22 MRSA §4004, sub-§2, ¶B, as amended by PL 2007, c. 586, §6, is corrected to read:

B. Promptly investigate all abuse and neglect cases and suspicious child deaths coming to its attention or, in the case of out-of-home abuse and neglect investigations, the department shall act in accordance with ~~subchapter 11-A~~ chapter 1674;

EXPLANATION

This section corrects a cross-reference.

Sec. A-65. 23 MRSA §3029, first ¶, as amended by PL 1977, c. 479, §5, is corrected to read:

Damages ~~shall~~ must be determined using the methods in sections 154 ~~through 154E~~ to 154-E, as far as practicable, except that references to the "commission" or the "board" ~~shall~~ mean the "municipal officers" and references to the "state" ~~shall~~ mean the "municipality."

EXPLANATION

This section makes technical corrections and grammatical changes.

Sec. A-66. 24-A MRSA §235, sub-§2, as corrected by RR 2021, c. 1, Pt. B, §176, is corrected to read:

2. Within 30 days after termination of a hearing, or of any rehearing thereof or reargument thereon, or within such other period as may be specified in this Title as to particular proceedings, or within such further reasonable period as the superintendent for good cause may require, the superintendent shall make the superintendent's order on hearing covering matters involved in such hearing, and give a copy of the order to each party to the hearing in the same manner as notice of the hearing was given to such party; except that as to hearings held with respect to merger, consolidation, bulk reinsurance, conversion, affiliation or change of control of a domestic insurer as provided in chapter 47 when notice of the hearing was given to all stockholders ~~and/or~~ and policyholders of an insurer involved, the superintendent is required to give a copy of the order on hearing to the corporation and insurer parties, to intervening parties, to a reasonable number of such stockholders or policyholders as representative of the class, and to other parties only upon written request of such parties.

EXPLANATION

This section makes a grammatical change.

Sec. A-67. 24-A MRSA §237, sub-§9, as amended by PL 1997, c. 79, §2, is corrected to read:

9. Exclusions. This section does not apply to fraternal benefit societies, as defined in section 4101; assessment mutual insurance companies, as defined in section 3603; and joint underwriting associations, subject to section ~~2322~~ 2322-A.

EXPLANATION

This section corrects a cross-reference.

Sec. A-68. 24-A MRSA §410, sub-§1, ¶F, as enacted by PL 1993, c. 702, Pt. A, §7, is corrected by correcting subparagraph (2) to read:

(2) A nonprofit hospital or medical service organization that operates a health maintenance organization as a division or as a line of business shall possess and maintain subscriber reserves as defined in Title 24, section 2301, subsection 9-A, paragraph H, subparagraph (2) and in an amount required by the superintendent and in addition shall meet the surplus requirements of section 4204-A.

EXPLANATION

This section corrects a cross-reference.

Sec. A-69. 24-A MRSA §1157, sub-§3, as corrected by RR 2021, c. 1, Pt. B, §191, is corrected to read:

3. Superintendent; order of disposition. At any time after the acquisition by the insurer of any subsidiary, other than a holding company engaged solely in the ownership or control of other subsidiaries, or a subsidiary referred to in subsection 5, paragraph B, ~~subparagraphs subparagraph~~ subparagraph (1) or (2), the superintendent may order its disposition if the superintendent finds, after notice and an opportunity to be heard, that its continued retention is materially adverse to the interests of the insurer's policyholders. The insurer has at least 36 months to effect the disposition. If that disposition is not so effected, the subsidiary may not thereafter be allowed as an asset of the insurer.

EXPLANATION

This section corrects a clerical error.

Sec. A-70. 24-A MRSA §1402, sub-§4, ¶D, as amended by PL 2005, c. 65, Pt. C, §10, is corrected by correcting subparagraph (6) to read:

(6) A person authorized to act as or on behalf of an investment advisor in accordance with Title 32, ~~section~~ sections 16403 and 16404 to the extent such activities entail providing insurance advice incidental to financial planning advice.

EXPLANATION

This section corrects a clerical error.

Sec. A-71. 24-A MRSA §2307, as repealed and replaced by PL 1977, c. 78, §158, is corrected to read:

§2307. Limitation of disapproval power

No A manual of classifications, ~~rules, rule or rating plans, plan~~ or any modification of any of the foregoing ~~which that~~ establishes standards for measuring variations in hazards or expense provisions, or both, and ~~which that~~ has been filed pursuant to section ~~2304, shall~~ 2304-A may not be disapproved if the rates produced meet the requirements of this chapter and chapter 23.

EXPLANATION

This section corrects a cross-reference and makes grammatical changes.

Sec. A-72. 24-A MRSA §2327, sub-§2, as enacted by PL 1969, c. 132, §1, is corrected to read:

2. This section ~~shall does not be deemed to~~ prohibit or restrict any agreement or action otherwise lawful under section ~~2322 (joint underwriters; joint reinsurers)~~ 2322-A.

EXPLANATION

This section corrects a cross-reference and makes a grammatical change.

Sec. A-73. 24-A MRSA §2620, as corrected by RR 2021, c. 1, Pt. B, §230, is corrected to read:

§2620. Information as to insurance

The group life insurance policy must contain a provision that the insurer will issue to the policyholder for delivery to each person insured printed information as to the insurance protection to which the person is entitled and the rights and conditions set forth in ~~section~~ sections 2621, 2622, 2623 and 2628. The insurer shall also provide for distribution by the policyholder to each member of the insured group a statement setting forth to whom the benefits under such policy are payable.

EXPLANATION

This section corrects a clerical error.

Sec. A-74. 24-A MRSA §2623, as corrected by RR 2021, c. 1, Pt. B, §235, is corrected to read:

§2623. Death pending conversion

The group life insurance policy must contain a provision that if a person insured under the policy, or the insured dependent of a covered person, dies during the period within which the person would have been entitled to have an individual policy issued to the person in accordance with ~~sections~~ section 2621 or 2622 and before such an individual policy becomes effective, the amount of life insurance that the person would have been entitled to have issued to the person under such individual policy is payable as a claim under the group policy, whether or not application for the individual policy or the payment of the first premium therefor has been made.

EXPLANATION

This section corrects a clerical error.

Sec. A-75. 24-A MRSA §3363, sub-§2, ¶C, as enacted by PL 1969, c. 132, §1, is corrected to read:

C. ~~5~~ Five years from the date of execution of the proxy.

EXPLANATION

This section makes a technical correction.

Sec. A-76. 24-A MRSA §3476, sub-§2, ¶A, as enacted by PL 1969, c. 132, §1, is corrected to read:

A. That the proposed new owners are not qualified by character, experience and financial responsibility to control and operate the insurer, or cause the insurer to be operated, in a lawful and proper manner; ~~or~~

Sec. A-77. 24-A MRSA §3476, sub-§2, ¶B, as corrected by RR 2021, c. 1, Pt. B, §284, is corrected to read:

B. That as a result of the proposed change of control the insurer may not be qualified for a certificate of authority under section 407; ~~or~~

EXPLANATION

These sections make technical corrections.

Sec. A-78. 24-A MRSA §3486, sub-§12, as amended by PL 2003, c. 344, Pt. D, §16, is corrected to read:

12. If the court determines pursuant to Title 13-C, chapter ~~13~~ 13, subchapter 3 that a shareholder is not entitled to receive payment of the fair value of the shareholder's shares because of the shareholder's failure to satisfy the requirements of Title 13-C, chapter ~~13~~

13, subchapter 3 and of this section, then the shareholder ~~shall~~ must receive the consideration that was specified as payment in exchange for the shareholder's shares pursuant to the plan. Such payment may not include the allowance for interest specified in Title 13-C, section 1331, subsection 5.

EXPLANATION

This section corrects a cross-reference and makes a grammatical change.

Sec. A-79. 24-A MRSA §4225, as corrected by RR 2021, c. 1, Pt. B, §351, is corrected to read:

§4225. Commissioner of Health and Human Services' authority to contract

The Commissioner of Health and Human Services, in carrying out the commissioner's obligations under ~~sections~~ section 4204, subsection 1, paragraph B; section 4215; and section 4216, subsection 1, may contract with qualified persons to make recommendations concerning the determinations required to be made by the commissioner. Such recommendations may be accepted in full or in part by the ~~Commissioner of Health and Human Services~~ commissioner.

EXPLANATION

This section corrects clerical errors.

Sec. A-80. 24-A MRSA §4320-R, as enacted by PL 2021, c. 638, §4, is reallocated to 24-A MRSA §4320-T.

EXPLANATION

This section corrects a numbering problem created by Public Law 2021, chapters 520 and 638, which enacted 2 substantively different provisions with the same section number.

Sec. A-81. 24-A MRSA §4320-S, as enacted by PL 2021, c. 692, §1, is reallocated to 24-A MRSA §4320-U.

EXPLANATION

This section corrects a numbering problem created by Public Law 2021, chapters 683 and 692, which enacted 2 substantively different provisions with the same section number.

Sec. A-82. 24-A MRSA §4358, as corrected by RR 2021, c. 1, Pt. B, §354, is corrected to read:

§4358. ~~Ground~~ Grounds for conservation, foreign and alien insurers

The superintendent may apply to the court for an order appointing the superintendent as receiver or ancillary receiver; and directing the superintendent to conserve the assets within this State; of a foreign or alien insurer upon any of the applicable ~~ground~~ grounds specified in ~~sections~~ section 4356 or 4357; or upon the ground that the insurer's property has been sequestered in its domiciliary sovereignty or in any other sovereignty; or, in the case of an alien insurer, that the insurer has failed to make good an impairment of its trusted funds within the time required therefor by order of the superintendent.

EXPLANATION

This section corrects clerical errors and makes grammatical changes.

Sec. A-83. 24-A MRSA §4365, sub-§1, as corrected by RR 2021, c. 1, Pt. B, §360, is corrected to read:

1. Whenever under this chapter an ancillary receiver is to be appointed in delinquency proceedings for an insurer not domiciled in this State, the court shall appoint the superintendent as ancillary receiver. The superintendent shall file a petition requesting the appointment on the grounds set forth in ~~sections~~ section 4358 or 4359:

A. If the superintendent finds that there are sufficient assets of the insurer located in this State to justify the appointment of an ancillary receiver; or

B. If 10 or more persons resident in this State having claims against such insurer file a petition with the superintendent requesting the appointment of such ancillary receiver.

EXPLANATION

This section corrects a clerical error.

Sec. A-84. 24-A MRSA §4379, sub-§4-A, as enacted by PL 2017, c. 169, Pt. D, §3, is corrected to read:

4-A. Federal claims. Claims of the Federal Government not included in the classes under ~~subsections~~ subsection 3 or 4, except to the extent that a similar claim would be subordinated in a proceeding conducted under the United States Bankruptcy Code.

EXPLANATION

This section corrects a clerical error.

Sec. A-85. 24-A MRSA §4401, sub-§1, as corrected by RR 2021, c. 1, Pt. B, §381, is corrected to read:

1. If the superintendent determines after a hearing that any insurer has committed or engaged in, or is committing or engaging in, or is about to commit or engage in any act, practice or transaction that would subject it to formal delinquency proceedings under ~~section~~ sections 4351 to 4407, the superintendent may make and serve upon the insurer and other persons involved such orders, other than seizure orders under sections 4404 and 4405, as the superintendent considers reasonably necessary to correct, eliminate or remedy such conduct, condition or ground. Orders to cure impairment of capital or surplus of a domestic insurer are subject to sections 3423 and 3424.

EXPLANATION

This section corrects a clerical error.

Sec. A-86. 24-A MRSA §4451, as enacted by PL 1985, c. 279, §9, is corrected to read:

§4451. Advertising restrictions

~~Any~~ A person who makes, publishes or circulates, or causes to be made, published or circulated, any statement ~~which~~ that uses the existence of the association for the purpose of sales, solicitation or inducement to purchase any form of insurance ~~shall be deemed to have~~ has committed an unfair trade practice ~~which~~ that is subject to a cease and desist order pursuant to section ~~2165~~ 2165-A and to any applicable penalty provided by this Title.

EXPLANATION

This section corrects a cross-reference and makes grammatical changes.

Sec. A-87. 24-A MRSA §6903, sub-§18, ¶B, as enacted by PL 2003, c. 469, Pt. A, §8, is corrected to read:

B. ~~Any~~ A person who provides those services in connection with a group health plan sponsored by an agricultural cooperative association located outside of this State that provides ~~health~~ health insurance coverage to members and employees of agricultural cooperative associations located within this State.

EXPLANATION

This section corrects a clerical error and makes a grammatical change.

Sec. A-88. 25 MRSA §2803-B, sub-§1, ¶D, as amended by PL 2021, c. 647, Pt. B, §56 and affected by §65, is corrected by correcting subparagraph (5) to read:

(5) A process for the administration of a validated, evidence-based domestic violence risk assessment recommended by the Maine Commission on Domestic and Sexual Abuse, established in Title 5, section 12004-I, subsection 74-C, and

approved by the Department of Public Safety and the conveyance of the results of that assessment to the bail commissioner, if appropriate, and the district attorney for the county in which the domestic violence occurred;

EXPLANATION

This section makes a technical correction.

Sec. A-89. 26 MRSA §962, sub-§6, as amended by PL 2021, c. 601, §3, is corrected to read:

6. Public employee. "Public employee" means ~~any~~ an employee of a public employer, except ~~any~~ a person:

- A. Elected by popular vote; ~~or~~
- B. Appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer, except that appointees to county offices ~~shall~~ may not be excluded under this paragraph unless defined as a county commissioner under Title 30-A, section 1302; ~~or~~
- C. Whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to the executive head, body, department head or division head; ~~or~~
- D. Who is a department head or division head appointed to office pursuant to statute, ordinance or resolution for an unspecified term by the executive head or body of the public employer; ~~or~~
- E. Who is a superintendent or assistant superintendent of a school system; ~~or~~
- G. Who is a temporary, seasonal or on-call employee; or
- H. Who is a prisoner employed by a public employer during the prisoner's term of imprisonment, except for prisoners who are in a work release program or supervised community confinement pursuant to Title 34-A, section 3036-A.

EXPLANATION

This section makes technical corrections and grammatical changes.

Sec. A-90. 26 MRSA §979-A, sub-§6, as amended by PL 2021, c. 601, §4, is corrected to read:

6. State employee. "State employee" means ~~any~~ an employee of the State of Maine performing services within the ~~executive department~~ Executive Department except ~~any~~ a person:

- A. Elected by popular vote; ~~or~~

- B. Appointed to office pursuant to statute, ordinance or resolution for a specified term by the Governor or by a department head or body having appointive power within the ~~executive department~~ Executive Department; ~~or~~
- C. Whose duties necessarily imply a confidential relationship with respect to matters subject to collective bargaining as between such person and the Governor, a department head, body having appointive power within the ~~executive department~~ Executive Department or any other official or employee excepted by this section; ~~or~~
- D. Who is a department or division head appointed to office pursuant to statute, ordinance or resolution for an unspecified term by the Governor or by a body having appointive power within the ~~executive department~~ Executive Department; ~~or~~
- F. Who is a temporary, seasonal or on-call employee; ~~or~~
- G. Who is serving as a member of the State Militia or National Guard; ~~or~~
- H. Who is a staff attorney, assistant attorney general or deputy attorney general in the Department of the Attorney General; ~~or~~
- I. Who is appointed to a major policy-influencing position as designated by Title 5, chapter 71; ~~or~~
- J. Who substantially participates in the formulation and effectuation of policy in a department or agency or has a major role, other than a typically supervisory role, in the administration of a collective bargaining agreement in a department or agency; or
- K. Who is a prisoner employed by a public employer during the prisoner's term of imprisonment, except for prisoners who are in a work release program or supervised community confinement pursuant to Title 34-A, section 3036-A.

EXPLANATION

This section makes technical corrections and grammatical changes.

Sec. A-91. 26 MRSA §1025, sub-§1, as amended by PL 1989, c. 443, §67 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is corrected to read:

1. Voluntary recognition. ~~Any~~ An employee organization may file a request with the university, academy or community colleges alleging that a majority of the university, academy or community college employees in an appropriate bargaining unit as established in section ~~1024~~, 1024-A wish to be represented for the purpose of collective bargaining between the university, academy or community colleges and the employees' organization. Such request ~~shall~~ must describe the grouping of jobs or positions ~~which~~ that constitute the unit claimed to be appropriate and ~~shall~~ must include a demonstration of majority support. Such request for recognition ~~shall~~ must be granted by the university, academy or community colleges unless the university, academy or community colleges desire that an election determine whether the organization represents a majority of the members in the bargaining unit. In the event that the request for recognition is granted by the university, academy or community colleges, the executive director shall certify the organization so recognized as the bargaining agent.

EXPLANATION

This section corrects a cross-reference and makes grammatical changes.

Sec. A-92. 26 MRSA §1051, sub-§9, as amended by PL 2021, c. 456, §7, is corrected to read:

9. Interest on overpayments. A benefit overpayment established in a determination rendered under section 1193, subsection 6, accrues interest at the rate of 1.0% per month or per fraction of a month from the first of the month following the date the determination establishing the benefit overpayment becomes final until payment plus accrued interest is received by the bureau.

EXPLANATION

This section corrects a clerical error.

Sec. A-93. 26 MRSA §1285, sub-§1, ¶C, as enacted by PL 1983, c. 702, is corrected to read:

C. To execute in writing any agreements arrived at, the term of any such agreement to be subject to negotiation shall not exceed 2 years; ~~and~~

EXPLANATION

This section makes a technical correction.

Sec. A-94. 26 MRSA §1285, sub-§1, ¶D, as enacted by PL 1983, c. 702, is corrected to read:

D. To participate in good faith in the mediation, fact finding, arbitration and mediation-arbitration procedures required by this section; and

EXPLANATION

This section makes a technical correction.

Sec. A-95. 26 MRSA §1412-B, as amended by PL 2017, c. 111, §10, is corrected to read:

§1412-B. Reporting and evaluation of rehabilitation needs

The department shall evaluate the needs of people with disabilities in the State and how these needs may be met most effectively. As required by the federal Rehabilitation Act of 1973 and the federal Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, the department shall conduct a comprehensive statewide assessment every 3 years

to describe the rehabilitation needs of individuals with disabilities residing in the State, including a review of community rehabilitation programs in the State and their effectiveness and adequacy in meeting the overall needs of people with disabilities. The commissioner shall use the results of these reviews to advise the Governor and the Legislature of any need to change the State's rehabilitation programs. The commissioner shall report annually to the joint standing committee of the Legislature having jurisdiction over labor matters the program outcomes as part of the reports authorized under section 2004-A, subsection 3 and required under section ~~3101~~ 3101-A.

EXPLANATION

This section corrects a cross-reference.

Sec. A-96. 26 MRSA c. 47, as enacted by PL 2021, c. 688, §2, is reallocated to 26 MRSA c. 49.

Sec. A-97. 26 MRSA §3701, as enacted by PL 2021, c. 688, §2, is reallocated to 26 MRSA §3801.

Sec. A-98. 26 MRSA §3702, as enacted by PL 2021, c. 688, §2, is reallocated to 26 MRSA §3802.

Sec. A-99. 26 MRSA §3703, as enacted by PL 2021, c. 688, §2, is reallocated to 26 MRSA §3803.

EXPLANATION

These sections correct a numbering problem created by Public Law 2021, chapters 665 and 688, which enacted 2 substantively different chapters with the same chapter and section numbers.

Sec. A-100. 28-A MRSA §1355-A, sub-§5, ¶J, as enacted by PL 2021, c. 742, §1, is reallocated to 28-A MRSA §1355-A, sub-§5, ¶K.

EXPLANATION

This section corrects a lettering problem created by Public Law 2021, chapters 658 and 742, which enacted 2 substantively different provisions with the same paragraph letter.

Sec. A-101. 28-A MRSA §1381, sub-§4, as amended by PL 2021, c. 742, §2, is corrected to read:

4. Conditions on certificate of approval. A certificate of approval under this section is subject to the laws of the State, including, but not limited to, all applicable requirements of Title 38, section ~~1612~~ 1615, and the rules of the bureau.

EXPLANATION

This section corrects a cross-reference.

Sec. A-102. 28-A MRSA §2073-B, sub-§2, ¶A, as enacted by PL 2021, c. 658, §268, is corrected to read:

A. An individual may transport spirits within the State in accordance with a permit issued under section 2073-A, subsection 2, paragraph B.

EXPLANATION

This section corrects a clerical error.

Sec. A-103. 28-B MRSA §102, sub-§32, as amended by PL 2019, c. 528, §19 and PL 2021, c. 669, §5, is corrected to read:

32. Cannabis plant. "Cannabis plant" means all species of the plant genus ~~cannabis~~ Cannabis, including, but not limited to, a mother plant, a mature cannabis plant, an immature cannabis plant or a seedling. "Cannabis plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

EXPLANATION

This section makes a technical correction.

Sec. A-104. 28-B MRSA §102, sub-§50, ¶D, as amended by PL 2019, c. 676, §2 and PL 2021, c. 669, §5, is corrected to read:

D. An amount of adult use cannabis or an amount of an adult use cannabis product provided to another licensee by a products manufacturing facility for business or marketing purposes pursuant to section 502, subsection 6; or

Sec. A-105. 28-B MRSA §102, sub-§50, ¶E, as enacted by PL 2019, c. 676, §2 and amended by PL 2021, c. 669, §5, is corrected to read:

E. An amount of cannabis or an amount of a cannabis product collected by a sample collector licensee and provided to a testing facility for testing consistent with the requirements of section 503-A; ~~or~~.

EXPLANATION

These sections make technical corrections.

Sec. A-106. 28-B MRSA §105, sub-§1-A, as enacted by PL 2021, c. 628, §1 and amended by c. 669, §5, is corrected to read:

1-A. Group tracking. Cannabis plants at the same stage of growth that are of the same varietal or cultivar of the plant genus ~~eannabis~~ Cannabis may be tracked by group if they:

- A. Are planted in the same specific area at the same time;
- B. Are transplanted to the same specific area at the same time; or
- C. Include cannabis plants that were planted in a specific area and cannabis plants that were transplanted to the same specific area.

For cannabis plants that are tracked as a group, a licensee shall designate the square footage of the specific area in which the plants are planted or transplanted. Cannabis plants may not be tracked as a group unless they are intended for harvest as a group.

EXPLANATION

This section makes a technical correction.

Sec. A-107. 30-A MRSA §2652, sub-§3, ¶B, as amended by PL 2009, c. 589, §7, is corrected to read:

B. Permit for the disposition of human remains, \$20, except that ~~no~~ a fee is not owed if the disposition of human remains is paid for through the municipal general assistance program under Title 22, chapter 1161; and

EXPLANATION

This section corrects a cross-reference and makes a grammatical correction.

Sec. A-108. 30-A MRSA §3755-A, sub-§3, ¶F, as amended by PL 2003, c. 312, §11, is corrected to read:

F. Except as provided in ~~subsection~~ section 3754-A, subsection 4, a vehicle may not be dismantled or stored within 300 feet of a well that serves as a public or private water supply, excluding a private well that serves only the automobile recycling business or the owner or operator's abutting residence.

EXPLANATION

This section corrects a cross-reference.

Sec. A-109. 30-A MRSA §4326, sub-§3-A, ¶A, as amended by PL 2011, c. 655, Pt. JJ, §17 and affected by §41, is corrected by correcting subparagraph (6) to read:

(6) A municipality or multimunicipal region exercising the discretion afforded by subparagraph 4 (4) shall review the basis for its demonstration during the periodic revisions undertaken pursuant to section 4347-A;

EXPLANATION

This section makes a technical correction.

Sec. A-110. 30-A MRSA §4364-B, sub-§4, ¶B, as enacted by PL 2021, c. 672, §6, is corrected to read:

B. For an accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of July 1, 2023, in which case the requisite setback requirements for such a structure apply. A municipality may establish more permissive dimensional and ~~set back~~ setback requirements for an accessory dwelling unit.

EXPLANATION

This section corrects a clerical error.

Sec. A-111. 30-A MRSA §5264, sub-§3, ¶B, as enacted by PL 1993, c. 671, §2, is corrected to read:

B. For each project, the commissioner shall establish a list of certified elements of the project that are necessary to implement the certified project or portions of the project. This list may include any or all of those elements described under section 5263, subsection ~~40~~ 9, paragraph B, subparagraph (12).

EXPLANATION

This section corrects a cross-reference.

Sec. A-112. 30-A MRSA §6054, sub-§5, ¶C, as enacted by PL 2013, c. 269, Pt. B, §2, is corrected to read:

C. The remainder to the Maine Budget Stabilization Fund established in Title 5, section 1532.

EXPLANATION

This section corrects a cross-reference.

Sec. A-113. 32 MRSA §88, sub-§2, ¶K, as enacted by PL 2021, c. 241, §5, is reallocated to 32 MRSA §88, sub-§2, ¶L.

EXPLANATION

This section corrects a lettering problem created by Public Law 2021, chapters 15 and 241, which enacted 2 substantively different provisions with the same paragraph letter.

Sec. A-114. 32 MRSA §294, sub-§1, ¶A, as enacted by PL 1999, c. 146, §5, is corrected to read:

A. A certificate of good standing from each jurisdiction where the applicant is licensed; ~~and~~.

EXPLANATION

This section makes a technical correction.

Sec. A-115. 32 MRSA §4700-L, sub-§1, as amended by PL 2009, c. 153, §23, is corrected to read:

1. Fine. ~~Any~~ A person, company, firm, partnership or corporation who installs, alters, repairs or replaces a water well, geothermal heat exchange well or pump system without being licensed as provided in this chapter or in violation of the code of performance adopted by the commission pursuant to section ~~4700-A~~ 4700-H, subsection 5, except for an apprentice well driller or an apprentice pump installer as set forth in this chapter, or ~~any~~ a person, firm, partnership or corporation who procures a license as provided in this chapter wrongfully or by fraud commits a civil violation punishable by a fine of not more than \$1,000.

EXPLANATION

This section corrects a cross-reference and makes grammatical changes.

Sec. A-116. 32 MRSA §12230, sub-§2, as enacted by PL 2009, c. 242, §11, is corrected to read:

2. Timeliness of application. A person who applies for an initial license more than 4 years after the person met the qualifications for licensure set forth in section 12228 must demonstrate completion of 40 hours of continuing professional education that meets the requirements of section ~~12333~~ 12233 during the year preceding application.

EXPLANATION

This section corrects a cross-reference.

Sec. A-117. 32 MRSA §13002, sub-§3, as amended by PL 1999, c. 129, §2 and affected by §16, is corrected to read:

3. Exception. ~~Any~~ A person licensed as an auctioneer under chapter ~~5~~ 5-B, hired to call bids at an auction, if the person employed does not prepare contracts or otherwise control the actual sale or take custody of any part of the purchase price; and

EXPLANATION

This section corrects a cross-reference and makes a grammatical change.

