



# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1894

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H.P. 1327

House of Representatives, March 29, 2018

### **An Act To Correct Errors and Inconsistencies in the Laws of Maine**

(EMERGENCY)

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Reported by Representative MOONEN of Portland for the Revisor of Statutes pursuant to the Maine Revised Statutes, Title 1, section 94.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

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

3           **Whereas,** acts of this and previous Legislatures have resulted in certain technical  
4 errors and inconsistencies in the laws of Maine; and

5           **Whereas,** these errors and inconsistencies create uncertainties and confusion in  
6 interpreting legislative intent; and

7           **Whereas,** it is vitally necessary that these uncertainties and this confusion be  
8 resolved in order to prevent any injustice or hardship to the citizens of Maine; and

9           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
10 the meaning of the Constitution of Maine and require the following legislation as  
11 immediately necessary for the preservation of the public peace, health and safety; now,  
12 therefore,

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

14           **Sec. 1. 4 MRSA §1610-J,** as enacted by PL 2017, c. 284, Pt. FF, §1 and  
15 reallocated by c. 288, Pt. A, §2, is reallocated to 4 MRSA §1610-K.

16           **Sec. 2. 4 MRSA §1805, sub-§7, ¶B-1,** as enacted by PL 2017, c. 284, Pt.  
17 UUUU, §11, is amended to read:

18           B-1. A monthly report on the number of cases opened, the number of vouchers  
19 submitted, the amount of vouchers paid, the amount of payments to contract counsel,  
20 the number of requests for professional services, the amount of payments for  
21 professional services and information on any complaints made against assigned or  
22 contract counsel; and

23           **Sec. 3. 5 MRSA §1660-D, sub-§4, ¶D,** as enacted by PL 1995, c. 402, Pt. C, §2,  
24 is amended to read:

25           D. Is not exclusively a health care facility within the meaning of Title 22, former  
26 section 382, subsection 6.

27           **Sec. 4. 5 MRSA §1812-D,** as enacted by PL 1989, c. 585, Pt. C, §3 and amended  
28 by PL 2011, c. 657, Pt. W, §5, is amended to read:

29           **§1812-D. Coordination of procurement information and policies**

30           The Bureau of Purchases shall coordinate with the Department of Transportation, the  
31 Department of Agriculture, Conservation and Forestry; and the Department of  
32 Environmental Protection ~~and the Office of Waste Reduction and Recycling~~ to develop a  
33 central ~~data base~~ database of information including, but not limited to, procurement  
34 policies, market information, technical data and demonstration project results. This data  
35 ~~shall~~ must be compiled annually and provided to local public agencies by the ~~Office of~~  
36 ~~Waste Reduction and Recycling~~ Department of Environmental Protection.

1           **Sec. 5. 5 MRSA §13070-J, sub-§4, ¶A**, as repealed by PL 2017, c. 211, Pt. E, §1  
2 and amended by c. 264, §11, is repealed.

3           **Sec. 6. 5 MRSA §18653-A**, as enacted by PL 2017, c. 88, §35, is amended to  
4 read:

5           **§18653-A. Funds**

6           All assets in the group life insurance program may be combined for investment  
7 purposes. The assets attributable to employers of participating local district participants  
8 in the group life insurance program may not be combined with the assets attributable to  
9 other group life insurance participants for benefit purposes. Premiums for retiree group  
10 life insurance coverage under section ~~4806~~ 18661, subsection 2, and interest and  
11 dividends attributable to those premiums, may not be used to provide benefits for  
12 participants who are not retirees.

13           **Sec. 7. 7 MRSA §2442, sub-§22**, as amended by PL 2017, c. 1, §2, is further  
14 amended to read:

15           **22. Marijuana.** "Marijuana" means the leaves, stems, flowers and seeds of all  
16 species of the plant genus ~~eannabis~~ Cannabis, whether growing or not.

17           **Sec. 8. 7 MRSA §2442, sub-§22-A**, as enacted by PL 2017, c. 1, §3, is amended  
18 to read:

19           **22-A. Marijuana concentrate.** "Marijuana concentrate" means the resin extracted  
20 from any part of the plant genus ~~eannabis~~ Cannabis and every compound, manufacture,  
21 salt, derivative, mixture or preparation from such resin, including hashish. In determining  
22 the weight of marijuana concentrate, the weight of any other ingredient combined with  
23 marijuana to prepare a marijuana product may not be included.

24           **Sec. 9. 7 MRSA §2447, sub-§2**, as enacted by IB 2015, c. 5, §1, is amended to  
25 read:

26           **2. Investigation of qualifications.** In investigating the qualifications of an applicant  
27 or a licensee, the state licensing authority and municipality may have access to criminal  
28 history record information furnished by a law enforcement agency subject to any  
29 restrictions imposed by that agency. In the event the state licensing authority or  
30 municipality considers the applicant's criminal history record, the state licensing authority  
31 or municipality shall also consider any information provided by the applicant regarding  
32 such criminal history record, including, but not limited to, evidence of rehabilitation,  
33 character references and educational achievements, especially those items pertaining to  
34 the time between the applicant's last criminal conviction and the consideration of the  
35 application for a license.

36           At the time of filing an application for issuance of a retail marijuana establishment or  
37 retail marijuana social club license, an applicant