Sec. A-118. 32 MRSA §17307, first ¶, as enacted by PL 2007, c. 369, Pt. C, §3 and affected by §5, is corrected to read:

The board has authority to investigate all complaints made to it and all cases of noncompliance with or violation of this chapter. In addition to the grounds enumerated in Title 10, section 8003, subsection 5, paragraph ~~A~~ A-1, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5, paragraphs B and C for:

EXPLANATION

This section corrects a cross-reference.

Sec. A-119. 33 MRSA §1673, as enacted by PL 1987, c. 734, §2, is corrected to read:

§1673. Effect on existing custodianships

1. Transfers validated. Any transfer of custodial property as defined in this Act made before the effective date of this Act is validated notwithstanding that there was no specific authority in former chapter 19 for the coverage of custodial property of that kind or for a transfer from that source at the time the transfer was made.

2. Application. This Act applies to all transfers made before the effective date of this Act in a manner and form prescribed in former chapter 19, except insofar as the application impairs constitutionally vested rights or extends the duration of custodianships in existence on the effective date of this Act.

3. Terminated custodianship. Sections 1652 and 1671 with respect to the age of a minor for whom custodial property is held under this Act do not apply to custodial property held in a custodianship that terminated because of the minor's attainment of 18 years of age after September 1, 1984; and before the effective date of this Act.

EXPLANATION

This section corrects cross-references and makes a grammatical change.

Sec. A-120. 34-A MRSA §3050, as enacted by PL 2021, c. 706, §1, is reallocated to 34-A MRSA §3052.

EXPLANATION

This section corrects a numbering problem created by Public Law 2021, chapters 620 and 706, which enacted 2 substantively different provisions with the same section number.

Sec. A-121. 35-A MRSA §1508-A, sub-§1, ¶A, as amended by PL 2021, c. 318, §7, is corrected to read:

A. For willful violations of this Title, a commission rule or a commission order by a public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or competitive electricity provider, the commission may impose an administrative penalty for each violation in an amount that does not exceed \$5,800 or .25% of the annual gross revenue that the public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or ~~the~~ competitive electricity provider received from sales in the State, whichever amount is lower. Each day a violation continues constitutes a separate offense. The maximum administrative penalty for any related series of violations may not exceed \$575,000 or 5% of the annual gross revenue that the public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or competitive electricity provider received from sales in the State, whichever amount is lower.

EXPLANATION

This section makes a grammatical change.

Sec. A-122. 35-A MRSA §1701, sub-§2, as corrected by RR 2021, c. 1, Pt. B, §400, is corrected to read:

2. Staff of the Public Advocate. The staff of the Public Advocate consists of such other personnel, including staff attorneys, as the Public Advocate determines necessary to represent the using and consuming public, as required by ~~subsection~~ section 1702. All personnel under this subsection must be appointed, supervised and directed by the Public Advocate. The Public Advocate is not subject to the supervision, direction or control of the chair or members of the commission.

EXPLANATION

This section corrects a cross-reference.

Sec. A-123. 35-A MRSA §3203, sub-§4, ¶G, as enacted by PL 2021, c. 108, §5, is reallocated to 35-A MRSA §3203, sub-§4, ¶G-1.

EXPLANATION

This section corrects a lettering problem created by Public Law 2011, chapter 284, which repealed a lettered paragraph, and Public Law 2021, chapter 108, which enacted a new paragraph with the same paragraph letter.

Sec. A-124. 35-A MRSA §3604, sub-§3, as enacted by PL 2009, c. 329, Pt. A, §4, is corrected to read:

3. Sale of energy; contract procedures. Energy, capacity resources or renewable energy credits contracted in long-term contracts pursuant to this section may be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids under section 3212 or solicitations for green power offer bids under section ~~3212-A~~ 3212-B. To the greatest extent possible, the commission shall develop procedures for long-term contracts for transmission and distribution utilities under this section having the same legal and financial effect as the procedures used for standard-offer service pursuant to section 3212 for transmission and distribution utilities.

EXPLANATION

This section corrects a cross-reference.

Sec. A-125. 36 MRSA §191, sub-§2, ¶QQQ, as enacted by PL 2021, c. 715, §3, is reallocated to 36 MRSA §191, sub-§2, ¶RRR.

EXPLANATION

This section corrects a lettering problem created by Public Law 2021, chapters 681 and 715, which enacted 2 substantively different provisions with the same paragraph letter.

Sec. A-126. 36 MRSA §603, sub-§7 is corrected to read:

7. Partners in business. Personal property of partners in business, when subject to taxation under subsections 1 and ~~2~~ 2-A, may be taxed to the partners jointly under their partnership name; and in such cases they ~~shall be~~ are jointly and severally liable for the tax.

EXPLANATION

This section corrects a cross-reference and makes a grammatical change.

Sec. A-127. 36 MRSA §5122, sub-§2, ¶XX, as enacted by PL 2021, c. 681, Pt. G, §4, is reallocated to 36 MRSA §5122, sub-§2, ¶ZZ.

EXPLANATION

This section corrects a lettering problem created by Public Law 2021, chapters 635 and 681, which enacted 2 substantively different provisions with the same paragraph letter.

Sec. A-128. 36 MRSA §5294, sub-§2, as enacted by PL 2021, c. 715, §4, is corrected to read:

2. Information sharing. The assessor shall forward to the marketplace established in Title 22, chapter 1479 the information of a taxpayer who marked any check box in subsection 1, paragraph A, B or C and marked the check box in subsection 1, paragraph D. The information transferred to the marketplace, and the frequency of that transfer, is established by rule according to Title 22, section 5412, subsection 1.

EXPLANATION

This section corrects cross-references.

Sec. A-129. 38 MRSA §342, sub-§5-A, as amended by PL 1995, c. 560, Pt. E, §4, is corrected to read:

5-A. Designation of deputy commissioner and directors. The commissioner may employ, to serve at his the commissioner's pleasure, the following:

- A. A deputy commissioner; and
- C. Directors as defined in Title 5, section 938, subsection 1-A.

EXPLANATION

This section makes a technical correction and corrects a gender-specific reference.

Sec. A-130. 38 MRSA §464, sub-§10, as enacted by PL 1991, c. 813, Pt. B, §1, is corrected to read:

10. Existing hydropower impoundments managed under riverine classifications; habitat and aquatic life criteria. For the purposes of water quality certification under the Federal Water Pollution Control Act, Public Law 92-500, ~~section~~ Section 401, as amended, and the licensing of modifications under section 636, hydropower projects in existence on the effective date of this subsection, the impoundments of which are classified under section 465, are subject to the provisions of this subsection in recognition of some changes to aquatic life and habitat that have occurred due to the existing impoundments of these projects.

- A. Except as provided in paragraphs B and D, the habitat characteristics and aquatic life criteria of Classes A and B are deemed to be met in the existing impoundments classified A or B of those projects if:

(1) The impounded waters achieve the aquatic life criteria of section 465, subsection 4, paragraph C.

B. The habitat characteristics and aquatic life criteria of Classes A and B are not deemed to be met in the existing impoundments of those projects referred to in paragraph A if:

(1) Reasonable changes can be implemented that do not significantly affect existing energy generation capability; and

(2) Those changes would result in improvement in the habitat and aquatic life of the impounded waters.

If the conditions described in subparagraphs (1) and (2) occur, those changes must be implemented and the resulting improvement in habitat and aquatic life must be achieved and maintained.

C. If the conditions described in paragraph B, subparagraphs (1) and (2) occur at a project in existence on the effective date of this subsection, the impoundment of which is classified C, the changes described in paragraph B, subparagraphs (1) and (2) must be implemented and the resulting improvement in habitat and aquatic life must be achieved and maintained.

D. When the actual water quality of waters affected by this subsection attains any more stringent characteristic or criteria of those waters' classification under sections 465, 467 and 468, that water quality must be maintained and protected.

EXPLANATION

This section corrects a clerical error.

Sec. A-131. 38 MRSA §469, sub-§2, ¶E-2, as enacted by PL 2003, c. 317, §23, is corrected to read:

E-2. Sedgewick Sedgwick.

(1) Tidal waters of the Bagaduce River - Class SA.

EXPLANATION

This section corrects a clerical error.

Sec. A-132. 38 MRSA §1310-N, sub-§9, as amended by PL 2007, c. 406, §2, is corrected to read:

9. Host community agreements. The following provisions apply to a solid waste disposal facility, except that this subsection does not apply to a facility owned by the State or to a facility described in section 1303-C, subsection 6, ~~paragraphs~~ paragraph E or F.

A. The department may not issue a license for a solid waste disposal facility unless a host community agreement is in place as described in this subsection.

A-1. A solid waste disposal facility must have in place a host community agreement with all applicable host communities during the development and operation and through closure of that facility, except that a solid waste disposal facility owned by a municipality that meets the provisions of section 1303-C, subsection 6, paragraph B is not required to have in place a host community agreement with the host community that is the geographic site of the facility. A host community agreement for the purposes of this section must, when applicable, include the provisions set forth in paragraph B, except that a host community agreement in effect prior to the effective date of this paragraph is not required to include the provisions set forth in paragraph B.

B. Based upon the nature, size and projected impacts of the proposed facility, host community agreements must, when applicable, include provisions regarding:

- (1) Improvement, maintenance and repair of local roads directly affected by traffic to and from the facility and of other infrastructural elements directly affected by the facility;
- (2) Development and maintenance of adequate local emergency response capacity to accommodate the facility;
- (3) Financial support for personnel or other means to provide technical assistance to the municipality in interpreting data and to advise the municipality on other technical issues concerning the facility; and
- (4) Other issues determined on a case-specific basis by the applicant and municipality to be appropriate given the nature of the proposed facility.

The department shall adopt rules concerning the expenditure of funds made available to a municipality under the provisions of subparagraph (3) to ensure that funds are used to provide direct technical support to the municipality necessary for the conduct of municipal planning and decision making.

C. In the event that the parties to a host community agreement required under this subsection cannot agree on the terms of agreement, the parties shall submit the dispute for resolution in accordance with this paragraph.

- (1) The parties shall submit the dispute for mediation. The commissioner shall present to the parties a list of 5 experienced and qualified mediators. Each party may strike 2 names from the list. After each party has been afforded 2 opportunities to strike, either the sole remaining person or the first unchallenged person on the list must be appointed by the commissioner as the mediator assigned to mediate the dispute. In assembling the list of proposed mediators, the commissioner may consider the panel of mediators offered by the Office of Court Alternative Dispute Resolution Service created in Title 4, section 18-B.
- (2) If mediation fails to result in an agreement between the parties, the parties shall submit the dispute for arbitration. The commissioner shall present to the parties a list of 5 experienced and qualified arbitrators. Each party may strike 2 names from the list. After each party has been afforded 2 opportunities to strike, either the sole remaining person or the first unchallenged person on the list must be appointed by the commissioner as the arbitrator assigned to determine the dispute. In assembling the list of proposed arbitrators, the commissioner may consider the panels of arbitrators offered by the Office of Court Alternative Dispute Resolution Service

created in Title 4, section 18-B or by the American Arbitration Association or a successor organization.

- (a) Both the facility and the host community ~~will be~~ are bound by the decision of the arbitrator.
- (b) Unless otherwise provided for in this subparagraph, the arbitration must be conducted in accordance with the rules of the American Arbitration Association or a successor organization for the conduct of commercial arbitration proceedings.
- (c) Costs associated with the arbitration must be shared equally between the parties.
- (d) The arbitrator shall submit the decision to the commissioner.
- (e) Either party may appeal the decision of the arbitrator to the Superior Court.

EXPLANATION

This section corrects clerical errors and makes a grammatical change.

Sec. A-133. 38 MRSA §1319-R, sub-§1, ¶D, as enacted by PL 2011, c. 250, §1, is corrected by correcting subparagraph (1) to read:

(1) The facility shall ensure that no crushing or treatment of universal waste or hazardous subcomponents occurs other than dismantling except that controlled breakage of cathode ray tubes may be performed in a manner protective of public health and safety and the environment. Controlled breakage of cathode ray tubes may occur only in a dedicated space with ventilation equipment that prevents the release of fugitive emissions to adjacent areas. Lead and cadmium concentrations immediately outside the dedicated space may not significantly exceed background levels of lead and cadmium concentrations or current ambient air quality standards for the State. The facility shall determine background levels through monitoring. The facility shall meet the conditions listed in 40 Code of Federal Regulations, Section 261.39 (2010). As used in this subparagraph, "fugitive emissions" has the same meaning as in section 582, subsection ~~7-C~~ 7-C-1.

EXPLANATION

This section corrects a cross-reference.

Sec. A-134. 38 MRSA §1612, as enacted by PL 2021, c. 742, §3, is reallocated to 38 MRSA §1615.

EXPLANATION

This section corrects a numbering problem created by Public Law 2021, chapters 94 and 742, which enacted 2 substantively different provisions with the same section number.

Sec. A-135. 38 MRSA §1613, as enacted by PL 2021, c. 433, §1, is reallocated to 38 MRSA §1616.

EXPLANATION

This section corrects a numbering problem created by Revisor's Report 2021, chapter 1, which reallocated a provision to the Maine Revised Statutes, Title 38, section 1613, and Public Law 2021, chapter 433, which enacted Title 38, section 1613.

Sec. A-136. PL 2021, c. 433, §2 is corrected to read:

Sec. 2. Memorandum of understanding regarding technical assistance to consumers and businesses. The Department of Environmental Protection may enter into a memorandum of understanding or other formalized agreement with the Efficiency Maine Trust, established in the Maine Revised Statutes, Title 35-A, chapter 97, for the provision of technical assistance by the trust to consumers and businesses in the scope and application of the State's efficiency standards under Title 38, section ~~1613~~ 1616.

EXPLANATION

This section corrects a cross-reference.

Sec. A-137. PL 2021, c. 692, §2 is corrected to read:

Sec. 2. Evaluation. Upon consultation with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, the Superintendent of Insurance shall evaluate whether the coverage required by the Maine Revised Statutes, Title 24-A, section ~~4320-S~~ 4320-U can be incorporated as part of the essential health benefit package as defined in Title 24-A, section 4320-D or whether the federal Centers for Medicare and Medicaid Services would determine that the transfer of costs defrayed by the State to the federal Centers for Medicare and Medicaid Services pursuant to 42 United States Code, Section 18031(d)(3)(B) would be required. The superintendent shall report by December 31, 2022 to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters concerning its consultation with the federal Centers for Medicare and Medicaid Services and the outcome of that consultation. The joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters may report out a bill based on the evaluation under this section to the First Regular Session of the 131st Legislature.

EXPLANATION

This section corrects a cross-reference.

Sec. A-138. PL 2021, c. 738, §2 is corrected to read:

Sec. 2. Rulemaking. The Department of Health and Human Services shall propose rules to implement the comprehensive sexual and reproductive health care services payment required by the Maine Revised Statutes, Title 22, section ~~3174-HH~~ 3174-JJJ, subsection 2 no later than October 1, 2022. The final rule adopted following publication of the proposed rule required by this section must make the comprehensive services payment effective retroactively to July 1, 2022. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

EXPLANATION

This section corrects a cross-reference.

PART B

Sec. B-1. 12 MRSA §156, 4th ¶ is corrected to read:

The Secretary of State shall file the application and statement and shall record them in an appropriate book of record in ~~his~~ the secretary's office. When the application and statement have been made, filed and recorded, the district ~~shall constitute~~ constitutes an agency of the State and a public body corporate and politic. The Secretary of State shall make and issue to the ~~said~~ supervisors of the district a certificate, under the seal of the State, of the due organization of the ~~said~~ district, and shall record a copy of ~~such~~ the certificate with the application and statement.

Sec. B-2. 12 MRSA §403-A, sub-§1, as enacted by PL 1987, c. 717, §2, is corrected to read:

1. Existing dam. "Existing dam" means any ~~man-made~~ human-made barrier across a river segment identified in this chapter ~~which~~ that impounds water and has not deteriorated or been breached or modified to the point where it no longer impounds water at 50% or more of its design level at normal flows.

Sec. B-3. 12 MRSA §543, sub-§1, as enacted by PL 1977, c. 360, §6, is corrected to read:

1. Director. The executive head of the survey ~~shall be~~ holds the ~~offices of~~ director ~~who shall also be the~~ of the survey and State Geologist. ~~He~~ The executive head of the survey shall personally attend to the duties of ~~his office~~ those offices so far as practicable.

Sec. B-4. 12 MRSA §543, sub-§2, as amended by PL 1987, c. 308, §1 and PL 2011, c. 657, Pt. W, §6, is corrected to read:

2. Powers and duties. The director shall exercise the powers of the office and ~~shall~~ be ~~is~~ responsible for the execution of ~~its~~ the duties of the office.

A. The director shall administer the survey and adopt such methods of administration, not inconsistent with the law, as ~~he may determine~~ the director determines necessary to render the survey efficient.

C. The director shall organize such administrative divisions within the survey as are necessary to carry out the purposes of this chapter including, but not limited to, hydrogeology, marine and physical geology.

D. The director shall prepare and submit to the Commissioner of Agriculture, Conservation and Forestry the budget for the survey.

E. The director may, upon such terms and conditions as ~~he deems~~ the director considers reasonable, and with the approval of the Commissioner of Agriculture, Conservation and Forestry, accept grants and funds from and enter into contracts with federal, state, local or other public entities to carry out the purposes of this chapter or to provide geological services, including mapping and inventory information. The proceeds of any such contract ~~shall~~ must be paid into a separate account to be established by the Treasurer of State, ~~which and that~~ that account ~~shall~~ may not lapse, but ~~shall~~ must continue from year to year and ~~shall~~ be available to carry out the purposes of this chapter.

F. The director ~~shall~~ may not, when appointed or while in office, have any pecuniary interest in, directly or indirectly, any mining activity on land owned by the State, except in ~~his~~ the director's official capacity.

Sec. B-5. 12 MRSA §549-B, sub-§1, as enacted by PL 1985, c. 201, §2, is corrected to read:

1. Authority to explore. ~~Any~~ An individual over 18 years of age or other person may enter upon state lands, including lands held under specific trust instruments when the trust is consistent with mineral development, on receipt of an exploration permit from the director of the survey for the purpose of exploration, unless otherwise indicated in this subchapter. An exploration permit ~~shall~~ must be issued upon payment of a fee of \$20 and ~~shall apply~~ applies to state lands only. An exploration permit ~~shall~~ must bear a number and ~~be dated on~~ the date of issue of the permit and ~~shall expire~~ expires at midnight on the next June 30th. The holder of an exploration permit is entitled to a renewal of ~~his~~ the permit upon expiration of the permit, ~~upon~~ by making application to the director of the survey on or before June 30th, including payment of the prescribed fee, ~~which renewal shall take.~~ The renewal takes effect on July 1st, and the renewed permit must bear the same number as the expired permit. Prospectors' permits in effect on June 30, 1985, shall remain in effect as exploration permits until June 30, 1986.

If machinery or explosives are to be used for exploration on state lands, the methods to be employed and the amount of explosives to be allowed ~~shall~~ must first be approved by the director of the survey and the director of the agency having jurisdiction over the state land. The use of machinery or explosives ~~shall~~ may be approved only where it will be done in harmony with the activities of the agency having jurisdiction over the state land and will not result in environmental harm.

Sec. B-6. 12 MRSA §549-B, sub-§3, ¶A, as enacted by PL 1985, c. 201, §2, is corrected to read:

A. By erecting a post or other reasonably permanent monument at each of the corners of the exploration claim. ~~Every~~ Each post or monument ~~shall~~ must stand not less than 4 feet above the ground, ~~shall~~ may not be less than 4 inches in diameter and ~~shall~~ must bear the following information: ~~The~~ the name of the locator; the number of ~~his~~ the locator's exploration permit; the date of the staking; and, if the exploration claim is

staked on behalf of another person, the name of the other person and the number of ~~his~~ that person's exploration permit;

Sec. B-7. 12 MRSA §549-B, sub-§4, ¶D, as enacted by PL 1985, c. 201, §2, is corrected to read:

D. A United States Geological Survey quadrangle base map and an aerial photograph of a scale that shows with reasonable accuracy the outline location and corners of the exploration claim in relation to the state-owned parcel and prominent natural objects or permanent structural features so that the exploration claim may be located on the ground by the director of the survey or ~~his~~ the director's representatives.

Sec. B-8. 12 MRSA §549-B, sub-§5, ¶B, as enacted by PL 1985, c. 201, §2, is corrected to read:

B. The term of the exploration claim ~~shall be for~~ is one year; and is renewable for 5 years from the initial date of recording by written notice to the director of the survey before June 30th. For claims recorded after April 1st and before June 30th, the first renewal notice ~~shall be~~ is due on the 2nd June 30th following the recording of the claim. ~~By~~ At the end of the 5-year period, any title to the claim ~~shall lapse~~ lapses, unless a mining lease has been issued by the State under this subchapter. The director of the survey may, upon application and for good cause, grant an extension for an additional period not to exceed 2 years. Upon lapse or filing of notice of abandonment of a claim, ~~no~~ a person holding the claim immediately prior to the date of the lapse of abandonment, or ~~his~~ that person's representative, partner, affiliate or leasing associate, may not relocate on the same area for a period of 60 days.

Sec. B-9. 12 MRSA §549-B, sub-§5, ¶E, as enacted by PL 1985, c. 201, §2, is corrected to read:

E. The failure to comply with any of the requirements of this subsection ~~shall operate~~ operates as a forfeiture of the claim or claims. Written notice of the forfeiture ~~shall~~ must be sent by registered or certified mail to the claimant's last known address. ~~Any~~ A claimant who is aggrieved may file a written petition for a hearing before the director of the survey within 14 days after notice of forfeiture has been given. If the claimant files a petition for a hearing ~~is filed~~ with the director of the survey within the 14-day period, the director of the survey shall, within 30 days, grant a hearing on the forfeiture and give the claimant 10 days' notice of the time and place of the hearing. For good cause, the director of the survey may extend the time for filing the petition. If the claimant is aggrieved by the decision of the director of the survey resulting from the hearing, ~~he~~ the claimant may, within 30 days ~~thereafter~~ after the date of the decision, appeal to the Superior Court by filing a ~~claimant therefor~~ claim. The court shall fix a time and place for hearing and ~~cause of~~ send notice of the hearing to ~~be given to~~ the director of the survey and, after hearing, the court may affirm or reverse the decision of the director of the survey ~~and the~~. The decision of the court ~~shall be~~ is final. During the pendency of all proceedings under this paragraph, ~~no~~ a person may not lay claim to the area of dispute. The director of the survey may perform the duties of this paragraph personally or through ~~his~~ the director's designee.

Sec. B-10. 12 MRSA §549-B, sub-§11, as enacted by PL 1985, c. 201, §2, is corrected to read:

11. Rights-of-way. ~~Any~~ A person who has located an exploration claim and has been issued a mining lease in accordance with this subchapter may, with the consent of the director of the agency having jurisdiction over those state lands and consistent with the law, have the right of access across any lands owned or controlled by the State to and from that location. The holder of a mining lease may be issued a permit giving ~~him~~ the holder the authority to open, construct, put in, maintain and use ditches, tunnels, pipes, conduits, flumes and other works through, over and upon that land for drainage and passage of water, together with the right to construct dams, ~~provided that no~~ as long as such water ~~flows~~ does not flow on land of others, in connection with the working of ~~his~~ the mine to bring water to the mine necessary or convenient for its operation, with such conditions and restrictions as may be imposed.

Sec. B-11. 12 MRSA §549-B, sub-§12, as enacted by PL 1985, c. 201, §2, is corrected to read:

12. Mining under bodies of water. Where any mineral deposit is situated under or in the bed of a stream or lake, and for the efficient working of the mineral deposit, it is necessary to divert the water of that stream within the boundaries of public land, or drain any lake, the director of the agency having jurisdiction over these state-owned lands may permit the diversion or drainage to be done, subject to such provisions, for the benefit of any ~~persons~~ person who ~~are~~ is entitled to the use of the water of that stream or lake in its natural state, as to ~~him~~ the director may seem just and expedient.

Sec. B-12. 12 MRSA §549-B, sub-§14, as enacted by PL 1985, c. 201, §2, is corrected to read:

14. Termination. In the event that any explorer, claimant or lessee violates any provision of this subchapter or any rule, the director of the survey or the director of the agency having jurisdiction over the state-owned lands shall notify the explorer, claimant or lessee, as the case may be, of the alleged violation and of the nature of the alleged violation, by sending the notice by registered or certified mail to ~~him at his~~ the explorer, claimant or lessee at the last known address of the explorer, claimant or lessee. If the violation is not remedied within 30 days after the date of mailing the notice, the permit, claim or lease of the violator in existence at the time of the violation may be terminated by the State through the director of the survey or the director of the agency having jurisdiction over the state-owned lands by giving written notice of termination in the same manner specified for notice of violation. For cause, the State, through the director of the survey or the director of the agency having jurisdiction over the state-owned lands, may extend ~~such further~~ the time for compliance as it may determine. ~~Any~~ A person who is aggrieved may file a written petition for a hearing before the State within 30 days of the date of the giving of written notice of termination by the State. The hearing ~~shall~~ must take place within 30 days of receipt of the petition and a decision ~~shall~~ must be rendered by the State within 60 days following the final adjournment of the hearing. Appeals from the State's decision ~~shall~~ must be pursuant to the Maine Rules of Civil Procedure as they apply to appeals from rulings of public agencies.

Sec. B-13. 12 MRSA §904, as amended by PL 1985, c. 785, Pt. B, §63, is corrected to read:

§904. Agents and representatives

The Baxter State Park Authority shall appoint agents or representatives to carry out this subchapter. All appointed agents or representatives shall hold office under the rules of the Civil Service Law. They shall must be sworn to the faithful discharge of their duties and a certificate thereof shall must be returned and filed in the office of the ~~chairman~~ chair of the authority. They shall must be appointed by the authority in accordance with the Civil Service Law and may be allowed actual necessary expenses of travel.

Sec. B-14. 12 MRSA §1801, sub-§7, ¶E, as enacted by PL 1997, c. 678, §13, is corrected to read:

E. Any area of land largely in a natural condition and containing natural features of scenic, ecological or scientific interest or importance. The presence of ~~man-made~~ human-made development does not preclude an area from this classification if ~~such a~~ that development is not likely to remain or leave a permanent mark upon the natural character of the area or is essential to the operation of the area as a wilderness or natural area, as long as the development detracts only minimally from the area's natural character.

Sec. B-15. 12 MRSA §4605 is corrected to read:

§4605. -- officers -- Article V

The commission shall elect from its number a ~~chairman~~ chair and a ~~vice-chairman~~ vice-chair and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry this compact into effect and shall fix and determine their duties, qualifications and compensation. ~~Said~~ The commission shall adopt rules ~~and regulations~~ for the conduct of its business. ~~It~~ and may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

Sec. B-16. 12 MRSA §4607, 2nd ¶ is corrected to read:

An advisory committee to be representative of the ~~commercial fishermen and the people who fish commercially,~~ the salt water anglers and such other interests of each state as the commission ~~deems~~ considers advisable shall must be established by the commission as soon as practicable for the purpose of advising the commission upon ~~such~~ recommendations as it ~~may desire~~ desires to make.

Sec. B-17. 12 MRSA §4656 is corrected to read:

§4656. Appropriation

Any ~~moneys~~ money appropriated by the Legislature for the expenses of the commission shall must be paid out of the State Treasury on the audit and warrant of the State Controller, upon vouchers certified by the ~~chairman~~ chair of the commission in the manner prescribed by law.

Sec. B-18. 12 MRSA §6001, sub-§6-A, ¶A, as enacted by PL 2011, c. 266, Pt. B, §4, is corrected to read:

A. ~~Licensed commercial fishermen~~ Persons who fish under a commercial license, aquaculturists and fishermen's cooperatives of persons who fish under a commercial license;

Sec. B-19. 12 MRSA §6001, sub-§6-A, ¶B, as enacted by PL 2011, c. 266, Pt. B, §4, is corrected to read:

B. Persons providing direct services to ~~commercial fishermen~~ persons who fish commercially, aquaculturists or ~~fishermen's cooperatives~~ of persons who fish commercially, as long as provision of these direct services requires the use of working waterfront property; and

Sec. B-20. 12 MRSA §6001, sub-§6-A, ¶C, as enacted by PL 2011, c. 266, Pt. B, §4, is corrected to read:

C. Municipal and private piers and wharves operated to provide waterfront access to ~~commercial fishermen~~ persons who fish commercially, aquaculturists or ~~fishermen's cooperatives~~ of persons who fish commercially.

Sec. B-21. 12 MRSA §6001, sub-§15-A, as enacted by PL 1993, c. 498, §1, is corrected to read:

15-A. Fishway. "Fishway" means a ~~manmade~~ human-made device, including fish elevators, fishlocks and fish ladders, that is used to enable fish to migrate upstream past dams, waterfalls, rapids or other obstacles.

Sec. B-22. 12 MRSA §6001, sub-§31, as enacted by PL 1977, c. 661, §5, is corrected to read:

31. Parlor section. "Parlor section" means that part of a lobster trap designed or intended to hold or detain lobsters until they are removed by the ~~fisherman~~ person operating the trap.

Sec. B-23. 12 MRSA §6001, sub-§37, as enacted by PL 1977, c. 661, §5, is corrected to read:

37. Retail. "Retail" means sale, trade or service directly to the consumer for ~~his~~ the consumer's personal use.

Sec. B-24. 12 MRSA §6022, sub-§2, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

2. General powers. The commissioner ~~shall be~~ is responsible for the administration and enforcement of all marine resources' laws and ~~shall have~~ has all the powers of a marine patrol officer. ~~He~~ The commissioner shall maintain records of all leases, certificates or licenses issued by the commissioner or required to be filed under section 6027.

Sec. B-25. 12 MRSA §6022, sub-§15, as enacted by PL 1983, c. 286, §1, is corrected to read:

15. Revolving fund. The commissioner may prepare and distribute printed and audio-visual materials on matters within ~~his~~ the commissioner's statutory jurisdiction. There is established within the department a revolving fund to cover the printing and distribution costs of these materials. The commissioner shall fix the prices at which publications of the department may be sold or delivered. The department shall retain, without charge, an appropriate number of each publication for complimentary distribution. Income from the sale of publications that were charged to the revolving fund and any other ~~moneys~~ money the commissioner may receive, from whatever source, consistent with the purposes of this

section, ~~shall~~ must be credited to the revolving fund to be used as a continuing carrying account to carry out the purposes of the fund.

Sec. B-26. 12 MRSA §6023, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

§6023. Deputy commissioner

The commissioner shall designate a deputy commissioner, who ~~shall serve~~ serves at the pleasure of the commissioner. The deputy commissioner ~~shall be~~ is responsible, under the direction of the commissioner, for the administration and enforcement of the marine resources' laws and ~~shall have~~ has all the powers of a marine patrol officer. ~~He shall serve~~ The deputy commissioner serves as the commissioner in the commissioner's absence or disability or if the office of the commissioner becomes vacant. The commissioner may appoint an appropriate administrative officer in the department to perform the functions of the commissioner if both the commissioner and deputy commissioner are disabled or absent.

Sec. B-27. 12 MRSA §6025, sub-§3, as amended by PL 1979, c. 541, Pt. B, §14, is corrected to read:

3. Powers and duties. Officers shall enforce all marine resources' laws and may arrest and prosecute all violators. They may serve all process pertaining to marine resources' laws. They ~~shall~~ have jurisdiction and authority in all areas where the laws for which they have responsibility apply. In addition to their specified powers and duties, the marine patrol officers are vested with the authority to enforce all laws of the State and may arrest for violations of any criminal laws. Any officer may require suitable aid in the execution of the duties of his office. Marine patrol officers may receive complete law enforcement training within one year from the date of employment and in-service training privileges at the Maine Criminal Justice Academy.

Sec. B-28. 12 MRSA §6025, sub-§4, as amended by PL 1981, c. 433, §2, is corrected to read:

4. Search powers. Any marine patrol officer, in uniform, may search without a warrant and examine any watercraft, aircraft, conveyance, vehicle, box, bag, locker, trap, crate or other receptacle or container for any marine organism when ~~he~~ the marine patrol officer has probable cause to believe that any marine organism taken, possessed or transported contrary to law is concealed thereon or therein.

Sec. B-29. 12 MRSA §6025, sub-§5, as amended by PL 1979, c. 541, Pt. B, §14, is corrected to read:

5. Sheriff and police powers as marine patrol officers. A sheriff, deputy sheriff, police officer, constable or inland fisheries and wildlife warden, within ~~their~~ that person's respective jurisdiction, ~~shall be~~ is vested with the powers of a marine patrol officer, except the powers provided in sections 6306 and 6434. When ~~an officer~~ that person acts under this section, the same fees ~~shall~~ must be paid for his services rendered by that person to the usual recipient of ~~the officer's~~ that person's fees.

Sec. B-30. 12 MRSA §6101, sub-§7, as enacted by PL 1977, c. 661, §5, is corrected to read:

7. Preventing misleading labeling. If the commissioner has reason to believe that a violation of subsection 6 is occurring, ~~he~~ the commissioner may order the withholding of an inspection or grading label or mark.

Sec. B-31. 12 MRSA §6101, sub-§8, as enacted by PL 1977, c. 661, §5, is corrected to read:

8. Procedure. The commissioner shall give notice of ~~his a~~ withholding order and may give an opportunity for a hearing on the order. The order ~~shall be~~ is effective on service or receipt of the notice. The notice ~~shall~~ must contain a statement of the violation, the order and any opportunity for a hearing, and ~~shall~~ must be personally served on or mailed to the violator. Any hearing ~~shall~~ must be requested in writing within 10 days, unless a longer period is mutually agreed to in writing. Notice of the hearing ~~shall~~ must be given immediately to the violator.

If a hearing is held, it ~~shall~~ must be conducted in the Augusta area. At the hearing, the violator ~~shall be~~ is entitled to present any evidence concerning the violation and surrounding circumstances. All decisions of the commissioner ~~shall~~ must be in writing. All decisions of the commissioner under this section may be reviewed in the manner provided under ~~the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter VII~~ 7.

Sec. B-32. 12 MRSA §6102, as amended by PL 1981, c. 705, Pt. C, §1, is corrected to read:

§6102. Mandatory quality control program

The commissioner may, in accordance with the most modern public health and food protection practices, establish and maintain effective surveillance and inspection of all segments of the ~~state's~~ State's fishing industries. ~~He~~ The commissioner may establish a program to carry out this responsibility. The program may include provisions similar to those of section 6856, ~~shellfish sanitation and certificate,~~ and section 6101, ~~voluntary fish products inspection program,~~ including any additional inspection, licensing and certification requirements that are necessary to insure proper sanitation and quality control. The commissioner may adopt or amend ~~regulations~~ rules prescribing the minimum standards for establishments and for sanitation and quality control of the processing of any marine organism or its products. Each set of ~~regulations~~ rules ~~shall~~ must be based on the particular operational requirements of the species or phase of industry being regulated, and ~~shall~~ must conform to the latest state or federal sanitation standards.

Sec. B-33. 12 MRSA §6122, sub-§2, as repealed and replaced by PL 1983, c. 388, §2, is corrected to read:

2. Initiation of fishway proceedings. Within 30 days of receipt of the construction notice, the commissioner shall review the plans in order to determine whether fishway construction or alteration of proposed fishway construction plans may be required pursuant to the criteria set forth in section 6121, subsection 3. If the commissioner determines that such construction or alteration may be necessary, ~~he~~ the commissioner shall initiate fishway proceedings and follow the procedures prescribed in section 6121.

Sec. B-34. 12 MRSA §6171, sub-§1, as enacted by PL 1977, c. 661, §5, is corrected to read:

1. Commissioner's powers. The commissioner may investigate conditions affecting marine resources and, with the advice and consent of the advisory council, may adopt or amend such ~~regulations~~ rules as ~~he deems~~ the commissioner considers necessary to promote the conservation and propagation of marine organisms.

Sec. B-35. 12 MRSA §6171, sub-§3, ¶B, as amended by PL 2015, c. 391, §1, is corrected to read:

B. An unusually large concentration of ~~fishermen~~ persons who fish might deplete the supply of any marine organism;

Sec. B-36. 12 MRSA §6201, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

§6201. Prosecution by district attorney

Each district attorney shall prosecute all violations of marine resources' laws occurring within ~~his~~ the district attorney's county when requested by the commissioner, a marine patrol officer or other person authorized to enforce any provision of marine resources' laws.

Sec. B-37. 12 MRSA §6205, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

§6205. Certificate as evidence

A certificate of the commissioner, deputy commissioner or Chief of the Bureau of Marine Patrol stating what the records of the department show ~~shall be~~ is admissible as evidence in all courts as proof of the department records. A certificate stating that the records do not show that a person held a license ~~shall be~~ is prima facie evidence that the person did not hold the license on the date specified in the certificate. The certified copy ~~shall be~~ is admissible in evidence on the testimony of ~~a~~ an officer that ~~he~~ the officer received the certificate after requesting it by telephone or otherwise from the department. ~~No~~ A further foundation ~~shall be~~ is not necessary for the admission of the certificate.

Sec. B-38. 12 MRSA §6206, sub-§2, ¶A, as amended by PL 1987, c. 736, §7, is corrected to read:

A. Form of libel:

STATE OF MAINE

County of SS

To the Honorable

Clerk, Judge
Justice of the Peace

of

Court.

Your libelant, of, Maine, a warden,

states that on the day of, 19 20 . . ., at

in this county, ~~he~~ the libelant seized certain fish, shellfish, lobsters, or other marine species, or parts thereof, or certain equipment, described as follows:

.....
.....
.....

That the items seized and described were either taken, bought, sold, shipped, transported, possessed or used in violation of a provision of the Maine Revised Statutes, Title 12, chapters 601 to 627, or in violation of a ~~regulation~~ rule authorized by those chapters. The specific violation of statute or ~~regulation~~ rule is

.....
.....

Wherefore ~~he~~ the libelant prays for a decree of forfeiture of these items in accordance with the provisions of the Maine Revised Statutes, Title 12, section 6207.

Signed at

in this county, this day of, 19 20..

(Signed)....

Warden

Sec. B-39. 12 MRSA §6207, sub-§1, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

1. May be seized without warrant; marine patrol officer's duty to libel; contents of libel. Whenever a marine patrol officer seizes any organism or equipment and does not return them to the owner, ~~he~~ the marine patrol officer shall within a reasonable time file a libel with a judge. ~~He~~ The marine patrol officer shall insert the following information in the libel:

- A. The description of the items seized by ~~him~~ the marine patrol officer;
- B. A statement of the date and place of seizure;
- C. A statement of the violation that causes the seizure; and
- D. A prayer for a decree of forfeiture of those items.

Sec. B-40. 12 MRSA §6207, sub-§3, as amended by PL 2013, c. 468, §3, is corrected to read:

3. Order of notice; contents. The judge to whom the libel is directed shall fix a time for the hearing of the libel. ~~He~~ The judge shall issue an order of notice to all persons interested, in which order of notice he shall insert. ~~The judge shall insert in the order of notice the following:~~

A. A citation to all persons interested to appear at the time and place appointed for the hearing and show cause, if any, why the items described in the libel should not be declared forfeited to the State;

B. The time and the place fixed for the hearing; and

C. An order that a true copy of the libel and the order of the notice, attested by the marine patrol officer, be mailed to the person from whom the items were seized at that person's last known address and posted in 2 conspicuous places in the municipality, or place where the items were seized, at least 10 days before the day set for the hearing.

Sec. B-41. 12 MRSA §6207, sub-§6, ¶A, as enacted by PL 1977, c. 661, §5, is corrected to read:

A. A statement of ~~his~~ the claimant's claimed title or right and its foundation;

Sec. B-42. 12 MRSA §6207, sub-§6, ¶D, as enacted by PL 1977, c. 661, §5, is corrected to read:

D. A statement that the items claimed were not held in possession or use, with ~~his~~ the claimant's knowledge or consent, in violation of any provision of marine resources' laws;

Sec. B-43. 12 MRSA §6207, sub-§6, ¶E, as enacted by PL 1977, c. 661, §5, is corrected to read:

E. ~~He shall state his~~ A statement of the claimant's business and ~~his~~ place of residence; and

Sec. B-44. 12 MRSA §6207, sub-§6, ¶F, as enacted by PL 1977, c. 661, §5, is corrected to read:

F. ~~He~~ The claimant shall sign and make oath to the claim before the judge.

Sec. B-45. 12 MRSA §6207, sub-§7, as enacted by PL 1977, c. 661, §5, is corrected to read:

7. Claimant admitted as party; hearing. If ~~any~~ a person makes claim as provided in subsection 6, the judge shall admit ~~him~~ the claimant as a party to the process, shall proceed to determine the truth of the allegations in the claim and libel and shall hear any relevant evidence offered by the libelant or the claimant.

Sec. B-46. 12 MRSA §6207, sub-§8, as enacted by PL 1977, c. 661, §5, is corrected to read:

8. Court order if claimant found entitled to any item claimed. If the judge upon hearing is satisfied that ~~any~~ an item listed in the claimant's claim was not, with the claimant's knowledge or consent, used or possessed in violation of ~~any~~ a provision of marine resources' laws, and that the claimant has title or is entitled to possession of that item, ~~he~~ the judge shall give the claimant an order in writing. The judge shall direct the order to the libelant commanding ~~him~~ the libelant to deliver the item to the claimant, or, if

the item has been sold, to deliver the proceeds of the sale to the claimant, within 48 hours after the demand.

Sec. B-47. 12 MRSA §6209, as enacted by PL 1987, c. 281, §1, is corrected to read:

§6209. Commissioner to keep records

The commissioner shall collect and maintain criminal history record information pertinent to violations of chapters 601 to 627. ~~He~~ The commissioner may collect and maintain other records and information pertinent to other functions of the department, including the enforcement of civil violations.

Sec. B-48. 12 MRSA §6310, sub-§2, as amended by PL 2013, c. 319, §1, is corrected by correcting the first blocked paragraph to read:

For the purposes of this subsection, "family member" means a spouse, ~~brother, sister, son-in-law, daughter-in-law~~ sibling, child's spouse, parent by blood, parent by adoption, ~~mother-in-law, father-in-law~~ spouse's parent, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

Sec. B-49. 12 MRSA §6371, sub-§4, ¶I, as corrected by RR 2017, c. 1, §5, is corrected to read:

I. Title 17-A, section 207, 209, 210, 210-A or 211, when the offense is committed against a marine patrol officer or a family member of a marine patrol officer as a result of the marine patrol officer performing what the license holder knows or has reason to know are the marine patrol officer's official duties. As used in this paragraph, "family member" means a spouse, ~~brother, sister, son-in-law, daughter-in-law~~ sibling, child's spouse, parent by blood, parent by adoption, ~~mother-in-law, father-in-law~~ spouse's parent, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

Sec. B-50. 12 MRSA §6372, sub-§1, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

1. Initiation and suspension. A marine patrol officer may deliver to the commissioner a written statement under oath that a person has refused to allow inspection or seizure under section 6306. The commissioner, on receipt of the affidavit, shall immediately notify the person in writing that ~~his~~ the person's license has been suspended.

Sec. B-51. 12 MRSA §6372, sub-§4, as amended by PL 1979, c. 541, Pt. B, §15, is corrected to read:

4. Stay. Upon written request, the commissioner may delay the suspension pending the determination of the original hearing or the appeal, if ~~he~~ the commissioner finds that suspension will cause undue hardship.

Sec. B-52. 12 MRSA §6405, as amended by PL 1979, c. 283, §1, is corrected to read:

§6405. Trap removal

~~Any~~ A person whose lobster and crab fishing license has been suspended shall, within 5 days of suspension, remove from the water all of ~~his~~ the person's lobster traps or cars, except cars numbered with another valid license number. The commissioner may extend

the time period if adverse weather conditions or other circumstances beyond the control of the license holder prevent removal within that time period.

During the removal period, the license holder ~~shall~~ may not sell, lease or otherwise transfer ownership of the license holder's lobster traps or cars or give written permission to another person to raise, lift or transfer those traps or cars. The commissioner may allow another licensed person, subject to any conditions or limitations, to assist the license holder in removing ~~his~~ the license holder's traps or cars, if that assistance is required because of personal hardship or a large number of traps.

Sec. B-53. 12 MRSA §6431-E, sub-§1, ¶A, as amended by PL 1999, c. 26, §1, is corrected to read:

A. "Family member" means a spouse, ~~brother, sister, son-in-law, daughter-in-law~~ sibling, child's spouse, parent by blood, parent by adoption, ~~mother-in-law, father-in-law~~ spouse's parent, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

Sec. B-54. 12 MRSA §6433, sub-§3, as enacted by PL 1977, c. 661, §5, is corrected to read:

3. Exemption. The commissioner may exempt specific trap designs from the escape vent requirements of this section if it is proved to ~~his~~ the commissioner's satisfaction that the specific trap design will only take crabs and is incapable of taking lobsters.

Sec. B-55. 12 MRSA §6441, as enacted by PL 1983, c. 227, is corrected to read:

§6441. Plugged lobsters

The commissioner, in accordance with section 6191, may adopt ~~regulations~~ rules prohibiting the possession of plugged lobsters, ~~provided that he as long as the commissioner~~ has determined that these regulations rules will not adversely affect lobster importation.

Sec. B-56. 12 MRSA §6525-A, sub-§1, as enacted by PL 1983, c. 731, §2, is corrected to read:

1. Setting nets or seines near weirs. It is ~~unlawful for any~~ A person, other than the weir owner or ~~his~~ the weir owner's crew members, ~~to~~ may not set or assist in setting ~~any~~ a net or seine within 2,000 feet of the mouth of a weir in operating condition whose operator is validly licensed under section 6501 and when the weir is licensed under Title 38, chapter 9.

Sec. B-57. 12 MRSA §6525-A, sub-§3, as enacted by PL 1983, c. 731, §2, is corrected to read:

3. Cove name and designation. The commissioner shall prepare a map of areas of the State, where weirs are used as a method of fishing, ~~which that~~ fixes the location of each weir and designates the boundaries of each cove in which those weirs are located. The map ~~shall~~ must be provided to municipalities by the commissioner. Owners of licensed weirs and applicants for a license ~~shall~~ may receive a map at cost. When an applicant for a license finds no designation on the map of cove boundaries for the cove where ~~he~~ the applicant wants to construct a weir, the municipal officers from the city or town within which the

weir will be located shall notify the commissioner of the intended location of the weir on the map. The commissioner shall designate boundaries for the cove.

Sec. B-58. 12 MRSA §6546, first ¶, as enacted by PL 1981, c. 671, is corrected to read:

Any person, firm or corporation purchasing herring from a ~~fisherman or his person who fishes commercially~~ or that person's agent, at the time of purchase, shall furnish to the ~~fisherman or his person who fishes commercially~~ or that person's agent a written acknowledgment of the purchase.

Sec. B-59. 12 MRSA §6546, sub-§2, as enacted by PL 1981, c. 671, is corrected to read:

2. Payments. Unless otherwise agreed to by the parties, the buyer shall make all payments to the ~~fisherman, or his person who fishes commercially~~ or that person's agent, in money or in money equivalent, which includes, but is not limited to, credit against any outstanding indebtedness the ~~fisherman~~ person who fishes commercially may have to the buyer.

Sec. B-60. 12 MRSA §6703, sub-§2, as enacted by PL 1985, c. 662, §4, is corrected to read:

2. Licensed activity. The holder of a noncommercial scallop license may take scallops by hand or by use of a drag and may possess, ship or transport scallops ~~he~~ the license holder has taken.

Sec. B-61. 12 MRSA §6720, sub-§1, ¶A, as enacted by PL 2017, c. 222, §2, is corrected to read:

A. "Family member" means a spouse, ~~brother, sister, son-in-law, daughter-in-law~~ sibling, child's spouse, parent by blood, parent by adoption, ~~mother-in-law, father-in-law~~ spouse's parent, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

Sec. B-62. 12 MRSA §6749-D, sub-§1, ¶A, as enacted by PL 2017, c. 222, §5, is corrected to read:

A. "Family member" means a spouse, ~~brother, sister, son-in-law, daughter-in-law~~ sibling, child's spouse, parent by blood, parent by adoption, ~~mother-in-law, father-in-law~~ spouse's parent, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

Sec. B-63. 12 MRSA §6953, sub-§2, as amended by PL 1979, c. 541, Pt. B, §73, is corrected to read:

2. Remaining stopped. After ~~he~~ the operator has ~~so~~ stopped, to fail to remain stopped until the marine patrol officer reaches ~~his~~ the operator's immediate vicinity and makes known to that operator the reason for the request or signal;

Sec. B-64. 12 MRSA §8704, as enacted by PL 1979, c. 545, §3, is corrected to read:
§8704. Rehabilitation program

The director may carry out a forest rehabilitation program on unstocked and poorly stocked potential forest land, either public or private, with first priority to burned areas. ~~He~~

The director shall make use of federal funds as and if available and of inmates of state institutions, including penal, whenever possible or feasible. The State shall participate in the cost of such forest rehabilitation up to 50% of the total cost on private land including the value of trees, any such rehabilitation. Rehabilitation on private lands to may be done only at the landowner's request.

Sec. B-65. 12 MRSA §8844, as repealed and replaced by PL 1983, c. 507, §2, is corrected to read:

§8844. Seizure or attachment

Any officer authorized to make inspections, investigations or arrests under this Article may seize and hold Christmas trees or evergreen boughs until proof of ownership has been established. If ~~no~~ proof of ownership has not been established, the officer shall try to determine where those trees or boughs were cut and notify the landowner. If the owner does not want the trees or boughs, or ownership cannot be determined, the State may dispose of them and any money derived from the disposition of the trees and boughs ~~shall~~ must be paid to the landowner, if ~~his~~ the landowner's identity can be established and, otherwise, to the Treasurer of State to be credited to the General Fund.

Sec. B-66. 12 MRSA §8902, as amended by PL 1985, c. 108, §3; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §23, is corrected to read:

§8902. Forest fire wardens

The director shall appoint a forest fire warden in each organized municipality. The municipal fire chief ~~shall~~ must be appointed as forest fire warden if practicable and no other person may be appointed without the approval of the municipal officers. All appointed forest fire wardens ~~shall~~ serve at the pleasure of the director and ~~shall~~ must be sworn to the faithful discharge of these duties and a certificate thereof ~~shall~~ must be returned to the bureau. ~~Whoever~~ A person who has been notified of this appointment shall file with the director ~~his~~ that person's acceptance or rejection within 10 days. The appointed forest fire warden may appoint one or more deputy forest fire wardens subject to approval of the municipal officers. A deputy forest fire warden may act for the forest fire warden in the absence of the appointed forest fire warden, but ~~no~~ compensation in addition to that provided in this section may not be made.

The State shall pay the appointed forest fire warden an annual fee of \$100. This payment ~~shall be made~~ is contingent upon attendance at forest fire training schools, preparation of an annual forest fire plan for ~~his~~ the town the forest fire warden serves and ~~such~~ reports as the director may require. This fee in no way limits payment to the warden from ~~his~~ the town the forest fire warden serves. ~~His~~ The warden's services for work on actual forest fires, as well as that of deputy forest fire wardens, ~~shall~~ must be paid by the town and at a rate determined by the town.

Sec. B-67. 12 MRSA §9303, as enacted by PL 1979, c. 545, §3, is corrected to read:

§9303. Deposits on other's land forbidden

~~No~~ A person shall may not deposit refuse of any kind on land not ~~his~~ the person's own without the consent of the owner or the public authority having custody or maintenance responsibility of ~~such~~ that land.

Sec. B-68. 12 MRSA §9324, sub-§2, as enacted by PL 1979, c. 545, §3, is corrected to read:

2. Time and manner of kindling. ~~Whoever~~ A person who kindles or uses a fire on ~~his~~ that person's own land shall do so at a suitable time and in a careful and prudent manner and is liable in a civil action to ~~any~~ another person injured by ~~his~~ the failure to comply with this provision.

Sec. B-69. 12 MRSA §9334, as amended by PL 1983, c. 556, §15, is corrected to read:

§9334. Along Removal of slash along land bordering on another

~~Whoever~~ A person who, as stumpage owner, operator, landowner or agent, cuts, causes or permits to be cut any forest growth on land ~~which~~ that borders land of another outside the limits of the unorganized territory or within the unorganized territory ~~which~~ that borders property outside shall dispose of the slash in the manner described: ~~All~~ the slash resulting from ~~such~~ the cutting of forest growth ~~shall~~ may not remain on the ground within 25 feet of the property line, ~~provided that~~ as long as the director on ~~his~~ the director's own initiative or upon written complaint of another declares that the situation constitutes a fire hazard.

Sec. B-70. 12 MRSA §9335, as enacted by PL 1979, c. 545, §3, is corrected to read:

§9335. – Removal of slash by dwelling houses

The director, by written notice to any stumpage owner, operator, landowner or agent cutting forest growth, may require the removal of slash within 100 feet of buildings and trailers currently used for human occupancy when, in ~~his~~ the director's judgment, ~~such~~ that slash constitutes an unusual hazard endangering other property through the setting or spreading of forest fires.

Sec. B-71. 12 MRSA §9337, as enacted by PL 1979, c. 545, §3, is corrected to read:

§9337. Primary processors

All primary processors of wood products, including, but not limited to, sawmills, except a person processing for ~~his~~ that person's own domestic use, and owners of lands on which ~~such~~ those processing plants are located shall keep any slash resulting from cutting forest growth removed for a distance of 50 feet in all directions from the mill, sawdust pile and any open incinerator. Live trees need not be removed from the 50-foot cleared area but coniferous trees ~~shall~~ must be pruned to a height of 10 feet above the ground and dead snags ~~shall~~ must be removed. The sawdust pile ~~shall~~ must be clear of all trees, free of slabs and edgings and located not less than 25 feet from any open incinerator and mill. All such processors and owners shall observe the slash provisions of this Article when on, or after change of, location.

Sec. B-72. 12 MRSA §9401, as enacted by PL 1979, c. 545, §3, is corrected to read:

§9401. Patrol along tracks

Whenever in the judgment of the director the woodlands along the railroads traversing the forest lands of the State are in a dry and dangerous condition, ~~he~~ the director shall maintain a competent and efficient fire patrol along the right-of-way or lands of ~~such~~ those railroads if, in ~~his~~ the judgment of the director, a satisfactory railroad fire patrol is not being provided.

Sec. B-73. 12 MRSA §9602, as enacted by PL 1979, c. 545, §3, is corrected to read:
§9602. Obstruction of discontinued woods roads prohibited

No A person, unless authorized by the director, ~~shall~~ may not obstruct any improved woods road or way used for the removal of forest growth, upon the discontinuance from use or abandonment of the ~~same road or way~~, if it may be reasonably utilized for preventing or suppressing forest fires. This provision ~~shall~~ does not prohibit a landowner from ~~his exercising the landowner's~~ right to close or cause to be closed ~~such~~ woods roads or ways by chains or gates.

Sec. B-74. 12 MRSA §10309, sub-§1, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is corrected to read:

B. A species or species group that is adversely affected due to unusual vulnerability to ~~man-made~~ human-made disturbances and requirements for a special or limited habitat type;

Sec. B-75. 12 MRSA §11154, sub-§15, as amended by PL 2019, c. 143, §1, is corrected 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~~ sibling, ~~half-sister, half-brother~~ half-sibling 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.

Sec. B-76. 12 MRSA §11226-B, sub-§1, ¶C, as enacted by PL 2021, c. 87, §1, is corrected to read:

C. "Family member" means a parent, spouse, ~~daughter or son~~ child or a grandchild who is less than 18 years of age.

Sec. B-77. 12 MRSA §12551-A, sub-§7, ¶A, as amended by PL 2015, c. 301, §36, is corrected by correcting subparagraph (2) to read:

(2) Beginning on the date the body of water on which the smelts are taken is open to ice fishing and ending March 31st annually, use a drop net, a lift net or hook and line to take up to 8 quarts of smelts through ~~man-made~~ human-made openings in the ice while fishing on the ice from specific inland waters designated by the commissioner. A dip net may be used in conjunction with the above methods to

assist with the handling and transporting of smelts. A licensee may keep the daily bag limit alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day;

Sec. B-78. 12 MRSA §12803, sub-§1, ¶E, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is corrected to read:

E. Other natural or ~~manmade~~ human-made factors affecting its continued existence within the State.

Sec. B-79. 22 MRSA §13, sub-§1, as enacted by PL 1975, c. 715, §3 and amended by PL 2003, c. 689, Pt. B, §7, is corrected to read:

1. Establishment; composition. The Commissioner of Health and Human Services is authorized to create within the department a Human Services Fraud Investigation Unit, ~~hereinafter~~ referred to in this section as the "unit." The commissioner is authorized to employ and assign to the unit such employees as ~~he deems~~ the commissioner considers appropriate.

Sec. B-80. 22 MRSA §13, sub-§4, as enacted by PL 1975, c. 715, §3, is corrected to read:

4. Violation of law; action. Whenever the unit determines that a fraud, an attempted fraud or a violation of law in connection with funds administered by the department may have occurred, it shall report in writing all information concerning ~~such~~ the fraud or violation to the Attorney General or ~~his~~ the Attorney General's delegate for such action as ~~he may deem~~ the Attorney General considers appropriate, including civil action for recovery of funds and criminal prosecution by the Department of the Attorney General. The unit shall, upon request of the Attorney General and in such a manner as ~~he deems~~ the Attorney General considers appropriate, assist in the recovery of funds.

Sec. B-81. 22 MRSA §41, as amended by PL 1975, c. 771, §211, is corrected to read:

§41. Commissioner's report

The commissioner, as soon as practicable after the close of the fiscal year ~~which~~ that is indicated by an even number, shall report to the Governor the activities of the department during the biennial period just ended with such suggestions as to legislative action as ~~he deems~~ the commissioner considers necessary or important.

Sec. B-82. 22 MRSA §46, as amended by PL 1981, c. 470, Pt. A, §54, is corrected to read:

§46. Charitable and benevolent institutions to submit itemized bills; recipients not deemed considered paupers

No part of any appropriations made by the State for the care, treatment, support or education of any person by any charitable or benevolent organization not wholly owned or controlled by the State ~~shall~~ may be paid until duly itemized bills, showing the name of the person receiving the service, the date on which the service was rendered, and the rate charged therefor per day or week, ~~shall~~ have been filed with the State Controller together with a certificate from the department that satisfactory evidence has been filed in its office

by the organization furnishing the service that the persons receiving the service were in need of such services; that they were not able to pay for the same; and that the rates charged are not greater than those charged to the general public for the same service. The only exceptions to the above specific procedures are those instances in which the charitable or benevolent organization by agreement with the department elects to return its state appropriation, either in whole or in part, to the department for matching with federal funds.

In all instances, payments made by the State to charitable and benevolent organizations under this section ~~shall be~~ are governed by such rules ~~and regulations~~ and rates as are prescribed by the department. ~~No~~ A person ~~shall be deemed~~ may not be considered to be a pauper ~~by reason of having~~ because the person received the benefit of any funds, either state or municipal, ~~which shall have been~~ that were expended in his on behalf of the person under this section.

Sec. B-83. 22 MRSA §677, sub-§5, as enacted by PL 1983, c. 345, §§13 and 14, is corrected to read:

5. Federal license or permit required. ~~No person may~~ A person may not manufacture, construct, produce, transfer, acquire or possess any special nuclear material, source material, by-product material, production facility or utilization facility, or act as an operator of a production or utilization facility wholly within this State, unless ~~he~~ the person has first obtained a license or permit for the activity in which ~~he~~ the person proposes to engage from the United States Nuclear Regulatory Commission if, pursuant to federal law, the commission requires a license or permit to be obtained by ~~persons~~ a person proposing to engage in activities of the same type over which it has jurisdiction.

Sec. B-84. 22 MRSA §690, sub-§2, ¶B, as enacted by PL 1987, c. 493, §9, is corrected by correcting the 2nd blocked paragraph to read:

At the hearing, the alleged violator may appear in person or by attorney and answer the allegations of violation and file a statement of the facts, including the methods, practices and procedures, if any, adopted or used by ~~him~~ the alleged violator to comply with this chapter and present such evidence as may be pertinent and relevant to the alleged violation.

Sec. B-85. 22 MRSA §690, sub-§2, ¶C, as enacted by PL 1987, c. 493, §9, is corrected to read:

C. On the request of the department, the Attorney General may institute a civil action to collect a penalty imposed pursuant to this subsection. Only the Attorney General may compromise, mitigate or remit such civil penalties as are referred to ~~him~~ the Attorney General for collection.

Sec. B-86. 22 MRSA §753, sub-§2, as enacted by PL 1967, c. 226, is corrected to read:

2. Aid. Whenever the compact administrator of a party state requests aid from the compact administrator of any other party state pursuant to this compact, ~~it shall be the duty of the requested state to~~ shall render all possible aid to the requesting state ~~which that~~ is consonant with the maintenance of protection of its own people. The compact administrator of a party state may delegate any or all of ~~his~~ the compact administrator's authority to request aid or respond to requests for aid pursuant to this compact to one or more subordinates, in order that requests for aid and responses thereto ~~shall not be~~ are not

impeded by reason of the absence of or unavailability of the compact administrator. Any compact administrator making such a delegation shall inform all the other compact administrators thereof, and shall inform them of the identity of the subordinate or subordinates to whom the delegation has been made.

Sec. B-87. 22 MRSA §756, sub-§1, as enacted by PL 1967, c. 226, is corrected to read:

1. Coordinate activities. Shall coordinate activities pursuant to this compact in and on behalf of ~~his~~ the compact administrator's state.

Sec. B-88. 22 MRSA §1471-B, sub-§4, as enacted by PL 1979, c. 644, §3, is corrected to read:

4. Director. The commissioner shall appoint a director, with the approval of the board. The director ~~shall be~~ is the principal administrative, operational and executive employee of the board. The director shall attend and participate in all meetings of the board, but may not vote. The director, with the approval of the commissioner and the board, may hire ~~whatever~~ any competent professional personnel and other staff ~~he deems~~ the director considers necessary. All employees of the board ~~shall be~~ are subject to Title 5, Part 2. The director may obtain office space, goods and services as required.

Sec. B-89. 22 MRSA §1471-C, sub-§10, as enacted by PL 1975, c. 397, §2, is corrected to read:

10. Fungi. "Fungi" means all nonchlorophyll-bearing thallophytes, that is, all nonchlorophyll-bearing plants, of a lower order than mosses and liverworts, including but not limited to rusts, smuts, mildews and molds, except those on or in living ~~man~~ humans or other animals or those on or in processed food, beverages or pharmaceuticals.

Sec. B-90. 22 MRSA §1471-C, sub-§18, as enacted by PL 1975, c. 397, §2, is corrected to read:

18. Pest. The term "pest" means any insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria or other micro-organism, except viruses, bacteria or other micro-organisms on or in living ~~man~~ humans or other living animals, ~~which~~ that the commissioner declares to be a pest.

Sec. B-91. 22 MRSA §1471-C, sub-§22, as amended by PL 1975, c. 644, §3, is corrected to read:

22. Private applicator. "Private applicator" means any person who uses or supervises the use of any pesticide ~~which~~ that is classified for restricted or limited use for purposes of producing any agricultural commodity on property owned or rented by ~~him~~ the person or ~~his~~ the person's employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

Sec. B-92. 22 MRSA §1471-W, sub-§5, ¶A, as enacted by PL 1989, c. 93, §2, is corrected by correcting subparagraph (3), division (h) to read:

(h) Pediculocides and mange cure on ~~man~~ humans;

Sec. B-93. 22 MRSA §1561, as amended by PL 1973, c. 430, is corrected to read:
§1561. Removal of private nuisance

When any source of filth whether or not the cause of sickness is found on private property and ~~deemed~~ determined to be potentially injurious to health, the owner or occupant thereof shall, within 24 hours after notice from the local health officer, at ~~his~~ the owner's or occupant's own expense, remove or discontinue it. If ~~he~~ the owner or occupant neglects to do so or unreasonably delays ~~to do~~ doing so, ~~he~~ the owner or occupant forfeits a sum not exceeding \$300. ~~Said~~ The local health officer shall cause ~~said~~ the nuisance to be removed or discontinued, and all expenses thereof ~~shall~~ must be repaid to the town by ~~such~~ the owner or occupant, or by the person who caused or permitted it.

Sec. B-94. 22 MRSA §1562 is corrected to read:

§1562. Depositing of dead animal where nuisance

Whoever personally or through the agency of another leaves or deposits the carcass of a dead horse, cow, sheep, hog or of any domestic animals or domestic fowl or parts thereof in any place where it may cause a nuisance shall, upon receiving a notice to that effect from the local health officer, promptly remove, bury or otherwise dispose of such carcass. If ~~he~~ the person fails to do so within such time as may be prescribed by the local health officer, and in such manner as may be satisfactory to ~~such~~ the health officer, ~~he shall~~ the person must be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 3 months.

Sec. B-95. 22 MRSA §1591, 2nd ¶, as enacted by PL 1977, c. 696, §186, is corrected to read:

~~No~~ A physician, nurse or other person, who refuses to perform or assist in the performance of an abortion, ~~shall~~ may not, because of that refusal, be dismissed, suspended, demoted or otherwise prejudiced or damaged by a hospital, health care facility, firm, association, professional association, corporation or educational institution with which ~~he or she~~ the physician, nurse or other person is affiliated or requests to be affiliated or by which ~~he or she~~ the physician, nurse or other person is employed, nor ~~shall such~~ may that refusal constitute grounds for loss of any privileges or immunities to which ~~such~~ the physician, nurse or other person would otherwise be entitled, nor ~~shall~~ may submission to an abortion or the granting of consent therefor be a condition precedent to the receipt of any public benefits.

Sec. B-96. 22 MRSA §1597-A, sub-§6, ¶D, as enacted by PL 1989, c. 573, §2, is corrected by correcting subparagraph (3) to read:

(3) Deny the petition only if the court finds that the minor is not mature enough to make ~~her~~ the minor's own decision and that the abortion is not in ~~her~~ the minor's best interest.

Sec. B-97. 22 MRSA §1597-A, sub-§7, as enacted by PL 1989, c. 573, §2, is corrected to read:

7. Abortion performed against the minor's will. ~~No~~ An abortion may not be performed on any minor against ~~her~~ the minor's will, except that an abortion may be performed against the will of a minor pursuant to a court order described in subsection 6 that the abortion is necessary to preserve the life of the minor.

Sec. B-98. 22 MRSA §1598, sub-§4, as enacted by PL 1979, c. 405, §2, is corrected to read:

4. Abortions after viability; criminal liability. A person who performs an abortion after viability is guilty of a Class D crime if:

A. He The person knowingly disregarded the viability of the fetus; and

B. He The person knew that the abortion was not necessary for the preservation of the life or health of the mother.

Sec. B-99. 22 MRSA §1602, sub-§3, as amended by PL 1981, c. 703, Pt. A, §11, is corrected to read:

3. Plans; cooperation. In its review of applications for permits for the holding or promoting of a mass outdoor gathering, the department may require such plans, specifications and reports as ~~it shall deem~~ it considers necessary for a proper review. In its review of such applications, as well as in carrying out its other duties and functions in connection with such a gathering, the department may request; and ~~shall~~ must receive from all public officers, departments and agencies of the State and its political subdivisions such cooperation and assistance as may be necessary and proper. ~~No~~ A permit may not be issued by the department until the commissioner or ~~his~~ the commissioner's representative has discussed the application with the municipal officers of the municipality in which the event is intended to be held.

Sec. B-100. 22 MRSA §1633, as enacted by PL 1983, c. 436, is corrected to read:

§1633. Penalty

~~Any~~ A person who does not comply with this chapter within 30 days; after receiving written notice that ~~he~~ the person is in violation of its provisions; commits a civil violation for which a ~~forfeiture~~ fine of not more than \$500 may be adjudged. Each day a violation continues ~~shall be~~ is a separate violation.

Sec. B-101. 22 MRSA §1654, as enacted by PL 1979, c. 415, §1, is corrected to read:

§1654. Assistance

The commissioner may request and ~~shall~~ must receive from any department, division, board, bureau, commission or agency of the State, or of any political subdivision thereof, such assistance and data as will enable ~~him~~ the commissioner to properly carry out ~~his~~ the commissioner's activities hereunder and effectuate the purposes set forth in this chapter. The commissioner may also enter into any contract for services ~~which he deems~~ that the commissioner considers necessary with a private agency or concern upon such terms and conditions as ~~he deems~~ the commissioner considers appropriate.

Sec. B-102. 22 MRSA §1692-A, sub-§2, as enacted by PL 1983, c. 835, §1, is corrected to read:

2. Director. "Director" means the Director of the Bureau of Health or ~~his~~ the director's designee.

Sec. B-103. 22 MRSA §1696, sub-§3, ¶A, as enacted by PL 1983, c. 835, §1, is corrected by correcting subparagraph (2) to read:

(2) The ~~chairman~~ chair of the Science Advisory Panel;

Sec. B-104. 22 MRSA §1696, sub-§4, as enacted by PL 1983, c. 835, §1, is corrected to read:

4. Reporting. The director shall compile all available information and prepare a report for each substance, class of substances or pollutants evaluated and submit this report to the commissioner, director or ~~chairman~~ chair of the group that requested the health risk review and evaluation.

Sec. B-105. 22 MRSA §1705 is corrected to read:

§1705. Individuals may select own physician

~~Nothing in this~~ This Title shall may not be construed to empower or authorize the department or its representative to interfere in any manner with the right of ~~any~~ an individual to select the physician or mode of treatment of ~~his~~ the individual's choice, ~~providing that as long as~~ as long as sanitary laws, rules and regulations are complied with.

Sec. B-106. 22 MRSA §1711-C, sub-§3-B, ¶D, as enacted by PL 1999, c. 512, Pt. A, §5 and affected by §7 and c. 790, Pt. A, §§58 and 60, is corrected to read:

D. An adult who is ~~an aunt, uncle, niece or nephew of the individual~~ a sibling of the individual's parent or that sibling's spouse or a child of a sibling of the individual or a child of a sibling of the individual's spouse, related by blood or adoption;

Sec. B-107. 22 MRSA §1712, 2nd ¶, as enacted by PL 1983, c. 166, is corrected to read:

The request may be made by the patient or ~~his~~ the patient's legal guardian at discharge or at any time within 7 years after discharge.

Sec. B-108. 22 MRSA §1826, sub-§1, ¶A, as enacted by PL 1985, c. 291, §1, is corrected to read:

A. A resident may obtain medical care from any qualified institution, agency or person of ~~his~~ the resident's choice, as long as that health care provider complies with any applicable laws or rules concerning the provision of care to the resident.

Sec. B-109. 22 MRSA §1871, 2nd ¶, as reallocated by PL 1983, c. 816, Pt. A, §16, is corrected to read:

Without regard to the matter of sanatorium closure, the commissioner also may purchase care for tuberculosis patients from private practitioners and private medical institutions. In making payments for care, ~~he~~ the commissioner shall take into consideration payments that may be available through insurance or other 3rd parties.

Sec. B-110. 22 MRSA §1951, as amended by PL 2011, c. 512, §1, is corrected to read:

§1951. Health improvement program

The department is authorized to administer a program to extend and improve its services for promoting the health of mothers and children, especially in rural areas and in areas suffering from severe economic distress. This chapter may not be construed as authorizing any public official, agent or representative, in carrying out this chapter, to take charge of any child over the objections of ~~either the father or the mother~~ a parent of that

child, or of the person standing in loco parentis to that child, except pursuant to a proper court order.

Sec. B-111. 22 MRSA §2001, as amended by PL 2001, c. 574, §13, is corrected to read:

§2001. Program of service

The department, through its Bureau of Health, is authorized to administer a program of services for children who are disabled or who are suffering from conditions that lead to a disability, and to supervise the administration of those services included in the program that are not administered directly by it. The purpose of the program is to develop, extend and improve services for locating such children and for providing for medical, surgical, corrective and other services of care, and for facilities for diagnosis, hospitalization and aftercare. ~~Nothing in this~~ This chapter may not be construed as authorizing any public official, agent or representative, in carrying out this chapter, to take charge of any child over the objection of ~~either the father or the mother~~ a parent of such that child, or of the person standing in loco parentis to ~~such that~~ that child, except pursuant to a proper court order.

Sec. B-112. 22 MRSA §2019, as repealed and replaced by PL 1975, c. 218, is corrected to read:

§2019. Display

~~Any~~ A person maintaining, conducting or operating a medical laboratory shall display, in a prominent place in the medical laboratory, the license issued to ~~him~~ the person by the department. A medical laboratory ~~shall~~ may not in any advertisement, announcement, letter, circular, poster, sign or any other manner include any statement expressly or by implication to the effect that it is approved or endorsed by the department.

Sec. B-113. 22 MRSA §2037, sub-§1, as amended by PL 1981, c. 470, Pt. A, §80, is corrected to read:

1. Unlicensed. Operate, maintain, direct or engage in the business of operating a medical laboratory, as defined, unless ~~he~~ the person has obtained a medical laboratory license from the department; or

Sec. B-114. 22 MRSA §2054, sub-§2, as enacted by PL 1971, c. 303, §1, is corrected to read:

2. Chairman Chair, ~~vice-chairman~~ vice-chair; executive director. The authority shall annually elect one of its members as ~~chairman~~ chair and one as ~~vice-chairman~~, vice-chair and shall also appoint an executive director who ~~shall not be~~ is not a member of the authority and who ~~shall serve~~ serves at the pleasure of the authority and ~~receive~~ receives such compensation as ~~shall be fixed~~ set by the authority.

Sec. B-115. 22 MRSA §2054, sub-§3, as enacted by PL 1971, c. 303, §1, is corrected to read:

3. Duties of executive director. The executive director shall keep a record of the proceedings of the authority and ~~shall be~~ is the custodian of all books, documents and papers filed with the authority and of the minute book or journal of the authority and of its official seal. ~~He~~ The executive director may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official

seal of the authority to the effect that such copies are true copies, and all persons dealing with the authority may rely upon ~~such~~ the certificates.

Sec. B-116. 22 MRSA §2054, sub-§5, as enacted by PL 1971, c. 303, §1, is corrected to read:

5. Bond. Each member of the authority shall execute a surety bond in the penal sum of \$50,000 and the executive director shall execute a surety bond in the penal sum of \$100,000, or, in lieu thereof, the ~~chairman~~ chair of the authority shall execute a blanket position bond covering each member, the executive director and the employees of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in this State as surety and to be approved by the Attorney General and filed in the office of the Secretary of State. The cost of each bond ~~shall~~ must be paid by the authority.

Sec. B-117. 22 MRSA §2097, first ¶, as enacted by P&SL 1975, c. 90, §A, §1, is corrected to read:

The council ~~shall consist~~ consists of 9 members appointed by the commissioner. Members ~~shall~~ must be appointed for a term of 3 years, except that, of the members first appointed by the commissioner, 3 ~~shall~~ must be appointed for a term of 2 years and 3 ~~shall~~ must be appointed for a term of one year, as designated by the commissioner at the time of appointment, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which ~~his~~ the member's predecessor was appointed ~~shall~~ may be appointed only for the remainder of ~~such~~ that term. ~~Any~~ A vacancy in the council ~~shall~~ does not affect its powers, but ~~shall~~ must be filled in the same manner in which the original appointment was made.

Sec. B-118. 22 MRSA §2140, sub-§25, as enacted by PL 2019, c. 271, §4, is corrected to read:

25. Form of interpreter attachment. The form of an attachment for purposes of providing interpretive services as described in subsection 5, paragraph B must be in substantially the following form:

I,, am fluent in English and (language of patient).

On (date) at approximately (time) I read the "REQUEST FOR MEDICATION TO END MY LIFE IN A HUMANE AND DIGNIFIED MANNER" to (name of patient) in (language of patient).

~~Mr./Ms.~~ The patient, (name of patient), affirmed to me that ~~he/she~~ the patient understands the content of this form, that ~~he/she~~ the patient desires to sign this form under ~~his/her~~ the patient's own power and volition and that ~~he/she~~ the patient requested to sign the form after consultations with an attending physician and a consulting physician.

Under penalty of perjury, I declare that I am fluent in English and (language of patient) and that the contents of this form, to the best of my knowledge, are true and correct.

Executed at (name of city, county and state) on (date).

Interpreter's signature:

Interpreter's printed name:

Interpreter's address:

Sec. B-119. 22 MRSA §2144, sub-§1, ¶D, as enacted by PL 1983, c. 570, is corrected to read:

D. The commissioner may grant a full, provisional or conditional license under this chapter to those entities otherwise regulated by the State Government or the Federal Government, if ~~he~~ the commissioner determines that those regulations meet the purpose and intent of this chapter.

Sec. B-120. 22 MRSA §2152, sub-§1-A, as amended by PL 1979, c. 731, §19 and PL 2011, c. 657, Pt. W, §6, is corrected to read:

1-A. Commissioner. "Commissioner" means the Commissioner of Agriculture, Conservation and Forestry or ~~his~~ the commissioner's duly authorized agents.

Sec. B-121. 22 MRSA §2152, sub-§4 is corrected to read:

4. Food. "Food" means articles used for food or drink for ~~man~~ humans or other animals, chewing gum and articles used for components of any such article.

Sec. B-122. 22 MRSA §2159, first ¶, as amended by PL 1985, c. 49, §1 and amended by PL 2011, c. 657, Pt. W, §6, is corrected to read:

Whenever a duly authorized agent of the Commissioner of Agriculture, Conservation and Forestry finds or has reason to believe that any food is adulterated, or so misbranded as to be dangerous or fraudulent, within the meaning of this subchapter, ~~he~~ the duly authorized agent of the commissioner may issue an order detaining or embargoing that food to any person ~~or persons with~~ in possession or control thereof, and may affix or require the person ~~or persons~~ to whom the order is directed to affix to ~~such~~ the article a tag or other appropriate marking, giving notice that ~~such~~ the article is or is suspected of being adulterated or misbranded and has been detained or embargoed, and warning all persons not to remove or dispose of ~~such~~ the article by sale or otherwise until permission for removal or disposal is given by ~~such~~ the agent or the court. ~~It shall be unlawful for any A~~ person ~~to~~ may not remove or dispose of ~~such~~ the detained or embargoed article by sale or otherwise without ~~such~~ permission of the agent or the court. Orders relating to detention and embargo issued pursuant to this chapter ~~shall~~ may not be considered licensing or an adjudicatory proceeding, as those terms are defined by ~~the Maine Administrative Procedure Act,~~ Title 5, chapter 375.

Sec. B-123. 22 MRSA §2159, 2nd ¶ is corrected to read:

When an article detained or embargoed under the preceding paragraph has been found by ~~such~~ an authorized agent of the commissioner to be adulterated or misbranded, ~~he~~ the agent shall petition the proper officer of the District Court or Superior Court in whose jurisdiction the article is detained or embargoed for a libel for condemnation of ~~such~~ the article. When ~~such~~ the authorized agent has found that an article ~~so~~ that was detained or embargoed is not adulterated or misbranded, ~~he~~ the agent shall remove the tag or other marking.

Sec. B-124. 22 MRSA §2159, 3rd ¶ is corrected to read:

If the court finds that a detained or embargoed article is adulterated or misbranded, ~~such~~ the article ~~shall~~ must, after entry of the decree, be destroyed at the expense of the

claimant thereof, under the supervision of ~~such~~ the authorized agent, and all court costs and fees, and storage and other proper expenses, ~~shall~~ must be taxed against the claimant of ~~such~~ the article or ~~his~~ the claimant's agent. When the adulteration or misbranding can be corrected by proper labeling or processing of the article, the court, after entry of the decree and after such costs, fees and expenses have been paid and a good and sufficient bond, conditioned that ~~such~~ the article ~~shall be so~~ is labeled or processed, has been executed, may by order direct that ~~such~~ the article be delivered to the claimant thereof for ~~such~~ labeling or processing under the supervision of an authorized agent of the commissioner. The expense of such supervision ~~shall~~ must be paid by the claimant. ~~Such~~ The bond ~~shall~~ must be returned to the claimant of the article on representation to the court by the commissioner that the article is no longer in violation of this subchapter, and that the expenses of such supervision have been paid.

Sec. B-125. 22 MRSA §2162, as amended by PL 1985, c. 785, Pt. B, §88 and PL 1999, c. 547, Pt. B, §78 and affected by §80 and amended by PL 2011, c. 657, Pt. W, §6, is corrected to read:

§2162. Packing of food; permit; inspection

The Commissioner of Agriculture, Conservation and Forestry shall, upon application for permit and receipt of such fee as ~~he deems~~ the commissioner considers necessary from any food packer or processor, inspect all operations of ~~said~~ the packer or processor for compliance with this subchapter and shall cause the same law to be diligently enforced. Each such permit ~~shall cover~~ covers one group of buildings constituting a packing plant in one location.

Only the holder of such a permit may mark or label any food so inspected as packed or processed or inspected and passed under this subchapter.

~~Said~~ The commissioner may, in a manner consistent with the Maine Administrative Procedure Act as to adjudicatory proceedings, refuse to renew, and the District Court, in a manner consistent with the Maine Administrative Procedure Act, may revoke ~~and~~ a permit whenever there is a lack of compliance with this subchapter. ~~He~~ The commissioner shall establish such rules ~~and regulations~~ as ~~he deems~~ the commissioner considers necessary. ~~He~~ The commissioner shall make such charges as ~~will be~~ are reasonable and, as nearly as ~~may be to possible~~, cover the cost of the service rendered. All ~~such fees~~ charges and all ~~such~~ money thus collected for services rendered by the commissioner ~~shall~~ must be paid by ~~him~~ the commissioner to the Treasurer of State. ~~Said fees~~ The charges and money are appropriated for the purposes of this section.

The commissioner may employ such agents and assistants, subject to the Civil Service Law, and make such purchases as may be necessary in the performance of ~~his~~ the commissioner's duties.

Sec. B-126. 22 MRSA §2164, first ¶, as amended by PL 1979, c. 731, §19 and PL 2011, c. 657, Pt. W, §6, is corrected to read:

The Commissioner of Agriculture, Conservation and Forestry or ~~his~~ the commissioner's duly authorized agent ~~shall~~ must have free access at all reasonable hours to any factory, warehouse or establishment in which foods are manufactured, processed, packed or held for introduction into commerce, or to enter any vehicle being used to transport or hold such foods in commerce for the purpose:

Sec. B-127. 22 MRSA §2493, as enacted by PL 1975, c. 496, §3, is corrected to read:

§2493. Applicant

Any person, corporation, firm or copartnership desiring a license shall submit satisfactory evidence of ~~his, her or its~~ the person's, corporation's, firm's or copartnership's ability to comply with the minimum standards of this chapter and all ~~regulations~~ rules adopted thereunder.

Sec. B-128. 22 MRSA §2605, sub-§1, as enacted by PL 1975, c. 751, §4, is corrected to read:

1. Agreements. Enter into agreements, contracts or cooperative arrangements under such terms and conditions as ~~he deems~~ the commissioner considers appropriate with other state, federal or interstate agencies, municipalities, education institutions, local health departments or other organizations or individuals;

Sec. B-129. 22 MRSA §2612, sub-§3, as enacted by PL 1975, c. 751, §4, is corrected to read:

3. Inspection. Any officer or employee duly designated by the commissioner, upon presenting appropriate credentials and a written notice of ~~his~~ the officer's or employee's authority to inspect, signed by the commissioner, is authorized to enter any part of a public water system in order to determine whether such supplier is complying with this chapter and any departmental rules, ~~regulations~~ or orders issued hereunder. The inspection may include any portion of a public water system, including the sources of supply, treatment facilities and materials, pumping facilities, distribution and storage facilities, records, files and reports on operation. The inspection may also include the testing of any portion of a public water system affecting water quality, including raw and processed water, and the taking of any samples necessary to insure compliance with this chapter and the rules, ~~regulations~~ or orders issued hereunder. Each inspection ~~shall~~ must take place at a reasonable time and be commenced and completed with reasonable promptness. The supplier ~~shall~~ must be promptly notified of the results of the inspection.

Sec. B-130. 22 MRSA §2641, as repealed and replaced by PL 1983, c. 785, §4, is corrected to read:

§2641. Source of public water supply defined

As used in this subchapter, unless the context otherwise indicates, "public water source" means any natural or ~~man-made~~ human-made impoundment, pond or lake or ground water aquifer whose waters are transported or delivered by a public water system, as defined in section 2601, subsection 8. Where the intake of a public water supply is on the outlet of any impoundment, pond or lake, the source of ~~such~~ the public water supply ~~shall be~~ is considered to be the impoundment, pond or lake itself.

Sec. B-131. 22 MRSA §2655, sub-§2, as amended by PL 1987, c. 122, §5, is corrected by correcting the first blocked paragraph to read:

If a voter, at ~~his~~ the voter's own expense, wishes to ~~have print and furnish~~ have print and furnish the forms ~~printed and furnished by himself~~ rather than have the forms printed and furnished by the Secretary of State, ~~he~~ the voter may do so ~~provided that~~ as long as these petition blanks are first approved by the Secretary of State as to form and content. The Secretary of State ~~shall have~~

has 10 days in which to approve the forms. If the forms are found to be unsatisfactory, the Secretary of State shall indicate the manner in which the forms are deficient. Corrected petition forms may be submitted in accordance with the terms in this paragraph.

Sec. B-132. 22 MRSA §2656, sub-§1, ¶A, as enacted by PL 1987, c. 122, §7, is corrected by correcting subparagraph (4) to read:

(4) It ~~shall~~ must be signed by a majority of the municipal officers of the municipality and directed personally to a constable or any resident ordering ~~him~~ the constable or resident to announce the election.

Sec. B-133. 22 MRSA §2656, sub-§1, ¶A, as enacted by PL 1987, c. 122, §7, is corrected by correcting subparagraph (5) to read:

(5) The person to whom the warrant is directed shall post an attested copy of it in a conspicuous public place in each voting district of the municipality at least 7 days immediately before the date of the public hearing. ~~He~~ The person shall make a return on the warrant stating the manner of announcement and the time it was given and return the warrant to the municipal officers.

Sec. B-134. 22 MRSA §2701, sub-§6, as enacted by PL 1967, c. 186, §1, is corrected to read:

6. Facsimile signature. The state registrar may use a facsimile signature for purposes of making certifications. The facsimile signature and seal of the state registrar on a certification ~~shall~~ have the same force and effect as ~~his~~ the state registrar's holographic signature.

Sec. B-135. 22 MRSA §2706, sub-§5, as amended by PL 2015, c. 393, §1, is corrected to read:

5. Records disclosed. Certified or noncertified copies of vital records of a person must be made available at any reasonable time upon that person's request or the request of that person's spouse, registered domestic partner, descendant, parent or guardian, grandparent, sibling, stepparent, ~~or~~ stepchild, aunt, uncle or a sibling of that person's parent or that sibling's spouse, niece, nephew or a child of a sibling of that person or a child of a sibling of that person's spouse, mother-in-law, father-in-law or that person's spouse's parent, personal representative or that person's duly designated attorney or agent or attorney for an agent designated by that person or by a court having jurisdiction over that person whether the request be made in person, by mail, by telephone or otherwise, if the state registrar is satisfied as to the identity of the requester and, if an attorney or agent, if the state registrar is satisfied as to the attorney's or agent's authority to act as that person's agent or attorney. If the agent or attorney has been appointed by a court of competent jurisdiction, or the attorney's or agent's appearance for the person is entered therein, the state registrar shall upon request so ascertain by telephone call to the register, clerk or recorder of the court, and this must be deemed sufficient justification to compel compliance with the request for the record. Certified or noncertified copies of the death certificate of a minor's parent must be made available at any reasonable time upon the request of that minor's living parent, as defined in Title 19-A, section 1832, subsection 13, if the requester's parental rights with respect to that minor have not been terminated and the state registrar is satisfied as to the identity of the requester. The state registrar shall, as soon as possible, designate persons in the Office of Data, Research and Vital Statistics who may act in the state

registrar's absence or, in case of the state registrar's disqualification, to carry out the intent of this subsection. A record of birth, death, fetal death, marriage, divorce or domestic partner registration may be disclosed as necessary for the department to carry out its responsibilities.

Sec. B-136. 22 MRSA §2706-A, sub-§2, ¶B, as amended by PL 2021, c. 49, §5, is corrected by correcting subparagraph (3) to read:

(3) If a genetic parent of an adopted person or a person freed for adoption is deceased, a genetic mother, legal father, grandparent, sibling, half-sibling, ~~uncle~~, ~~uncle~~ sibling of the person's deceased genetic parent or that sibling's spouse or first cousin of the deceased genetic parent; and

Sec. B-137. 22 MRSA §2761, sub-§4, as amended by PL 2009, c. 601, §18, is corrected to read:

4. Child not born of marriage. Except as otherwise provided in this subsection, if the mother was not married at the time of either conception or birth, or between conception and birth, neither the name of the putative father nor any other information about the putative father may be entered on the certificate without ~~his~~ the putative father's written consent and that of the mother. The signature of the putative father on the written consent must be acknowledged before an official authorized to take oaths. The signature of the mother on ~~her~~ the mother's written consent must also be acknowledged before an official authorized to take oaths. If a determination of paternity has been made by a court of competent jurisdiction, then the name of the father as determined by the court must be entered on the birth certificate without the father's or the mother's consent. If the putative father executes an acknowledgement of paternity with the department and the putative father is either named in writing by the mother as the father or is presumed to be the father based on the results of blood or tissue-typing tests, the name of the father must be entered on the birth certificate without the father's or the mother's consent. All voluntary acknowledgments and adjudications of paternity in this State must be filed with the Office of Data, Research and Vital Statistics for comparison with information in the state registry of support orders as established in Title 19-A, section 2104.

Sec. B-138. 22 MRSA §2764, sub-§4 is corrected to read:

4. Deficiencies. When the applicant does not submit documentation as specified in subsections 2 and 3 in support of ~~his~~ the applicant's statements, or when the state registrar finds reason to question the adequacy of the documentation, the ~~said~~ state registrar ~~shall~~ may not sign or accept the delayed registration of birth, but shall advise the applicant of its deficiencies and request that further documentation be submitted.

Sec. B-139. 22 MRSA §2766, first ¶, as enacted by PL 1983, c. 356, is corrected to read:

A person 18 years of age or older, born and adopted in this State, may apply to the state registrar for a statement identifying ~~his~~ that person's birth parents. The adoptee shall submit to the state registrar the following:

Sec. B-140. 22 MRSA §2803, first ¶ is corrected to read:

The clerk of the Superior Court in each county and the clerk of the District Court in each judicial division shall file with the State Registrar of Vital Statistics a record of each

divorce judgment or annulment issued in ~~his~~ the clerk's jurisdiction within 45 days after judgment.

Sec. B-141. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2021, c. 567, §20, is corrected by correcting subparagraph (2) to read:

(2) An adult ~~son or daughter~~ child;

Sec. B-142. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2021, c. 567, §20, is corrected by correcting subparagraph (4) to read:

(4) An adult ~~brother or sister~~ sibling;

Sec. B-143. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2021, c. 567, §20, is corrected by correcting subparagraph (6) to read:

(6) An adult ~~niece or nephew who is the child of a brother or sister~~ sibling;

Sec. B-144. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2021, c. 567, §20, is corrected by correcting subparagraph (9) to read:

(9) An adult ~~aunt or uncle~~ sibling of the subject's parent or that sibling's spouse;

Sec. B-145. 22 MRSA §2881 is corrected to read:

§2881. Delivery to physician for scientific purposes

If any resident of the State requests or consents that after death ~~his~~ the resident's body may be delivered to a regular physician or surgeon for the advancement of anatomical science, it may be used for that purpose, unless some kindred or family connection makes objection.

Sec. B-146. 22 MRSA §2885 is corrected to read:

§2885. Enclosed from public view; carriers to obtain receipts

The ~~said~~ board established pursuant to section 2882 may employ a carrier or carriers for the conveyance of ~~said~~ bodies, and the ~~said~~ bodies ~~shall~~ must be well enclosed within a suitable encasement and carefully deposited free from public observation. ~~Said~~ The carrier shall obtain receipts by name or, if the deceased is unknown, by a description for each body delivered by ~~him, which~~ the carrier, and that receipt ~~shall~~ must state the source from which ~~said~~ the body was received, ~~and; the carrier~~ shall deposit ~~said~~ the receipts with the secretary of ~~said~~ the board.

Sec. B-147. 22 MRSA §2886 is corrected to read:

§2886. Bond for proper disposal; traffic outside of State

No A school, college, university, ~~or any~~ recognized medical school in New England, ~~or~~ physician or surgeon ~~shall be allowed or permitted to~~ may not receive ~~any such~~ a body ~~or bodies~~ until a bond ~~shall be~~ is given to the Treasurer of State by ~~such~~ the physician or surgeon, or by and in behalf of ~~such~~ the school, college, university or ~~any~~ recognized medical school in New England, to be approved by a justice of a court of record in and for the county in which ~~said~~ the physician or surgeon resides, or in which ~~such~~ the school, college, university or ~~any~~ recognized medical school in New England is situated. ~~Such~~ The bond ~~shall~~ must be in the penal sum of \$1,000, conditioned that all ~~such~~ bodies, ~~which~~ that the ~~said~~ physician or surgeon or the ~~said~~ school, college, university or ~~any~~ recognized

medical school in New England ~~shall receive~~ receives thereafter, ~~shall be~~ are used only for the promotion within the ~~state~~ State of medical education, which ~~shall be construed to include~~ includes nursing training and premedical education, and, when no longer needed for such educational purposes ~~shall be,~~ are decently buried. Said ~~The~~ bond ~~shall~~ must be examined annually in the month of December by the Treasurer of State and ~~he~~ the Treasurer of State shall certify in writing upon each bond in ~~his~~ the Treasurer of State's possession ~~his~~ approval of ~~the same~~ the bond. ~~In case any~~ If a bond is not approved by ~~him~~ the Treasurer of State, ~~he~~ the Treasurer of State shall immediately notify the party giving the same bond, who shall forthwith file a new bond. ~~Whosoever shall sell~~ A person that sells or ~~buy such~~ buys a body or bodies, or in any way ~~traffie~~ traffics in the same, or ~~shall transmit or convey such~~ transmits or conveys a body or bodies to any place outside of the State, or ~~cause~~ causes the same to be done, except as provided in section 2884, ~~shall~~ must be punished by a fine of not more than \$200 or by imprisonment for not more than 11 months.

Sec. B-148. 22 MRSA §2888 is corrected to read:

§2888. Neglect to discharge duties

Any person having duties enjoined upon ~~him~~ the person by this chapter who ~~shall neglect~~ neglects, ~~refuse~~ refuses or ~~omit~~ omits to perform ~~the same~~ as a duty required by this chapter ~~shall~~ must, on conviction thereof, be punished by a fine of not less than \$100 nor more than \$500, for each offense.

Sec. B-149. 22 MRSA §3022, sub-§3, as repealed and replaced by PL 1987, c. 329, §2, is corrected to read:

3. Certification and completion of reports of deaths. The Office of Chief Medical Examiner ~~shall be~~ is responsible for certification and completion of reports of deaths identified as medical examiner cases by section 3025. This ~~shall~~ must be accomplished by examination of bodies and useful objects and by investigation and inquiry into the circumstances surrounding the deaths. The Office of Chief Medical Examiner may compile and preserve records and data relating to criminal prosecution, public health, public safety and vital statistics, as these relate to ~~his~~ the Chief Medical Examiner's responsibilities.

Sec. B-150. 22 MRSA §3022, sub-§6, as repealed and replaced by PL 1987, c. 329, §2, is corrected to read:

6. Certificate as evidence. Notwithstanding any other provision of law or rule of evidence, the certificate of the Chief Medical Examiner, under seal of the State, ~~shall~~ must be received in any court as prima facie evidence of any fact stated in the certificate or documents attached to the certificate. The certificate under the seal ~~shall~~ must be presumed to be that of the Chief Medical Examiner. A facsimile of the signature of the Chief Medical Examiner imprinted on any certificate described in this subsection ~~shall have~~ has the same validity as ~~his~~ the Chief Medical Examiner's written signature and ~~shall be~~ is admissible in court.

Sec. B-151. 22 MRSA §3025, sub-§3, as repealed and replaced by PL 1985, c. 611, §6, is corrected to read:

3. Transplant operations. ~~No~~ An operation for the transplant of an organ or a portion of ~~any~~ an organ may ~~not~~ take place, when the donor's death occurs under circumstances indicating a medical examiner case, without approval of the medical examiner. ~~Any~~ A doctor performing a transplant operation when the donor has died under these

circumstances shall note the condition of the vital organs in the region of surgery and shall include this notation in a written report of the operation and manner in which death was pronounced, with the report to be given to the medical examiner upon ~~his~~ the medical examiner's request. The medical examiner may choose to be present during the removal of the donated organ.

Sec. B-152. 22 MRSA §3028-B, as enacted by PL 1985, c. 611, §8, is corrected to read:

§3028-B. Retention of body fragments and body fluids

A medical examiner or ~~his~~ the medical examiner's designated pathologist may retain body fragments or body fluids for evidence, further study or documentation.

Sec. B-153. 22 MRSA §3103, as amended by PL 1975, c. 771, §223, is corrected to read:

§3103. Information upon request

The commissioner shall give to the Governor or to the Legislature or any committee thereof at any time upon their request information and advice with reference to any charitable or correctional institution about which ~~he~~ the commissioner has information. The officers in charge of any institution of a charitable or correctional nature under the inspection of the department and local boards or committees having any powers or duties relative to the management of the ~~same~~ institution, and those who are in any way responsible for the administration of public funds used for the relief or maintenance of the poor, shall furnish to the department such information and statistics as may be demanded on such forms as the department may consider necessary to secure uniformity and accuracy in the statements.

Sec. B-154. 22 MRSA §3172, sub-§1-A, as enacted by PL 1977, c. 714, §1, is corrected to read:

1-A. Application. "Application" is the action by which an individual indicates in writing to the department ~~his~~ the individual's desire to receive or to be recertified for assistance under this chapter. An application is distinguished from an inquiry, which is simply a request for information about eligibility requirements for assistance.

Sec. B-155. 22 MRSA §3173, 4th ¶, as repealed and replaced by PL 1979, c. 127, §144, is corrected to read:

~~All applications~~ An application for aid under this chapter ~~shall~~ must be acted upon and a decision made as soon as possible, but ~~in no case shall~~ the department may not fail to notify the applicant of its decision within 45 days after receipt of ~~his~~ the applicant's application. Failure of the department to meet the requirements of this 45-day time standard, except ~~where~~ when there is documented noncooperation by the applicant or the source of ~~his~~ the applicant's medical information, ~~shall~~ must lead to the immediate and automatic issuance of a temporary medical card ~~which shall be~~ that is valid only until such time as the applicant receives actual notice of a departmental denial of ~~his~~ the applicant's application or ~~he~~ the applicant receives a replacement medical card. Notwithstanding an applicant's appeal of a denial of ~~his~~ the applicant's application, the validity of the temporary medical card ~~shall cease~~ ceases immediately upon receipt of the notice of denial. Any benefits received by the applicant during the interim period when ~~he~~ the applicant has actual

use of a valid, temporary medical card ~~shall~~ is not be recoverable by the department in any legal or administrative proceeding against the applicant.

Sec. B-156. 22 MRSA §3173, 5th ¶, as repealed and replaced by PL 1979, c. 127, §144 and amended by PL 1997, c. 530, Pt. A, §34, is corrected to read:

Whenever an applicant is determined by the department to be ineligible for a program for which ~~he~~ the applicant has applied, ~~he shall~~ the applicant must be immediately so notified in writing. Any notification of denial ~~shall~~ must contain a statement of the denial action, the reasons for denial, the specific rules or regulations supporting the denial, an explanation of the applicant's right to request a hearing and a recommendation to the applicant of any other program administered by the department for which ~~he~~ the applicant may be eligible. Whenever an individual's application for Temporary Assistance for Needy Families is denied by the department, the notice of this denial ~~shall~~ must also include, in a clear and conspicuous manner, a statement that the applicant is likely to be eligible for medical assistance and ~~shall~~ must include information about the availability of applications for the program upon request to the department either in writing or through a toll-free telephone number.

Sec. B-157. 22 MRSA §3173, 6th ¶, as repealed and replaced by PL 1979, c. 127, §144, is corrected to read:

Any applicant for benefits under the medically needy program whose countable income exceeds the applicable state protected income level maximum ~~shall be~~ is eligible for the program when ~~his~~ the applicant's incurred medical expenses are found to exceed the difference between ~~his~~ the applicant's countable income and the applicable state maximum. Whenever the applicant incurs sufficient medical expenses to be eligible for the medically needy program and provides reasonable proof thereof to the department, a medical card ~~shall~~ must be issued within 10 days of the presentation of proof that eligibility has been met. Failure of the department to meet the requirements of this 10-day time standard, except ~~where~~ when there is documented noncooperation by the applicant or the source of ~~his~~ the applicant's medical information, ~~shall lead to results in~~ the immediate and automatic issuance of a temporary medical card ~~which shall be that is~~ valid only until such time as the applicant receives actual notice of a departmental denial of ~~his~~ the applicant's application or ~~he~~ the applicant receives a replacement medical card. Any benefits received by the applicant during the interim period when ~~he~~ the applicant has actual use of a valid temporary medical card ~~shall not be~~ are not recoverable by the department in any legal or administrative proceeding against the applicant.

Sec. B-158. 22 MRSA §3173, 7th ¶, as repealed and replaced by PL 1979, c. 127, §144, is corrected to read:

In all situations where prior authorization of the department is required before a particular medical service can be provided, the department shall authorize or deny the request for treatment within 30 days of the completion and presentation of the request to the department. The department's response to ~~such a~~ the request ~~shall~~ must be supplied to both the provider and the recipient. Whenever the provider is unable or unwilling to provide the service requested within a reasonable time after approval of the request by the department, the recipient ~~shall have~~ has the right to locate another approved provider whose sole duty ~~shall be~~ is to notify the department of ~~his~~ the provider's intention to provide the service subject to the original approval. ~~It shall be the duty of the~~ The department to ~~shall~~

vigorously assist any recipient in ~~his~~ the recipient's search for an approved provider of a necessary medical service ~~where~~ when, through reasonable effort, the recipient has been unable to locate a provider on ~~his~~ the recipient's own.

Sec. B-159. 22 MRSA §3173-C, sub-§3, ¶F, as enacted by PL 1983, c. 240, is corrected to read:

F. Services furnished to an individual by a Health Maintenance Organization, as defined in the United States Social Security Act, Section 1903(m), in which ~~he~~ the individual is enrolled; and

Sec. B-160. 22 MRSA §3174, sub-§3, as amended by PL 1983, c. 178, is corrected to read:

3. Inmate. Is not an inmate of any public institution, except as a patient in a medical institution or an inmate during the month in which ~~he~~ the applicant becomes an inmate only to the extent permitted by federal law, but an inmate of such an institution may file application for aid and any allowance made thereon ~~shall~~ must take effect and be paid ~~upon~~ his ceasing when the applicant ceases to be an inmate of ~~such~~ the institution.

Sec. B-161. 22 MRSA §3179, 2nd ¶, as enacted by PL 1977, c. 714, §4, is corrected to read:

~~Any~~ A recipient of aid under this chapter whose categorical assistance benefits are terminated by the department ~~shall~~ must be sent a separate, timely and adequate notice of the effect that that termination will have on ~~his~~ the recipient's medical assistance. The department shall develop procedures to assure the continuation, without interruption, of medical assistance to persons who, despite the termination of their categorical assistance benefits, are eligible for continuing coverage through any program under this chapter.

Sec. B-162. 22 MRSA §3181, sub-§1, as amended by PL 1977, c. 694, §368, is corrected to read:

1. ~~Any~~ A person who is denied aid, or who is not satisfied with the amount of aid allotted to ~~him~~ the person, or is aggrieved by a decision of the department made under this chapter, or whose application is not acted upon with reasonable promptness, ~~shall have~~ has the right of appeal to the commissioner, who shall provide the appellant with reasonable notice and opportunity for a fair hearing. ~~Said~~ The commissioner or a member of the department designated and authorized by ~~him~~ the commissioner shall hear all evidence pertinent to the matter at issue and render a decision thereon within a reasonable period after the date of the hearing. ~~Such~~ The hearing ~~shall~~ must conform to the procedures detailed herein. Review of any action or failure to act under this chapter ~~shall~~ must be pursuant to Title 5, chapter 375, subchapter ~~VH~~ 7.

Sec. B-163. 22 MRSA §3182, sub-§1, as enacted by PL 1973, c. 790, §2, is corrected to read:

1. Assistance not entitled. Aid to which ~~he~~ a person is not entitled;

Sec. B-164. 22 MRSA §3182, sub-§2, as enacted by PL 1973, c. 790, §2, is corrected to read:

2. Larger assistance. A larger amount of aid than that to which ~~he~~ a person is entitled;
or

Sec. B-165. 22 MRSA §3184, as enacted by PL 1973, c. 790, §2, is corrected to read:

§3184. Recovery of illegal payments

The department may recover the amount expended for aid in a civil action from a recipient or a former recipient who has failed to disclose assets ~~which~~ that would have rendered ~~him~~ the recipient or former recipient ineligible had ~~he~~ the recipient or former recipient disclosed the assets. Such actions ~~shall~~ must be prosecuted by the Attorney General in the name of the State of Maine, and the amount recovered ~~shall~~ must be credited to the account for aid, medical or remedial care and services for the medically indigent.

Sec. B-166. 22 MRSA §3201, sub-§1, as enacted by PL 1973, c. 790, §3, is corrected to read:

1. Objective. In keeping with the American heritage that each person in our society has an inherent human dignity, it is declared that ~~blind, disabled and elderly people~~ persons of our the State of Maine who are visually impaired, disabled or elderly are entitled to sufficient income to attain a reasonable standard of living, which will encourage the pursuit of a meaningful life of greatest value to the nation, the State of Maine, and fellow human beings. It is the mutual and shared duty of first, the individual and ~~his~~ the individual's family, second, the community and private agencies of the community, and ultimately the governments of the political subdivisions of this State, the State of Maine, and the United States of America to enable ~~blind, disabled and elderly people~~ persons who are visually impaired, disabled or elderly to secure income. The objective of this Part is to reduce income barriers to personal and economic independence by encouraging ~~blind, disabled and elderly people~~ persons who are visually impaired, disabled or elderly to secure and maintain maximum dignity, independence, and ~~self-care~~ self-care in a home environment, and, if needed, with an appropriate state supplemental income.

Sec. B-167. 22 MRSA §3202, sub-§4, as amended by PL 1975, c. 293, §4 and PL 2003, c. 689, Pt. B, §7, is corrected to read:

4. Commissioner. "Commissioner" means the Commissioner of ~~the Maine Department of Health and Human Services or~~ his the commissioner's successors.

Sec. B-168. 22 MRSA §3276, as enacted by PL 1973, c. 790, §3, is corrected to read:

§3276. Disqualification

~~Any~~ A beneficiary of state supplemental income not administered by the secretary ~~shall~~ be is disqualified from receiving benefits unless ~~he~~ the beneficiary files with the department, whenever the department ~~may require~~ requires it, information concerning ~~his~~ the beneficiary's income, assets and other conditions relating to ~~his~~ the beneficiary's financial circumstances.

Sec. B-169. 22 MRSA §3279, as enacted by PL 1973, c. 790, §3, is corrected to read:

§3279. Undorsed checks; procedure

When, for any reason ~~whatsoever~~, a person who has been determined to be eligible for state supplemental income is unable to indorse the check for the last payment approved for

~~him~~ the recipient prior to ~~his~~ the recipient's death, the department may approve payment by the State of obligations incurred by the recipient for board and room in anticipation of the receipt of ~~such~~ the check, ~~such~~ the payments to be authorized in accordance with the rules and regulations of the department. ~~Any~~ A claim ~~which~~ that may be paid under this section must be presented to the department in writing within 60 days of the date of the death of the eligible person.

Sec. B-170. 22 MRSA §3280, first ¶, as enacted by PL 1973, c. 790, §3, is corrected to read:

The spouse of a beneficiary of state supplemental income ~~shall~~ is, if of sufficient ability, ~~be~~ responsible for the partial or total support of ~~such persons~~ the beneficiary. In determining the ability of such a spouse, ~~his~~ the spouse's assets as well as ~~his~~ the spouse's income ~~shall~~ must be considered.

Sec. B-171. 22 MRSA §3291, sub-§5, as enacted by PL 1987, c. 714, §2, is corrected to read:

5. Hearing officer. "Hearing officer" means presiding officer, judge, board ~~chairman~~ chair, arbitrator or any other person ~~deemed~~ responsible for conducting a proceeding or hearing subject to this chapter.

Sec. B-172. 22 MRSA §3476, sub-§2, as enacted by PL 1981, c. 527, §2, is corrected to read:

2. Treatment to be considered if requested. When medical treatment is authorized, under this chapter, treatment by spiritual means by an accredited practitioner of a recognized religious organization may also be considered if requested by the incapacitated or disabled adult or ~~his~~ the adult's caretaker.

Sec. B-173. 22 MRSA §3478, as amended by PL 1983, c. 343, §1, is corrected to read:

§3478. Mandatory reporting to medical examiner for post-mortem investigation

A person required to report cases of known or suspected abuse or neglect, who knows or has reasonable cause to suspect that an adult has died as a result of abuse or neglect, shall report that fact to the appropriate authority as provided in section 3026. An adult ~~shall~~ may not be considered to be abused or neglected solely because ~~he~~ the adult was provided with treatment by spiritual means by an accredited practitioner of a recognized religious organization.

Sec. B-174. 22 MRSA §3480, sub-§1, as amended by PL 2013, c. 267, Pt. B, §17, is corrected to read:

1. Subpoenas and obtaining criminal history. The commissioner, ~~his~~ the commissioner's delegate or the legal counsel for the department may:

A. Issue subpoenas requiring persons to disclose or provide to the department information or records in their possession that are necessary and relevant to an investigation of a report of suspected abuse, neglect or exploitation or to a subsequent adult protective proceeding, including, but not limited to, health care information that is confidential under section 1711-C.

(1) The department may apply to the District Court and Probate Court to enforce a subpoena.

(2) A person who complies with a subpoena is immune from civil or criminal liability that might otherwise result from the act of turning over or providing information or records to the department; and

B. Obtain confidential criminal history record information and other criminal history record information under Title 16, section 703, which the commissioner, the commissioner's delegate or the legal counsel for the department considers relevant to a case of alleged abuse, neglect or exploitation.

Sec. B-175. 22 MRSA §3481, sub-§1, as enacted by PL 1981, c. 527, §2, is corrected to read:

1. Consent. If an incapacitated or dependent adult does not consent to the receipt of protective services, or if ~~he~~ the adult withdraws consent, the service ~~shall~~ may not be provided.

Sec. B-176. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 2021, c. 398, Pt. OO, §21, is corrected by correcting subparagraph (5) to read:

(5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that ~~she~~ the individual has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substantiated expected date of the birth of ~~her~~ the individual's child is not more than 90 days following the date the benefit is received;

Sec. B-177. 22 MRSA §4002, sub-§1-A, ¶D, as enacted by PL 1983, c. 184, §1, is corrected to read:

D. Deserting the child without affording means of identifying the child and ~~his~~ the child's parent or custodian;

Sec. B-178. 22 MRSA §4002, sub-§6, ¶D, as enacted by PL 1979, c. 733, §18, is corrected to read:

D. The end of voluntary placement, when the imminent return of the child to ~~his~~ the child's custodian causes a threat of serious harm.

Sec. B-179. 22 MRSA §4004, sub-§3, as enacted by PL 1979, c. 733, §18, is corrected to read:

3. Objection of parent. Except as specifically authorized by law, ~~no~~ a person may not take charge of a child over the objection of ~~his~~ the child's parent or custodian.

Sec. B-180. 22 MRSA §4005, sub-§1, ¶E, as enacted by PL 1983, c. 183, is corrected to read:

E. The guardian ad litem shall make the wishes of the child known to the court if the child has expressed ~~his~~ the child's wishes, regardless of the recommendation of the guardian ad litem.

Sec. B-181. 22 MRSA §4008, sub-§2, ¶C, as enacted by PL 1979, c. 733, §18, is corrected to read:

C. A physician treating a child ~~whom he~~ who the physician reasonably suspects may be abused or neglected;

Sec. B-182. 22 MRSA §4010, sub-§2, as enacted by PL 1979, c. 733, §18, is corrected to read:

2. Treatment to be considered if requested. When medical treatment is authorized under this chapter, treatment by spiritual means by an accredited practitioner of a recognized religious organization may also be considered if requested by the child or ~~his~~ the child's parent.

Sec. B-183. 22 MRSA §4012, sub-§2, ¶A, as enacted by PL 1979, c. 733, §18, is corrected to read:

A. The name and address of the child and the persons responsible for ~~his~~ the child's care or custody;

Sec. B-184. 22 MRSA §4012, sub-§2, ¶E, as enacted by PL 1979, c. 733, §18, is corrected to read:

E. Family composition and evidence of prior abuse or neglect of the child or ~~his~~ the child's siblings;

Sec. B-185. 22 MRSA §4012, sub-§2, ¶F, as enacted by PL 1979, c. 733, §18, is corrected to read:

F. The source of the report, the person making the report, ~~his~~ the person's occupation and where ~~he~~ the person can be contacted;

Sec. B-186. 22 MRSA §4021, sub-§1, as amended by PL 2013, c. 267, Pt. B, §19, is corrected to read:

1. Subpoenas and obtaining criminal history. The commissioner, ~~his~~ the commissioner's delegate or the legal counsel for the department may:

A. Issue subpoenas requiring persons to disclose or provide to the department information or records in their possession that are necessary and relevant to an investigation of a report of suspected abuse or neglect or suspicious child death, to a subsequent child protection proceeding or to a panel appointed by the department to review child deaths and serious injuries.

(1) The department may apply to the District Court to enforce a subpoena.

(2) A person who complies with a subpoena is immune from civil or criminal liability that might otherwise result from the act of turning over or providing information or records to the department; and

B. Obtain confidential criminal history record information and other criminal history record information under Title 16, chapter 7 that the commissioner, the commissioner's delegate or the legal counsel for the department considers relevant to an abuse or neglect case or the investigation of a suspicious child death.

Sec. B-187. 22 MRSA §4023, sub-§1, ¶B, as enacted by PL 1979, c. 733, §18, is corrected to read:

B. "Short-term emergency services" means protective services, emergency shelter care, ~~counseling~~ counseling, emergency medical treatment and other services ~~which~~

that are essential to the care and protection of a child. These services may include emergency caretaker or homemaker services in the child's home or care outside ~~his~~ the child's home when ~~no~~ a parent or other responsible adult is not available and willing to care for the child in ~~his~~ the child's home.

Sec. B-188. 22 MRSA §4031, sub-§2, ¶A, as enacted by PL 1979, c. 733, §18, is corrected to read:

A. Petitions ~~shall~~ must be brought in the district where the child legally resides or where the child is present. When a child is in voluntary placement with the department or an agency, the petition may be brought only in the district where ~~he~~ the child legally resides.

Sec. B-189. 22 MRSA §4036, sub-§1, ¶F, as enacted by PL 1979, c. 733, §18, is corrected to read:

F. Removal of the child from ~~his~~ the child's custodian and granting custody to a noncustodial parent, other person or the department;

Sec. B-190. 22 MRSA §4036, sub-§2, ¶A, as enacted by PL 1979, c. 733, §18, is corrected to read:

A. Protect the child from jeopardy to ~~his~~ the child's health or welfare;

Sec. B-191. 22 MRSA §4056, sub-§3, as enacted by PL 1979, c. 733, §18, is corrected to read:

3. Parent not entitled to participate in adoption proceedings. A parent whose rights have been terminated ~~shall~~ is not ~~be~~ entitled to notice of the child's adoption proceedings, nor ~~shall he~~ does that parent have any right to object to the adoption or participate in the proceedings.

Sec. B-192. 22 MRSA §4056, sub-§4, as enacted by PL 1979, c. 733, §18, is corrected to read:

4. Child not disentitled to benefit. ~~No~~ An order terminating parental rights may not disentitle a child to benefits due ~~him~~ to the child from any 3rd person, agency, state or the United States; nor may it affect the rights and benefits that a ~~native~~ Native American derives from ~~his~~ the child's descent from a member of a ~~federally-recognized~~ federally recognized Indian tribe.

Sec. B-193. 22 MRSA §4071, sub-§2, ¶B, as enacted by PL 1979, c. 733, §18, is corrected to read:

B. The name and address of the petitioner and ~~his~~ the petitioner's professional position;

Sec. B-194. 22 MRSA §4071, sub-§3, as enacted by PL 1979, c. 733, §18, is corrected to read:

3. Notice to parents and custodians. The petitioner shall, by any reasonable means, attempt to notify the parents and custodians of ~~his~~ the petitioner's intent to request the order and of the time and place ~~he~~ the petitioner will make the request, unless the petitioner believes that the child would suffer increased serious injury during the time needed to notify them.

Sec. B-195. 22 MRSA §4196, first ¶ is corrected to read:

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but ~~no~~ such a placement ~~shall~~ may not be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to ~~his~~ the child's being sent to ~~such~~ the other party jurisdiction for institutional care and the court finds that:

Sec. B-196. 22 MRSA §4197 is corrected to read:

§4197. Compact administrator -- Article VII

The executive head of each jurisdiction party to this compact shall designate an officer who ~~shall~~ is to be ~~the~~ the general coordinator of activities under this compact in ~~his~~ the officer's jurisdiction and who, acting jointly with like officers of other party jurisdictions, ~~shall have~~ has power to ~~promulgate~~ adopt rules and regulations to carry out more effectively the terms and provisions of this compact.

Sec. B-197. 22 MRSA §4198, sub-§1 is corrected to read:

1. Non-agencies. The sending or bringing of a child into a receiving state by ~~his~~ the child's parent, step-parent, grandparent, adult ~~brother or sister,~~ sibling or adult ~~uncle or aunt,~~ sibling of the child's parent or that sibling's adult spouse or ~~his~~ the child's guardian and leaving the child with any ~~such~~ relative of these relatives or a non-agency guardian in the receiving state.

Sec. B-198. 22 MRSA §4307, sub-§1, as repealed and replaced by PL 1987, c. 349, Pt. H, §15, is corrected by correcting the first blocked paragraph to read:

A municipality ~~shall~~ may not move or transport a person into another municipality to avoid responsibility for general assistance support for that person. ~~Any~~ A municipality ~~which~~ that illegally moves or transports a person, or illegally denies assistance to a person ~~which~~ that results in ~~his~~ that person's relocation, in addition to the other penalties provided in this chapter, shall reimburse twice the amount of assistance to the municipality ~~which~~ that provided the assistance to that person. That reimbursement ~~shall~~ must be made in accordance with subsection 5.

Sec. B-199. 22 MRSA §4310, sub-§3, as enacted by PL 1983, c. 577, §1, is corrected to read:

3. Information obtained. When adequate documentation is not available at the time of the initial application, the overseer may contact at least one other person for the purpose of obtaining information to confirm the applicant's statements about ~~his~~ the applicant's need for immediate assistance.

Sec. B-200. 22 MRSA §4313, sub-§2, as amended by PL 2021, c. 567, §25, is corrected to read:

2. Burial or cremation. In the event of the death of an eligible person, the funeral director shall notify the overseer prior to burial or cremation or by the end of 3 business days following the funeral director's receipt of the body, whichever is earlier. Notwithstanding section 4305, subsection 3, paragraph C, a decision on any application for assistance with burial expenses need not be rendered until the overseer has verified that a relative or other resource is not available to pay for the direct burial or cremation costs, but the decision must be rendered within 8 days after receiving an application. The ~~father,~~ parent, ~~mother~~ grandfather, ~~grandmother~~ grandparent, children or grandchildren, by

consanguinity, or the spouse or domestic partner are responsible for the burial or cremation costs of the eligible person in proportion to their respective abilities. When no legally liable relative possesses a financial capacity to pay either in lump sum or on an installment basis for the direct costs of a burial or cremation, the contribution of a municipality under this subsection is limited to a reasonable calculation of the funeral director's direct costs, less any and all contributions from any other source.

Sec. B-201. 22 MRSA §4321, as enacted by PL 1983, c. 577, §1, is corrected to read:

§4321. Grant, denial, reduction or termination to be communicated in writing; right to a hearing

Any action relative to the grant, denial, reduction, suspension or termination of relief provided under this chapter must be communicated to the applicant in writing. The decision ~~shall~~ must include the specific reason or reasons for that action and ~~shall~~ must inform the person affected of ~~his~~ the person's right to a hearing, the procedure for requesting ~~such a~~ the hearing, the right to notify the department and the available means for notifying the department, if ~~he~~ the person believes that the municipality has acted in violation of this chapter. ~~All proceedings~~ Proceedings relating to the grant, denial, reduction, suspension or termination of relief provided under this chapter are not public proceedings under Title 1, chapter 13, unless otherwise requested by the applicant or recipient.

Sec. B-202. 22 MRSA §4323, sub-§1, as amended by PL 1985, c. 489, §§11 and 14, is corrected by correcting the first blocked paragraph to read:

The department shall inspect the municipality's records and discuss the administration of the program with the overseer. The overseer or ~~his~~ the overseer's designee shall be available during the department's review and shall cooperate in providing all necessary information.

Sec. B-203. 22 MRSA §5102, 2nd ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

We older Americans place great emphasis on leading a life of value to our nation, states, communities, friends, families and to ourselves. America's elderly want to and are able to contribute to the good of our fellow human beings, even if such contribution lies outside the traditional realms of employment and productivity. We want to help improve the quality of life of each citizen of the United States regardless of ~~his~~ the citizen's age. Our personal experiences, knowledge and skills are our qualifications. We are a strong, vital segment of society. We possess the power of a people.

Sec. B-204. 22 MRSA §5102, 3rd ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

We older Americans believe that attaining the status of senior citizen is merely beginning another stage in the life of each ~~man~~ person and is not a signal to withdraw from life. Each person ages from birth to death. We are all aging ~~men~~.

Sec. B-205. 22 MRSA §5102, 4th ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

While our particular page in the history of ~~mankind~~ humankind is the choice of our Creator, it is our place in history which surrounds us with the consequences of American

society. Aging ~~men~~ people have been transformed by the events of American society. America's elderly now gain sustenance and meet social needs outside our homes, and have no family under our roof. Once we were dependent on our family, now we are dependent on impersonal organizations, systems and our society as a whole. America's exiling of us as the unwanted generation is its loss -- its economic, its human, its moral, its spiritual loss.

Sec. B-206. 22 MRSA §5102, 8th ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

To assist us, our families -- children, ~~brothers, sisters~~ siblings, ~~nieces and nephews~~ children of siblings -- must care about us. Is it too much to seek, that the people to whom we devoted ourselves, devote themselves to us?

Sec. B-207. 22 MRSA §5102, 11th ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

Programs we operate must be distinct and clearly identified as intended to benefit older people, or be identified as the elderly's way of helping ~~mankind~~ humankind. Government programs benefiting America's elderly must be distinct and visibly separate from other government services. This distinctness must be maintained in legislation, sources of funds and generally in operation of programs and services. We believe our policy provides that programs serving older people may be integrated with programs serving broader populations in those instances where gross duplication of identical programs would otherwise result. We also believe that programs with features specifically needed by older people must not be integrated with programs serving broader populations -- even though the programs may be similar -- except where it is conclusively demonstrated that such specific features will be retained or that greater benefits will accrue to the elderly from the integration of programs.

Sec. B-208. 22 MRSA §5102, 13th ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

AMERICA MUST CONSIDER AND DECIDE HOW TO ACHIEVE PURPOSEFUL, PRIMARY GOALS TO GIVE PEOPLE WHO ARE AGING MEN THE OPPORTUNITY OF RETURNING TO A FULLER EXISTENCE OR AMERICA SHALL CONTINUE TO RELEGATE PEOPLE WHO ARE AGING MEN TO THE BACK DOOR STOOP OF HISTORY WHERE WE WILL SLIDE INVISIBLY AND UNNOTICED INTO EXTINCTION. THE LAST CHOICE IS NOT ACCEPTABLE.

Sec. B-209. 22 MRSA §5102, 14th ¶, as enacted by PL 1973, c. 630, §1, is corrected to read:

Responsibility for achieving this credo rests on the shoulders of all Americans, but especially our own. We shall attain a life of greater value if each American accepts ~~his~~ personal responsibility for ~~his~~ our fellow human beings. We shall reestablish our role in society by operating services to help all generations. We shall resurrect our independence by redirecting the country's resources.

Sec. B-210. 22 MRSA §5103, sub-§1, as enacted by PL 1973, c. 630, §1, is corrected to read:

1. Objectives. It is declared that, in keeping with the traditional American concept of the inherent dignity of the individual in our society, the older people of our State are entitled

to, and it is the joint and several duty of the individual, ~~his~~ the individual's family, relatives and friends; the community and private agencies of the community; and the governments of the political subdivisions of this State, the State of Maine and the United States of America to assist our older people to secure equal opportunity to full and free enjoyment of the following objectives:

- A. An adequate income in retirement in accordance with the American standard of living;
- B. The best possible physical and mental health ~~which~~ that science can make available and without regard to economic status;
- C. Suitable housing, independently selected, designed and located with reference to special needs and available at costs ~~which~~ that older citizens can afford;
- D. Full restorative services for those who require institutional care;
- E. Opportunity for employment with no discriminatory personnel practices because of age;
- F. Retirement in health, honor and dignity after years of contribution to the economy;
- G. Pursuit of a meaningful life within the widest range of civic, cultural, and recreational opportunities;
- H. Efficient community services, including access to low-cost transportation, ~~which~~ that provide social assistance in a coordinated manner and ~~which~~ that are readily available when needed;
- I. Immediate benefit from proven research knowledge ~~which~~ that can sustain and improve health and happiness;
- J. Freedom, independence and the free exercise of individual initiative in planning and managing their own lives.

Sec. B-211. 22 MRSA §5104, sub-§3, as amended by PL 1975, c. 293, §4 and PL 2003, c. 689, Pt. B, §7, is corrected to read:

3. Commissioner. "Commissioner" means the Commissioner, ~~Maine Department~~ of Health and Human Services, or ~~his~~ the commissioner's successors.

Sec. B-212. 22 MRSA §5304, sub-§4, as amended by PL 1975, c. 293, §4 and PL 2003, c. 689, Pt. B, §7, is corrected to read:

4. Commissioner. "Commissioner" means the Commissioner ~~of the Department~~ of Health and Human Services or ~~his~~ the commissioner's successors.

Sec. B-213. 22 MRSA §5309, 3rd ¶, as enacted by PL 1973, c. 793, §12, is corrected to read:

The director shall serve full time in a position that is separate from and not integrated in any way with another position in the department. ~~He shall~~ The director may not concurrently hold another title and shall perform duties solely germane to the powers and duties pursuant to this Part and Part 2.

Sec. B-214. 22 MRSA §5309, 5th ¶, as enacted by PL 1973, c. 793, §12, is corrected to read:

The director shall assume and discharge all responsibilities vested in the bureau. ~~He shall~~ The director may not in any case assign to another unit of the department ~~which that~~ is not responsible to ~~him~~ the director any power or duty granted to the bureau by statute, or by rules, ~~regulations~~ or procedures adopted pursuant to this Part and Part 2.

Sec. B-215. 22 MRSA §5309, 6th ¶, as amended by PL 1985, c. 785, Pt. B, §97, is corrected to read:

The director may employ, subject to the Civil Service Law and within the limits of available funds, competent professional personnel and other staff necessary to carry out the purposes of this Part and Part 2. ~~He~~ The director shall prescribe the duties of the staff and assign a sufficient number of staff full time to the bureau to achieve its powers and duties. Regarding the provision of human services by the bureau directly to eligible people, the director may arrange to house staff or assign staff who are responsible to ~~him~~ the director to regional or other units of the department or State Government. Regarding the development, execution and monitoring of agreements, the director ~~shall~~ may not house nor assign staff to any other unit of the department or State Government. Such staff shall report solely and directly to ~~him~~ the director. The director shall assign staff to the council as provided in sections 5305 and 5315.

Sec. B-216. 22 MRSA §6112, as repealed and replaced by PL 1977, c. 435, is corrected to read:

§6112. Designation of beneficiaries

A resident of this State and members of ~~his~~ the resident's immediate family and household, who are eligible for social services as provided by Title XX of the Social Security Act by reason of income, ~~shall~~ are also be qualified to be a beneficiary of priority social services in terms of income.

Sec. B-217. 22 MRSA §7323, sub-§3, ¶D, as enacted by PL 1981, c. 511, §1, is corrected to read:

D. Reevaluate the adult periodically to determine ~~his~~ the adult's continuing need for the services; and

Sec. B-218. 22 MRSA §7703, sub-§3, ¶B, as enacted by PL 1983, c. 691, §2, is corrected to read:

B. A physician treating a child or adult ~~whom he~~ who the physician reasonably suspects may be abused or neglected;

Sec. B-219. 22 MRSA §7703, sub-§3, ¶E, as enacted by PL 1983, c. 691, §2, is corrected to read:

E. ~~Any~~ A person engaged in bona fide research, ~~provided that no~~ as long as personally identifying information is not made available, unless it is essential to the research and the commissioner or ~~his~~ the commissioner's designee gives prior approval. If the researcher desires to contact a subject of a record, the subject's consent ~~shall~~ must be obtained by the department prior to the contact;

Sec. B-220. 22 MRSA §7703, sub-§4, ¶E, as enacted by PL 1983, c. 691, §2, is corrected to read:

E. An appropriate state executive or legislative official with responsibility for adult or child protection services in carrying out ~~his~~ the state executive's or legislative official's official functions, ~~provided except that no~~ personally identifying information may not be made available unless necessary to ~~his~~ the state executive's or legislative official's functions;

Sec. B-221. 22 MRSA §7936, as enacted by PL 1983, c. 454, is corrected to read:

§7936. Liability of receiver

~~No~~ A person may not bring suit against a receiver appointed under section 7933 without first securing leave of the court. Except in cases of gross negligence or intentional wrongdoing, the receiver is liable in ~~his~~ the receiver's official capacity only and any judgment rendered ~~shall~~ must be satisfied out of receivership assets.

Sec. B-222. 29-A MRSA §101, sub-§28-A, as amended by PL 2013, c. 381, Pt. B, §7, is corrected to read:

28-A. Immediate family member. "Immediate family member" means a grandparent, stepgrandparent, parent, stepparent, ~~brother, stepbrother, sister, stepsister sibling, stepsibling,~~ child, stepchild, spouse or such analogous family members as may be connected via the operation of a family foster home as defined in Title 22, section 8101, subsection 3.

Sec. B-223. 29-A MRSA §2091, sub-§3, as enacted by PL 2005, c. 167, §1, is corrected to read:

3. Authority. Notwithstanding any other provision of this Title, a public safety traffic flagger shall wear a reflective traffic vest or protective clothing as defined by Title 26, section 2103, subsection 3 and has the authority to control vehicular traffic on a public way at or to reroute vehicular traffic around a public safety emergency, including a medical emergency, motor vehicle accident, fire, hazardous materials incident or other natural or ~~man-made~~ human-made disaster or a training operation, unless otherwise directed by a law enforcement officer.

Sec. B-224. 38 MRSA §2, 4th ¶, as enacted by PL 1987, c. 412, §§2 and 8, is corrected to read:

The harbor master may appoint deputies who, under ~~his~~ the harbor master's direction, shall enforce and carry out the rules and regulations of this section.

Sec. B-225. 38 MRSA §4, as repealed and replaced by PL 1987, c. 412, §§4 and 8, is corrected to read:

§4. Neglecting to remove or replace moorings

In case of the neglect or refusal of the master or owner of any boat or vessel to remove ~~his~~ the master's or owner's mooring or to replace it by one of different character, when so directed by the harbor master, that harbor master shall cause the entire mooring to be removed or the buoy removed and the chain dropped to the bottom or shall make such change in the character of the mooring as required, and collect from the master or owner of that boat or vessel the sum of \$100 for either of those services rendered and the necessary expenses.

Before removing a mooring or a buoy, a harbor master shall notify the master or owner, if ownership can be determined, by mail at ~~his~~ the master's or owner's last known address of the action desired of ~~him~~ the master or owner, the fact that the mooring will be removed and the fine. If the matter is not settled to ~~his~~ the harbor master's satisfaction within 2 weeks, the harbor master may take the action provided for in this section.

Sec. B-226. 38 MRSA §41 is corrected to read:

§41. Election; qualifications; term; removal; vacancies; records

Port wardens shall must be elected in any city or town situated on navigable waters upon the petition of 10 or more citizens engaged in commercial pursuits therein.

If in such city or town there is a board of trade duly incorporated, ~~said~~ that board shall annually elect the port warden. Otherwise the municipal officers thereof shall annually elect ~~him~~ the port warden.

Port wardens ~~shall be men of~~ must have commercial or nautical experience and shall hold office one year from each election and until others are qualified in their stead, except when removed for cause or when elected to serve out an unexpired term. They shall must be sworn faithfully to perform their duties.

~~Said boards~~ Boards of trade, by their managers, or ~~said~~ municipal officers shall forthwith on complaint of any person aggrieved, after hearing, remove for cause any port warden by them elected, and all vacancies shall must be filled by ~~said~~ those authorities.

Port wardens shall make a record of their doings and keep the same in their office for inspection at any time, free of charge, by any person interested therein.

Sec. B-227. 38 MRSA §90, sub-§1, ¶G, as enacted by PL 1969, c. 410, §1, is corrected to read:

G. Hear and decide complaints made in writing by any pilot against any charterer, owner, agent, master or ~~seaman~~ crew member of a vessel for any misbehavior toward such pilot in the performance of ~~his~~ the charterer's, owner's, agent's, master's or crew member's duty, or any breach of the rules and regulations;

Sec. B-228. 38 MRSA §100, as amended by PL 1977, c. 694, §749, is corrected to read:

§100. Notice of hearing on complaint

Before any person shall may be proceeded against on any complaint, such person or pilot shall must be notified in writing to appear before the commission. Such notice shall must specify the nature and substance of such complaint and shall be served personally or by certified mail addressed to such pilot at ~~his~~ the pilot's last and usual place of abode at least 15 days before the time fixed in the notice for ~~his~~ the pilot's appearance.

Sec. B-229. 38 MRSA §102, as enacted by PL 1969, c. 410, §1, is corrected to read:

§102. Reinstatement following suspension

Any pilot whose license has been suspended shall is, following the expiration of the period of ~~his~~ the suspension, be entitled to the reinstatement of ~~his~~ the pilot's license, ~~provided he shall possess as long as the pilot possesses~~ the qualifications required of pilots as of the time ~~his~~ the pilot's suspension expires.

Sec. B-230. 38 MRSA §122 is corrected to read:

§122. Use without marks or false marks; penalty

The A master or owner who uses ~~his~~ the master's or owner's craft without such marks prescribed in section 121 and any person who falsely marks any such boat or lighter forfeits \$50 to be recovered by any prosecutor in a civil action.

Sec. B-231. 38 MRSA §123 is corrected to read:

§123. Appointment of inspectors; fees; remarking of boats

The municipal officers of every town where boats and lighters are employed for the purposes set forth in section 121 shall annually, in April or May, appoint some suitable person ~~who shall~~ to be sworn to examine and ascertain the capacities of all such boats and lighters, and mark them as prescribed. ~~Said~~ The municipal officers shall establish and regulate the fees therefor.

When such inspector thinks that the burden or capacity of any such boat or lighter is altered by repairs or otherwise, ~~he~~ the inspector shall forthwith ascertain the same anew and mark it accordingly.

Sec. B-232. 38 MRSA §161 is corrected to read:

§161. Liability to freighters

~~No~~ A ship owner is not answerable beyond the amount of ~~his~~ the ship owner's interest in the vessel and freight for the embezzlement, loss or destruction, by the master and mariners, of any property put on board of such vessel, ~~nor or~~ for any act of theirs without ~~his~~ the ship owner's privity or knowledge. If several owners of property on the same voyage suffer such damage and the whole vessel and ~~her~~ its freight for the voyage are not sufficient to compensate each of them, they ~~shall~~ must be compensated by the owner of the vessel in proportion to their respective losses, and for that purpose, they or the owner of the vessel, or any of them, may file a complaint for discovery and payment of the sum, for which ~~said~~ such owner is liable to the parties entitled thereto.

Sec. B-233. 38 MRSA §162 is corrected to read:

§162. Charterer deemed owner; responsibility to real owner

For the purposes of section 161, the charterer of any vessel, navigating the same at ~~his~~ the charterer's own expense, ~~shall be~~ is deemed the owner. If loss happens to any person from the causes therein mentioned and it is compensated from the freight or vessel, the owner thereof may recover the amount from the charterer.

Sec. B-234. 38 MRSA §424, as enacted by PL 1973, c. 572, §1, is corrected to read:

§424. Voluntary water quality monitors

The Commissioner of Environmental Protection may appoint voluntary water quality monitors to serve at the will and pleasure of the commissioner.

Such monitors are authorized to take water samples and tests of the waters of this State at such times and at such places and in such manner as the commissioner ~~shall direct~~ directs and to forward such water samples and test results to the commissioner for analysis.

The commissioner is authorized to provide such monitors with such sampling materials and equipment as ~~he deems~~ the commissioner determines necessary, ~~provided that such.~~ Such equipment and materials ~~shall~~ at all times remain the property of the State and ~~shall~~ must be immediately returned to the commissioner upon ~~his~~ the commissioner's direction.

Such monitors ~~shall~~ may not be construed to be employees of this State for any purpose.

The commissioner or ~~his~~ the commissioner's representative shall conduct schools to instruct ~~said~~ the monitors in the methods and techniques of water sample taking and issue to ~~said~~ the monitors an identification card or certificate showing their appointment and training.

Sec. B-235. 38 MRSA §448, sub-§1, as enacted by PL 1989, c. 403, §15, is corrected to read:

1. Utilization. The number of ~~commercial fishermen~~ persons who fish commercially and the utilization of the shoreland area;

Sec. B-236. 38 MRSA §490-A, sub-§2-B, as enacted by PL 1995, c. 700, §15, is corrected to read:

2-B. Naturally internally drained. "Naturally internally drained" means areas of a site that, as a result of the predevelopment topography and interim and final topography produced during development of the site, are and will remain at all times over the course of the development graded so that neither eroded materials nor runoff either crosses the property boundary or enters a protected natural resource, natural buffer strip or other protected area. Areas that rely on ~~man-made~~ human-made structures, including but not limited to berms, dikes, basins or undersized culverts, in order to maintain internal drainage are not considered naturally internally drained.

Sec. B-237. 38 MRSA §493 is corrected to read:

§493. Membership of commission -- Article III

The commission ~~shall consist~~ consists of 5 commissioners from each signatory state, each of whom ~~shall~~ must be a resident voter of the state from which ~~he~~ the commissioner is appointed. The commissioners ~~shall~~ must be chosen in the manner and for the terms provided by law of the state from which they ~~shall be~~ are appointed. For each state there ~~shall~~ must be on the commission a member representing the state health department, a member representing the state water pollution control board, if such exists, and, except where a state in its enabling legislation decides that the best interests of the state will be otherwise served, a member representing municipal interests, a member representing industrial interests and a member representing an agency acting for fisheries or conservation.

Sec. B-238. 38 MRSA §494, first ¶ is corrected to read:

The commission shall annually elect from its members a ~~chairman~~ chair and ~~vice-chairman~~ vice-chair and shall appoint and at its pleasure remove or discharge such officers. It may appoint and employ a secretary who ~~shall be~~ is a professional engineer versed in water pollution and may employ ~~such~~ stenographic or clerical employees as ~~shall be~~ necessary, and at its pleasure remove or discharge such employees. It shall adopt a seal and suitable bylaws and shall promulgate rules and regulations for its management and control. It may maintain an office for the transaction of its business and may meet at any time or

place within the signatory states. Meetings ~~shall~~ must be held at least twice each year. A majority of the members ~~shall constitute~~ constitutes a quorum for the transaction of business, but ~~no~~ an action of the commission imposing any obligation on any signatory state or on any municipal agency or subdivision thereof or on any person, firm or corporation therein ~~shall be~~ is not binding unless a majority of the members from such signatory state ~~shall have~~ has voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of water pollution control affecting only certain of the signatory states, the commission may vote to authorize special meetings of the commissioners of the states especially concerned. The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each signatory state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action ~~deemed~~ considered by it advisable, including amendments to the statutes of the signatory states ~~which that~~ which may be necessary to carry out the intent and purpose of this compact. The commission ~~shall~~ may not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the signatory states adequate to meet the same; nor ~~shall~~ may the commission pledge the credit of any of the signatory states. Each signatory state reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission. The commission shall appoint a treasurer who may be a member of the commission, and disbursements by the commission ~~shall be~~ are valid only when authorized by the commission and when vouchers therefor have been signed by the secretary and countersigned by the treasurer. The secretary ~~shall be~~ is the custodian of the records of the commission with authority to attest to and certify such records or copies thereof.

Sec. B-239. 38 MRSA §531, 2nd ¶ is corrected to read:

When the Governor, on behalf of the State, executes such compact or any agreement supplementary thereto, ~~he~~ the Governor shall affix ~~his~~ the Governor's signature thereto under a recital that the compact or agreement is executed pursuant to the provisions thereof, subject to the limitations and qualifications contained in this subchapter.

Sec. B-240. 38 MRSA §535 is corrected to read:

§535. Appropriations

The State agrees to appropriate from the General Fund and contribute to the commission such annual amount as may be required for its several purposes under the terms of ~~such~~ the compact, not in excess of \$1,000, which limitation is imposed by the State as a condition under which it ~~shall become~~ becomes a party thereto. The State, as a further condition under which it ~~shall become~~ becomes a party to the compact, reserves the right to withdraw therefrom at any time upon 60 days' notice to the ~~chairman~~ chair of the commission.

The Governor shall determine if and when it ~~shall be~~ is for the best interests of the State to withdraw from ~~such~~ the compact. In the event the Governor ~~shall determine~~ determines that the State should withdraw from ~~such~~ the compact, ~~he shall have~~ the Governor has full power and authority to give the notice as required herein and to take any and all steps necessary and proper to effect the withdrawal of the State from the compact.

Sec. B-241. 38 MRSA §547, sub-§1, as enacted by PL 1969, c. 572, §1, is corrected to read:

1. Orders, rules and regulations. To make, amend and rescind the necessary orders, rules and regulations to carry out this subchapter within the limits of the authority conferred upon ~~him~~ the Governor and not inconsistent with the rules, regulations and directives of the President of the United States or of any federal department or agency having specifically authorized emergency functions.

Sec. B-242. 38 MRSA §547, sub-§2, as enacted by PL 1969, c. 572, §1, is corrected to read:

2. Delegation of authority. To delegate any authority vested in ~~him~~ the Governor under this subchapter, and to provide for the subdelegation of any such authority.

Whenever the Governor is satisfied that an emergency no longer exists, ~~he~~ the Governor shall terminate the proclamation by another proclamation affecting the sections of the State covered by the original proclamation, or any part thereof. ~~Said~~ The proclamation shall must be published in such newspapers of the State and posted in such places as the Governor, or the person acting in that capacity, ~~deems~~ considers appropriate.

Sec. B-243. 38 MRSA §547, 3rd ¶, as enacted by PL 1969, c. 572, §1, is corrected to read:

In performing ~~his~~ the duties under this subchapter, the Governor is authorized and directed to cooperate with all departments and agencies of the Federal Government, with the offices and agencies of other states and foreign countries, and the political subdivisions thereof, and with private agencies in all matters pertaining to a disaster or catastrophe.

Sec. B-244. 38 MRSA §547, 4th ¶, as enacted by PL 1969, c. 572, §1, is corrected to read:

In performing ~~his~~ the duties under this subchapter, the Governor is further authorized and empowered:

Sec. B-245. 38 MRSA §651 is corrected to read:

§651. Milldams and canals

Any ~~man~~ person may on ~~his~~ the person's own land erect and maintain a watermill and dams to raise water for working it, upon and across any stream not navigable; or, for the purpose of propelling mills or machinery, may cut a canal and erect walls and embankments upon ~~his~~ the person's own land, not exceeding one mile in length, and thereby divert from its natural channel the water of any stream not navigable, upon the terms and conditions and subject to the regulations hereinafter expressed.

Sec. B-246. 38 MRSA §652 is corrected to read:

§652. --diversion of water

Any person; authorized to erect and maintain a watermill and dams on a stream not navigable and to divert the water of such stream from its natural channel by a canal not exceeding one mile in length for the purpose of propelling mills or machinery under section 651; may so divert such waters without ~~said~~ that limitation to one mile, ~~provided he~~ as long as that person is the owner of the land on which the canal is to be located or has the consent of the owners thereof, and ~~provided he~~ as long as that person is the owner of all riparian rights on ~~said~~ that stream between the point of diversion and the point at which the waters are returned to the stream, upon the terms and conditions, and subject to the regulations

under this chapter. Under this section, "canal" ~~shall include~~ includes excavations in the ground and closed flumes, penstocks, pipelines and other appropriate means of conveying water from the point of diversion to the point of return to the stream.

Sec. B-247. 38 MRSA §659 is corrected to read:

§659. --damages

Damages caused by flowage of lands from which timber or other property ~~shall have~~ has been removed under section 658 ~~shall~~ must be assessed as though there had been no severance, and the amount paid for such timber or other property with interest to the date of the judgment ~~shall~~ must be credited thereon, ~~provided except that~~ the owner of the land ~~shall have~~ has the right to elect whether ~~his~~ the owner's damages ~~shall be~~ are assessed for flowage as of the time of taking or of flowing.

Sec. B-248. 38 MRSA §703 is corrected to read:

§703. Defenses

The owner or occupant of such mill or canal may answer that the plaintiff has no right, title or estate in the lands alleged to be injured; or that ~~he~~ the owner or occupant has a right to maintain such dam, and flow the lands, or divert the water for an agreed price, or without any compensation; or any other matter, ~~which that~~ that may show that the plaintiff cannot maintain the action; but ~~he shall~~ the owner or occupant may not answer that the land described is not injured by such dam or canal.

Sec. B-249. 38 MRSA §705 is corrected to read:

§705. Appointment of commissioners; appraisal of damages

If the issue is decided in favor of the plaintiff, or if the defendant is defaulted or does not answer or show any legal objection to the proceedings, the court shall appoint 3 or more disinterested commissioners of the same county, who shall go upon and examine the premises and make a true and faithful appraisal, under oath, of the yearly damages, if any, done to the plaintiff by the flowing of ~~his~~ the plaintiff's lands or the diversion of the water described in the complaint, and determine how far the same is necessary, and ascertain and report for what portion of the year such lands ought not to be flowed, or water diverted, or what quantity of water ~~shall~~ must be diverted. They shall ascertain, determine and report what sum in gross would be a reasonable compensation for all the damages, if any, occasioned by the use of such dam, and for the right of maintaining and using the same forever, estimated according to the height of the dam and flashboards as then existing. If within 10 days after ~~said~~ the report is presented to the court, the owners of ~~said~~ the dam or mills elect to pay the damages in gross, the court, where the judgment is entered, shall fix the time in which ~~said~~ the damages ~~shall~~ must be paid, and if not paid within that time, the owners of the dam or mills lose all benefit of their election, and the annual damages ~~shall~~ stand as the judgment of the court, and, except as otherwise provided, all proceedings ~~shall~~ must be in conformity with the other provisions of this chapter.

Sec. B-250. 38 MRSA §712 is corrected to read:

§712. --security for

When any person whose lands are so flowed or from whose lands the water is so diverted files ~~his~~ a complaint for ascertaining or increasing ~~his~~ the person's damages, or

brings a civil action as provided in section 713, and moves the court to direct the owner or occupant of such mill or canal to give security for the payment of the annual damages, and the court so orders, the owner or occupant refusing or neglecting to give such security ~~shall~~ have has no benefit of this chapter; but is liable to be sued for the damages occasioned by such flowing in a civil action.

Sec. B-251. 38 MRSA §715 is corrected to read:

§715. --redemption

Any person entitled to the premises may redeem them within one year after the sale by paying to the purchaser, or the person holding under ~~him~~ the purchaser, the sum paid therefor, with interest at the rate of 12%, deducting therefrom any rents and profits received by such purchaser, or person holding under ~~him~~ the purchaser; and may have the same process to compel the purchaser to account as ~~he~~ the person entitled to the premises might have had against a purchaser of an equity of redemption.

Sec. B-252. 38 MRSA §722 is corrected to read:

§722. Double damages if restrictions violated

If, after judgment, the restrictions imposed by the report of the commissioners or finding of the jury respecting the flowing or diverting of the waters are violated, the party injured thereby may recover of the wrongdoers double damages for ~~his~~ the injury in a civil action.

Sec. B-253. 38 MRSA §725 is corrected to read:

§725. Tender of damages

In case of an original complaint, the defendant may, with the same advantages to ~~himself~~ the defendant, tender and bring money into court, or if the issue is decided in favor of the plaintiff, or if the defendant is defaulted or does not answer or show any legal objections to the proceedings, the defendant may, in writing entered of record with its date, offer to be defaulted for a specific sum for the yearly damages or a sum in gross as reasonable compensation for all damages, as in an action at common law. If either is accepted, the judgment has the same effect as if rendered on a verdict. If not accepted within such time as the court orders, it ~~shall~~ may not be offered in evidence or have any effect upon the rights of the parties, or the judgment to be rendered except the costs. If the plaintiff fails to recover a sum greater than the sum tendered or offered, ~~he~~ the plaintiff recovers such costs only as accrued before the offer, and the defendant recovers costs accrued after that time, and ~~his~~ the defendant's judgment for costs may be set off against the plaintiff's judgment for damages and costs.

Sec. B-254. 38 MRSA §817, sub-§3, as amended by PL 1987, c. 118, §1, is corrected to read:

3. Dam. "Dam" means any ~~man-made~~ human-made artificial barrier, including appurtenant works, the site on which it is located and appurtenant rights of flowage and access, ~~which~~ that impounds or diverts a river, stream or great pond and ~~which~~ that is 2 feet or more in height and has an impounding capacity at maximum water storage elevation of 15 acre-feet or more. Any such artificial barrier constructed solely for the purpose of impounding water to allow timber to be floated downstream in a logging operation ~~shall~~ may not be considered a dam for the purposes of this article, unless it has been repaired,

modified or maintained by or with the knowledge of the owner, lessee or person in control since the discontinuance of its use in connection with logging operations. Any adjacent property, easements, roads, bridges or works not necessary for the operation or maintenance of a dam or access to the dam ~~shall~~ are not be included under the provisions of this article.

Sec. B-255. 38 MRSA §818, sub-§2, as enacted by PL 1983, c. 417, §6, is corrected to read:

2. Rights of others. Except as specifically provided in this Article, ~~nothing in this Article shall~~ may not be construed as denying any person any rights ~~he may have~~ the person has under any other statute, regulation, municipal ordinance or any rule of law.

Sec. B-256. 38 MRSA §853 is corrected to read:

§853. Reimbursement

If they are not reimbursed by the profits of the mill or paid by the other owners within 6 months after the work is completed, they may charge 1% a month on the amount advanced, from the end of 6 months until so reimbursed. If a delinquent owner dies or alienates ~~his~~ the delinquent owner's interest in the premises, the advancing owners have a continuing lien thereon for reimbursement. ~~No~~ Any special contract made by the owners respecting the building or repair of such mill or dam is not hereby affected.

Sec. B-257. 38 MRSA §891, as amended by PL 1977, c. 696, §346, is corrected to read:

§891. Scales for weighing grain; order of grinding

The owner or occupant of every grist mill shall keep scales and weights therein to weigh corn, grain and meal, when required. ~~He~~ The owner or occupant shall well and sufficiently grind as required, according to the nature, capacity and condition of ~~his~~ the mill, all grain brought to ~~his~~ the mill for that purpose and in the order in which it ~~shall be~~ is received. For neglecting or refusing to weigh the same when required, or failing to grind the same in the order received, or for taking more than lawful toll, ~~he~~ the owner or occupant commits a civil violation for which a ~~forfeiture~~ fine of not less than \$10 nor more than \$50 ~~shall~~ must be adjudged for each violation. This section ~~shall~~ may not be so construed as to preclude the right of any owner or occupant of any mill to enter into any mutual agreement with any customer or customers as to the order in which the grain of such customers ~~shall be~~ is received and ground, made at the time ~~said~~ the customer or customers ~~shall~~ bring his or their the grain to the mill for the purpose of being ground.

Sec. B-258. 38 MRSA §954-B, as enacted by PL 1979, c. 459, §1, is corrected to read:

§954-B. Commission budget; financing and executive director

The commission shall prepare a biennial budget and shall submit to the Legislature requests for appropriations sufficient to carry out its assigned tasks. The commission may accept contributions of any type from any source to assist it in carrying out its assigned tasks, and make such agreements in respect to the administration of such funds, not inconsistent with this chapter, as are required as conditions precedent to receiving such funds, federal or otherwise. The commission may contract with municipal, state and federal governments or their agencies to assist in the carrying out of any of its assigned tasks. The

commission is authorized to employ an executive director who ~~shall be~~ is the principal administrative, operational and executive employee of the commission. The executive director shall attend all meetings of the commission and be permitted to participate fully, but ~~shall~~ is not be a voting member of the commission. The executive director, with the approval of the commission, may hire whatever competent professional personnel and other staff as may be necessary and ~~he~~ may obtain office space, goods and services as required.

Sec. B-259. 38 MRSA §963, sub-§1, ¶A, as enacted by PL 1979, c. 459, §1, is corrected by correcting subparagraph (1) to read:

(1) Any hardship attributable to any act, course of conduct or failure to act of the applicant or ~~his~~ the applicant's predecessor in interest beginning with the owner of record on the effective date of this chapter or of a performance standard adopted pursuant thereto from which a variance is sought; or

Sec. B-260. 38 MRSA §963-A, sub-§1, ¶A, as enacted by PL 1979, c. 459, §1, is corrected to read:

A. Any hardship attributable to any act, course of conduct or failure to act of the applicant or ~~his~~ the applicant's predecessor in interest, beginning with the owner of record on March 19, 1974; or

Sec. B-261. 38 MRSA §971 is corrected to read:

§971. Conversion

~~Whoever~~ A person who takes, carries away or otherwise converts to ~~his~~ that person's own use, without the consent of the owner, any log suitable to be sawed or cut into the boards, clapboards, shingles, joists or other lumber, or any mast or spar the property of another, whether the owner is known or unknown, lying in any river, pond, bay, stream or inlet, or on or near the bank or shore thereof, or cuts out, alters or destroys any mark made thereon, without the consent of the owner and with intent to claim the same, forfeits for every such log, mast or spar, \$20, to be recovered on complaint; 1/2 for the State and 1/2 for the complainant.

Sec. B-262. 38 MRSA §975 is corrected to read:

§975. Intermixed logs and timber; lien for expenses; libel

~~Any~~ A person whose timber in any waters of the State is so intermixed with the logs, masts or spars of another that it cannot be conveniently separated for the purpose of being floated to the market or place of manufacture may drive all timber with which ~~his~~ the person's own is so intermixed toward such market or place, when no special and different provision is made by law for driving it; and is entitled to a reasonable compensation from the owner, to be recovered after demand therefor on ~~said~~ the owner or agent, if known, in a civil action. ~~He~~ The person authorized to drive the timber under this section has a prior lien thereon until 30 days after it arrives at its place of destination to enable ~~him~~ the person authorized to drive the timber under this section to attach it. If the owner cannot be ascertained, the property may be libeled according to law and enough of it disposed of to defray the expenses thereof, the amount to be determined by the court hearing the libel.

Sec. B-263. 38 MRSA §978 is corrected to read:

§978. Conversion of railroad sleepers, ship knees or cedar lumber; double damages

~~Whoever~~ A person who willfully and fraudulently takes, carries away or otherwise converts to ~~his~~ that person's own use any railroad sleeper, knee or other ship timber or cedar for shingles or other purposes, the property of another, whether known or not, without ~~his~~ the owner's consent, lying in any river, stream, pond, bay or inlet, or on or near the shore thereof; or cuts out, alters or destroys any mark thereon, forfeits \$10 for each offense, to be recovered and appropriated as provided in section 971; and is liable to the owner in double the amount thereof in a civil action. Such owner has all the rights and is subject to all the liabilities provided for the owner of logs, masts and spars in sections 973 to 979.

Sec. B-264. 38 MRSA §979 is corrected to read:

§979. Saco River or tributaries

If any boom on the Saco River, or any of the waters connected therewith, is so placed or constructed as to prevent the free and usual passage of timber down the river, the owner or occupant thereof, at ~~his~~ the owner's or occupant's own expense, shall release and turn out the timber so detained, when requested to do so by the owner thereof, if it can be done with safety. If, for 2 days after request, ~~he~~ the owner or occupant of the boom neglects or refuses to do so, ~~he~~ the owner or occupant of the boom is liable to the owner of the timber in a civil action for all damages ~~by him~~ sustained by the owner of the timer.

Sec. B-265. 38 MRSA §995, sub-§1, as enacted by PL 1987, c. 470, §2, is corrected to read:

1. Membership; terms; quorum. The commission ~~shall consist~~ consists of 8 members, of whom 4 ~~shall~~ must be appointed by the Premier of the Province of New Brunswick and 4 appointed by the Governor of the State. Initially, 4 of the members ~~shall~~ must be appointed for a one-year term and 4 members ~~shall~~ must be appointed for 2-year terms, so that members may not all reach the end of their terms at the same time. Thereafter, all members ~~shall~~ must be appointed for a term of 2 years and may be eligible for reappointment. Representatives of the governments of the United States and Canada ~~shall~~ must be invited as observers by the Governor of the State and the Premier of the Province of New Brunswick, respectively. Representatives from the governments of the United States and Canada ~~shall~~ may not be counted for purposes of determining a quorum. Alternates may be appointed for each member of the commission in the same manner as the members. The commission shall elect 2 ~~co-chairmen~~ cochairs, one of Canadian nationality and one of United States nationality, from among its members, each of whom ~~shall hold~~ holds office for a term of 2 years. A quorum ~~shall consist~~ consists of at least 6 members of the commission or their alternates, including, at all times 3 Canadian and 3 United States members. The commission shall reach its decisions on all issues by consensus. When failing to reach consensus, the commission shall refer the issue for resolution to both the Governor of the State and the Premier of the Province of New Brunswick for their joint consideration.

Sec. B-266. 38 MRSA §1000, as enacted by PL 1987, c. 470, §2, is corrected to read:

§1000. First meeting of commission

The first meeting of the commission ~~shall~~ must be called by the Governor of the State and ~~shall~~ must be held in Calais, Maine. The Premier of the Province of New Brunswick

has agreed, in the Memorandum of Understanding, to designate a person to serve as the temporary ~~chairman~~ chair of the commission at its first meeting until the commission nominates from among its members and approves by consensus ~~co-chairmen~~ cochairs.

Sec. B-267. 38 MRSA §1023, sub-§1, as enacted by PL 1985, c. 97, §1, is corrected to read:

1. Annual license fee; bond coverage. The licensee shall pay ~~his~~ an annual license fee and submit proof of the required bond coverage extending at least one year beyond the current license year;

Sec. B-268. 38 MRSA §1104, sub-§2, ¶D, as enacted by PL 1981, c. 466, §3, is corrected to read:

D. The official against whom a recall petition has been filed shall continue to perform the duties of ~~his~~ the official's office until the result of the special election is officially declared. The person receiving the highest number of votes at the special election ~~shall~~ must be declared elected for the remainder of the term. If the incumbent receives the highest number of votes, ~~he shall continue~~ the incumbent continues in office. If another receives the highest number of votes, ~~he shall succeed~~ that person must succeed the incumbent, if ~~he~~ that person qualifies, within 10 days after receiving notification.

Sec. B-269. 38 MRSA §1104, sub-§2, ¶E, as enacted by PL 1981, c. 466, §3, is corrected to read:

E. After one recall petition and special election, ~~no~~ a further recall petition may not be filed against the same official during the term for which ~~he~~ the official was elected.

Sec. B-270. 38 MRSA §1105, 3rd ¶, as amended by PL 1967, c. 524, §4, is corrected to read:

They shall organize by election from their own members a ~~chairman~~ chair, a ~~vice-chairman~~ vice-chair, a treasurer and a clerk and choose and employ and fix the compensation of such other necessary officers and agents who ~~shall~~ serve at their pleasure, and they shall adopt a corporate seal. Prior to the election of ~~said~~ those officers each trustee ~~shall~~ must be sworn to the faithful performance of ~~his~~ the trustee's duties.

Sec. B-271. 38 MRSA §1105, 5th ¶, as amended by PL 1967, c. 524, §4, is corrected to read:

After the original organizational meeting the trustees shall meet annually at a time determined by their bylaws for the purpose of electing from among the members a ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, treasurer and clerk to serve until the next annual election and until their successors are elected and qualified. The treasurer shall furnish bond in such sum and with such sureties as the trustees ~~shall~~ approve, the cost thereof to be paid by the district. The ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, treasurer and clerk may receive such compensation for serving in these capacities as the trustees ~~shall~~ determine. This compensation ~~shall be~~ is in addition to the compensation payable to them as trustees. The trustees shall make and publish an annual report including a report of the treasurer.

Sec. B-272. 38 MRSA §1105, 7th ¶, as amended by PL 1967, c. 524, §4, is corrected to read:

When a vacancy on the board of trustees occurs by reason of death, resignation or otherwise, the municipal officers of the municipality that the trustee represented shall fill the vacancy by electing a trustee from the municipality to serve until the municipality ~~shall fill~~ fills the vacancy at its next annual town meeting or next regular city election. In the case of a vacancy in the office of a trustee representing unorganized territory, the commissioners of the county wherein such unorganized territory is located shall fill the vacancy by electing a trustee from such unorganized territory and resident within the boundaries of the sanitary district until the next election of trustees is held. The person so chosen shall serve until ~~his~~ that person's successor is elected and qualified. In case any member of the board of trustees ~~shall remove~~ removes from the municipality that ~~he~~ the member represents, or, in the case of a trustee representing unorganized territory, in case such trustee ~~shall remove~~ removes without the boundaries of the sanitary district, a vacancy ~~shall~~ must be declared to exist by the board of trustees, and the municipal officers or the county commissioners, as the case may be, shall thereafter choose another trustee as provided.

Sec. B-273. 38 MRSA §1105, 8th ¶, as amended by PL 1967, c. 524, §4, is corrected to read:

~~No~~ A member of the board of trustees ~~shall~~ may not be employed for compensation as an employee or in any other capacity by the sanitary district of which ~~he~~ the member is a trustee, except as provided.

Sec. B-274. 38 MRSA §1152-A, sub-§1, ¶B, as enacted by PL 1981, c. 466, §5, is corrected by correcting subparagraph (2) to read:

(2) By certified mail, return receipt requested, to ~~his~~ the owner's last known address.

Sec. B-275. 38 MRSA §1156, as enacted by PL 1965, c. 310, is corrected to read:

§1156. Entry of private sewer

~~Any~~ A person may enter ~~his~~ the person's private sewer into any sewer of a sanitary district formed under this chapter while the same is under construction and before completion of such sewer at the point of entry, on obtaining a permit in writing from the trustees of the district; but after the sewer is completed to the point of entry and an entrance charge established on that location, ~~no~~ a person ~~shall~~ may not enter ~~his~~ the person's private sewer into such sewer until ~~he~~ the person has paid the entrance charge and obtained a permit in writing from the trustees. All such permits ~~shall~~ must be recorded by the clerk of the district in its records before the same are issued.

Sec. B-276. 38 MRSA §1160, as amended by PL 1985, c. 612, §18, is corrected to read:

§1160. Connection of private sewers

Every building in a sanitary district formed under this chapter intended for human habitation or occupancy or with facilities for discharge or disposal of ~~waste water~~ wastewater or commercial or industrial waste, ~~which~~ that is accessible to a sewer or drain of such district, ~~shall~~ must have a sanitary sewer or drainage system ~~which shall be~~ that is caused to be connected with such sewer or drain of the district by the owner or person against whom taxes on the premises are assessed, in the most direct manner possible, within

90 days after receiving request therefor from the district, or within such further time as the trustees of the district may grant, and, if feasible, with a separate connection for each such building. Existing buildings ~~which~~ that are already served by a private sewer or drainage system ~~shall~~ are not be required to connect with any sewer or drain of the district so long as the private sewer or drainage system functions in a satisfactory and sanitary manner, and does not violate any law or ordinance applicable thereto or any applicable requirement of the ~~State of Maine Plumbing Code~~ state plumbing code, as determined by the municipal plumbing inspector, ~~his~~ the inspector's alternate, or, in the event that both are trustees or employees of the district, the Division of Health Engineering. A building ~~shall be~~ is deemed to be accessible to a sewer or drain of the district for the purposes of this section if such building, or any private sewer or drain directly or indirectly connected thereto or carrying ~~waste water~~ wastewater or commercial or industrial waste therefrom, ~~shall~~ at any point be ~~is~~ or come ~~comes~~ within 200 feet of a sewer or drain of the district; ~~provided except that nothing in~~ does not require the owner of any such building to acquire any real property or easement therein for the sole purpose of making such connection.

Sec. B-277. 38 MRSA §1201, sub-§1, ¶B, as enacted by PL 1979, c. 696, §1, is corrected to read:

B. Paying any necessary expenses and liabilities incurred under this chapter, including organizational and other necessary expenses and liabilities, whether incurred by the district or any municipality therein or any person residing in unorganized territory encompassed by the district, the district being authorized to reimburse any municipality therein or any person residing in unorganized territory encompassed by the district for any such expenses incurred or paid by it or ~~him~~ the person;

Sec. B-278. 38 MRSA §1201, sub-§3, as enacted by PL 1979, c. 696, §1, is corrected to read:

3. Maturity; interest; form; temporary bonds. The bonds issued under this chapter ~~shall~~ must be dated, ~~shall~~ must mature ~~at such time or times not exceeding no later than~~ no later than 40 years from their date or dates and ~~shall~~ must bear interest at such rate or rates as may be determined by the board of trustees, and may be made redeemable before maturity, at the option of the district, at such price or prices and under such terms and conditions as may be fixed by the board of trustees prior to the issuance of the bonds. The board of trustees shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the State. Bonds ~~shall~~ must be executed in the name of the district by the manual or facsimile signature of such officer or officers as may be authorized in the resolution to execute the bonds, but at least one signature on each bond ~~shall~~ must be a manual signature. Coupons, if any, attached to the bonds ~~shall~~ must be executed with the facsimile signature of the officer or officers of the district designated in the resolution. In case any officer, whose signature or a facsimile of whose signature appears on any bonds or coupons, ceases to be such officer before the delivery of the bonds, the signature or its facsimile ~~shall~~ is nevertheless be valid and sufficient for all purposes as if ~~he~~ the officer had remained in office until the delivery. Notwithstanding any of the other provisions of this chapter or any recitals in any bonds issued under this chapter, all such bonds ~~shall be~~ are deemed to be negotiable instruments under the laws of this State. The bonds may be issued in coupon or registered form, or both, as the board of trustees may

determine, and provision may be made for the registration of any coupon bonds as to principal alone and as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The board of trustees may sell such bonds in such manner, either at public or private sale, and for such price as they may determine to be for the best interests of the district. The proceeds of the bonds of each issue ~~shall~~ must be used solely for the purpose for which those bonds have been authorized, and ~~shall~~ must be disbursed in such manner and under such restrictions, if any, as the board of trustees may provide in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds. The resolution providing for the issuance of bonds, and any trust agreement securing the bonds, may contain such limitations upon the issuance of additional bonds as the board of trustees may ~~deem~~ consider proper, and these additional bonds ~~shall~~ must be issued under such restrictions and limitations as may be prescribed by that resolution or trust agreement. Prior to the preparation of definitive bonds, the board of trustees may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when those bonds are executed and are available for delivery. The board of trustees may provide for the replacement of any bond ~~which~~ that is mutilated, destroyed or lost.

Sec. B-279. 38 MRSA §1203, as amended by PL 1967, c. 524, §10, is corrected to read:

§1203. Assessments

When any sanitary district formed under this chapter has constructed and completed a common sewer, the trustees may, if they so determine, in order to defray a portion of the expense thereof, determine what lots or parcels of land are benefited by such sewer, and estimate and assess upon such lots and parcels of land, and against the owner thereof, or person in possession or against whom taxes thereon are assessed, whether ~~said~~ the person to whom the assessment is so made ~~shall be~~ is the owner, tenant, lessee or agent, and whether the same is occupied or not, except that in the case of a sanitary district encompassing unorganized territory, such assessments made on lots or parcels of land in such unorganized territory ~~shall~~ must be made by the trustees against the party in possession thereof, such sum not exceeding such benefit as they may ~~deem~~ consider just and equitable towards defraying the expense of constructing and completing such sewer, together with such sewage disposal units and appurtenances as may be necessary, the whole of such assessments not to exceed 1/2 of the cost of such sewer and sewage disposal units. The trustees shall file with the clerk of the district the location of such sewer and sewage disposal unit, with a profile description of the same, and a statement of the amount assessed upon each lot or parcel of land so assessed, a description of each lot or parcel, and the name of the owner of such lots or parcels of land or person against whom said assessment ~~shall~~ must be made, and the clerk of such district shall record the same in a book kept for that purpose, and within 10 days after such filing, each person so assessed ~~shall~~ must be notified of such assessment by having an authentic copy of ~~said~~ the assessment, with an order of notice signed by the clerk of ~~said~~ the district, stating the time and place for a hearing upon the subject matter of ~~said~~ the assessments, given to each person so assessed or left at ~~his~~ the person's usual place of abode in ~~said~~ the district; if ~~he~~ a person so assessed has no place of abode in ~~said~~ the district, then such notice ~~shall~~ must be given or left at the abode of ~~his~~ that person's tenant or lessee if ~~he~~ that person has one in ~~said~~ the district; if ~~he~~ that person has no such tenant or lessee in ~~said~~ the district, then by posting said notice in some

conspicuous place in the vicinity of the lot or parcel of land so assessed, at least 30 days before ~~said the~~ hearing, or such notice may be given by publishing the same once a week for 3 successive weeks in any newspaper of general circulation in ~~said the~~ district, the first publication to be at least 30 days before ~~said the~~ hearing; a return made upon a copy of such notice by any constable in any municipality within the district or by any sheriff or deputy sheriff or the production of the newspaper containing such notice ~~shall be~~ is conclusive evidence that ~~said the~~ notice has been given, and upon such hearing the trustees ~~shall~~ have power to revise, increase or diminish any of such assessments, and all such revisions, increases or diminutions ~~shall~~ must be in writing and recorded by the clerk of the district.

Sec. B-280. 38 MRSA §1205, as amended by PL 1979, c. 541, Pt. A, §274, is corrected to read:

§1205. Lien for unpaid assessments

All assessments made under section 1203 ~~shall~~ create a lien upon each and every lot or parcel of land so assessed and the buildings upon the same, ~~which. The~~ lien ~~shall take~~ takes effect when the trustees file with the clerk of the district the completed assessment, and ~~shall continue~~ continues for one year thereafter. Within 10 days after the date of hearing on ~~said the~~ assessment, the clerk of the district shall make out a list of all such assessments, the amount of each, and the name of the person against whom the same is assessed, and ~~he~~ the clerk of the district shall certify the list and deliver it to the treasurer of ~~said the~~ district. If ~~said assessments are~~ an assessment is not paid within 3 months from the date thereof, the treasurer may bring a civil action for the collection of ~~said that~~ assessment in the name of the district against the person against whom ~~said the~~ assessment is made and for the enforcement of ~~said the~~ lien. The complaint in such action ~~shall~~ must contain a statement of such assessment, a description of the real estate against which the assessment is made, and an allegation that a lien is claimed on ~~said that~~ real estate to secure the payment of the assessment. If ~~no~~ service is not made upon the defendant or it ~~shall appear~~ appears that any other persons are interested in such real estate, the court shall order such further notice of such action as appears proper, and shall allow such other persons to become parties thereto. If it ~~shall appear~~ appears upon trial of such action that such assessment was legally made against ~~said the~~ real estate, and is unpaid, and that there is an existing lien on ~~said that~~ real estate for the payment of such assessment, judgment ~~shall~~ must be rendered for such assessment, interest and costs of suit against the defendants and against the real estate upon which the assessment was made, and execution ~~shall~~ must issue thereon to be enforced by sale of such estate in the manner provided for a sale on execution of real estate attached on original process; ~~provided that in.~~ In making ~~said such a~~ sale the officer shall follow the procedure in selling and conveying, and there ~~shall be~~ are the same rights of redemption, as provided in Title 36, section 941.

Sec. B-281. 38 MRSA §1303-C, sub-§28, as enacted by PL 1989, c. 585, Pt. E, §4, is corrected to read:

28. Site. "Site" means the same or geographically contiguous property which may be divided by a public or private right-of-way, ~~provided that~~ as long as the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but

connected by a right-of-way ~~which he~~ that that person controls and to which the public does not have access is also considered site property.

Sec. B-282. 38 MRSA §1303-C, sub-§45, as enacted by PL 1989, c. 585, Pt. E, §4, is corrected to read:

45. Waste resulting from agricultural activities. "Waste resulting from agricultural activities" means wastes ~~which that~~ result from agricultural activities as defined in section 361-A, subsection 1-B, ~~which and that~~ are returned to the soils as fertilizers and includes waste pesticides when generated by a farmer in his the farmer's own use, ~~provided that he~~ as long as the farmer triple rinses each emptied pesticide container in accordance with departmental rules and disposes of the pesticide residues in a manner consistent with the disposal instructions on the pesticide label.

Sec. B-283. 38 MRSA §1304, sub-§12, ¶A, as amended by PL 1987, c. 192, §25, is corrected to read:

A. Whenever, after investigation, the commissioner determines that there is or has been an unauthorized discharge of hazardous waste, constituents of hazardous waste, or waste oil into the environment where there is a reasonable basis to believe that the discharge is endangering or causing damage to public health or the environment or that any person has violated or is in violation of any requirement of this subchapter, including rules adopted thereunder, relating to hazardous waste or waste oil activities, ~~he the commissioner~~ may issue an order requiring compliance immediately or within a specified time period or requiring corrective action or other response measures as necessary to protect the public health and safety or the environment.

The commissioner may require assurance of financial ability for completing corrective action and may require, where necessary, that corrective action be taken beyond a facility or site to remove the danger to the public health or the environment unless the person to whom the order is directed demonstrates to the commissioner that, despite that person's best efforts, ~~he that person~~ was unable to obtain the necessary permission to undertake such actions.

Sec. B-284. 38 MRSA §1310, first ¶, as repealed and replaced by PL 1981, c. 430, §19, is corrected to read:

If the commissioner finds, after investigation, that any waste, whether or not hazardous waste, is being handled, transported or otherwise dealt with in a manner ~~which that~~ may create a danger to public health or safety, ~~he the commissioner~~ may order any person handling, transporting or otherwise dealing with the waste to immediately cease or prevent that activity and to take such action as may be necessary to terminate or mitigate the danger or likelihood of danger. ~~He~~ The commissioner may also order any person contributing to the danger or likelihood of danger to cease or prevent that contribution.

Sec. B-285. 38 MRSA §1310-B, sub-§6, ¶C, as enacted by PL 1979, c. 699, §17, is corrected to read:

C. Any person who knowingly discloses designated information, knowing that ~~he the person~~ is not authorized to do so, is subject to a civil penalty of not more than \$5,000.

Sec. B-286. 38 MRSA §1319-H, sub-§1, ¶B, as enacted by PL 1981, c. 478, §7, is corrected to read:

B. A refund of 50% of the fee shall ~~must~~ be returned to an applicant who withdraws his ~~an~~ application within 30 days of its submission.

Sec. B-287. 38 MRSA §1367, 3rd ¶, as enacted by PL 1983, c. 569, §1, is corrected to read:

A person who would otherwise be a responsible party shall ~~is not be~~ subject to liability under this section, if ~~he~~ the person can establish by a preponderance of the evidence that threats or hazards posed or potentially posed by an uncontrolled site, for which threats or hazards ~~he~~ the person would otherwise be responsible, were caused solely by:

Sec. B-288. 38 MRSA §1368, first ¶, as enacted by PL 1983, c. 569, §1, is corrected to read:

Whenever the commissioner determines that an emergency exists as the result of a threat or hazard posed by an uncontrolled site, the commissioner shall immediately notify the Governor. The Governor may declare an emergency and, in addition to whatever action is necessary and available to ~~him~~ the Governor under law, may authorize the Commissioner of Environmental Protection in conjunction with the Commissioner of Public Safety to:

Sec. B-289. 38 MRSA §1369, as enacted by PL 1983, c. 569, §1, is corrected to read:

§1369. Immunity

Notwithstanding the provisions of Title 14, chapter 741, neither the State nor any agency or employee thereof engaged in any abatement, clean up or mitigation activity, while complying with or attempting to comply with this chapter, or with any rule ~~promulgated~~ adopted or directive issued in the implementation of this chapter, may be liable for the death of or injury to persons, or damage to property, as a result of that activity. This section shall ~~does~~ not affect the right of any person to receive benefits to which ~~he~~ the person would otherwise be entitled under the workers' compensation law or any other pension law, nor the right of any person to receive benefits or compensation under any act of Congress.

Sec. B-290. 38 MRSA §1724, sub-§3, as enacted by PL 1983, c. 820, §2, is corrected to read:

3. Vacancy. Any vacancy on the board of directors shall ~~must~~ be filled within 30 days after the vacancy occurs by appointment of the municipal officers of the municipality ~~which~~ he that the appointee is to represent. An appointee to a vacancy shall ~~serve~~ serves until the expiration of the term of the representative to whose position the appointment was made and may be reappointed.

Sec. B-291. 38 MRSA §1725, 2nd ¶, as enacted by PL 1983, c. 820, §2, is corrected to read:

The directors shall organize by election from their own members a ~~chairman~~ chair, a ~~vice-chairman~~ vice-chair, a treasurer and a clerk, each of whom shall ~~hold~~ holds office for one year and until ~~his~~ a successor is duly elected and qualified, and choose, employ and fix the compensation of any other necessary officers and agents who shall serve at their pleasure, and they shall adopt a corporate seal. Prior to the election of the officers, each director shall ~~must~~ be sworn to the faithful performance of ~~his~~ the director's duties by the respective municipal clerk. For the election of ~~chairman~~ chair, ~~vice-chairman~~ vice-chair,

treasurer and clerk, each director shall cast one vote regardless of the population of the municipality ~~which he~~ that the director represents.

Sec. B-292. 38 MRSA §1725, 5th ¶, as enacted by PL 1983, c. 820, §2, is corrected to read:

After the original organizational meeting, the directors shall meet annually at a time determined by their bylaws for the purpose of electing from among the members a ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, treasurer and clerk to serve until the next annual election and until their successors are appointed and qualified. The treasurer shall furnish bond in such sum and with such sureties as the directors ~~shall~~ approve, but not less than 50% of the anticipated annual revenues of the district, the cost to be paid by the district. The ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, treasurer and clerk may receive such compensation for serving in these capacities as the directors ~~shall~~ determine. This compensation ~~shall be~~ is in addition to the compensation payable to them as directors. The directors shall make and publish an annual report, including a report of the treasurer.

Sec. B-293. 38 MRSA §1725, 7th ¶, as enacted by PL 1983, c. 820, §2, is corrected to read:

~~No~~ A member of the board of directors may not be employed for compensation as an employee or in any other capacity by the district of which ~~he~~ the member is a director.

Sec. B-294. 38 MRSA §1740, as enacted by PL 1983, c. 820, §2, is corrected to read:

§1740. Annual audit

Each year an audit ~~shall~~ must be made of the accounts of the district, and for this purpose authorized agents of a certified public accounting firm appointed by the directors ~~shall~~ must have access to all necessary papers, books and records. Upon the completion of each audit, a report ~~shall~~ must be made to the ~~chairman~~ chair of the district board of directors and a copy ~~shall~~ must be sent to the municipal officers of each member municipality.

Sec. B-295. 38 MRSA §1751, sub-§3, as amended by PL 1985, c. 337, §5, is corrected to read:

3. Maturity; interest; form; temporary bonds. The bonds issued under this chapter ~~shall~~ must be dated, ~~shall~~ must mature ~~at such time or times not exceeding~~ no later than 40 years from their date or dates and ~~shall~~ must bear interest at such rate or rates as may be determined by the board of directors or determined pursuant to a formula approved by the board of directors or by a 3rd party rate-setting agent selected by the board of directors, and may be made redeemable before maturity, at the option of the district, at such price or prices and under such terms and conditions as may be fixed by the board of directors prior to the issuance of the bonds. The board of directors shall determine the form of the bonds, including any interest coupons to be attached, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any financial institution having trust powers within or without the State. Bonds ~~shall~~ must be executed in the name of the district by the manual or facsimile signature of such officer or officers as may be authorized in the resolution to execute the bonds, but at least one signature on each bond ~~shall~~ must be a manual signature. Coupons, if any, attached to the bonds ~~shall~~ must be executed with the

facsimile signature of the officer or officers of the district designated in the resolution. In case any officer, whose signature or facsimile signature appears on any bonds or coupons, ceases to hold that office before the delivery of the bonds, the signature or its facsimile ~~shall~~ is nevertheless be valid and sufficient for all purposes, as if ~~he~~ the officer had remained in office until the delivery. Notwithstanding any of the other provisions of this chapter or any recitals in any bonds issued under this chapter, all such bonds ~~shall be~~ are deemed to be negotiable instruments under the laws of this State. The bonds may be issued in coupon or registered form, or both, as the board of directors may determine, and provision may be made for the registration of any coupon bonds as to principal alone and as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The board of directors may sell the bonds in the manner, either at public or private sale, and for such price as they may determine to be for the best interests of the district. The proceeds of the bonds of each issue ~~shall~~ must be used solely for the purpose for which those bonds have been authorized and ~~shall~~ must be disbursed in such manner and under such restrictions as the board of directors may provide in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds. The resolution providing for the issuance of bonds, and any trust agreement securing the bonds, may contain such limitations upon the issuance of additional bonds as the board of directors may ~~deem~~ consider proper, and these additional bonds ~~shall~~ must be issued under such restrictions and limitations as may be prescribed by that resolution or trust agreement. Prior to the preparation of definitive bonds, the board of directors may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when those bonds are executed and are available for delivery. The board of directors may provide for the replacement of any bond ~~which~~ that is mutilated, destroyed or lost.

Sec. B-296. 38 MRSA §1753, as enacted by PL 1983, c. 820, §2, is corrected to read:

§1753. Collection of unpaid charges

The treasurer of the district may collect the rates, tolls, assessments, rents, tipping fees, transportation charges and other charges established by the district and those charges ~~shall~~ must be committed to ~~him~~ the treasurer. The treasurer may, after demand for payment, sue in the name of the district in a civil action for any rate, toll, rent, assessment, tipping fee, transportation charge or other charges remaining unpaid in any court of competent jurisdiction. In addition, the treasurer may order the termination of service for nonpayment of any amount owed to the district.

Sec. B-297. 38 MRSA §1901, first ¶, as enacted by PL 1985, c. 794, Pt. A, §11, is corrected to read:

The Legislature finds that Maine's coastal barriers and the adjacent wetlands, marshes, estuaries, inlets and nearshore waters contain resources of extraordinary scenic, scientific, recreational, natural, historic, archeological and economic importance that may be irretrievably damaged and lost due to development on and adjacent to those barriers; that Maine's coastal barriers provide habitats for migratory birds and other wildlife and habitats ~~which~~ that are essential spawning, nursery, nesting and feeding areas for commercially and recreationally important species of finfish and shellfish, as well as other aquatic organisms; that Maine's coastal barriers serve as natural storm protective buffers and are generally

unsuitable for development because they are vulnerable to hurricane and other storm damage and because natural shoreline recession and the movement of unstable sediments undermine ~~manmade~~ human-made structures; and that the United States Congress has recognized the importance of coastal barriers through the United States Coastal Barrier Resources Act of 1982, United States Code, Title 16, Section 3509, established a detailed process to identify coastal barriers and prohibited the expenditure of federal funds that support activities incompatible with the ability of these fragile areas to accommodate those activities.

Sec. B-298. 38 MRSA §2005, 3rd ¶, as enacted by PL 1987, c. 711, is corrected to read:

~~They~~ The trustees shall organize by election from their own members a ~~chairman chair~~, a ~~vice-chairman~~ vice-chair, a treasurer and a clerk and choose, employ and fix the compensation of other necessary officers and agents who ~~shall~~ serve at their pleasure and they shall adopt a corporate seal. Prior to the election of the officers, each trustee ~~shall~~ must be sworn to the faithful performance of the trustee's duties.

Sec. B-299. 38 MRSA §2005, 6th ¶, as enacted by PL 1987, c. 711, is corrected to read:

After the original organizational meeting, the trustees shall meet annually at a time determined by their bylaws for the purpose of electing from among the members a ~~chairman chair~~, ~~vice-chairman~~ vice-chair, treasurer and clerk to serve until the next annual election and until their successors are elected and qualified. The treasurer shall furnish bond in such sum and with such sureties as the trustees approve, the cost of the bond to be paid by the district. The ~~chairman chair~~, ~~vice-chairman~~ vice-chair, treasurer and clerk may receive compensation for serving in these capacities as the trustees determine. This compensation ~~shall be~~ is in addition to the compensation payable to them as trustees. The trustees shall make and publish an annual report including a report of the treasurer.

Sec. B-300. 38 MRSA §2008, sub-§3, as enacted by PL 1987, c. 711, is corrected to read:

3. Quorum; meeting rules. Each person whose name appears on the district voting list may attend and vote at a district budget meeting. Twenty-five registered voters constitute a quorum. When a quorum of voters is present, the ~~chairman chair~~ of the trustees shall open the meeting by calling for the election of a moderator, receiving and counting votes for moderator and swearing in the moderator. As soon as a moderator has been elected and sworn, the moderator shall preside at the meeting. The secretary of the district shall record accurately all votes of the meeting.

EXPLANATION

Pursuant to Public Law 2019, chapter 475, section 52, this Part corrects gender-specific references within statutory units in the Maine Revised Statutes, Titles 12, 22, 29-A and 38 and incorporates certain administrative changes and corrections to those statutory units authorized under Title 1, section 93.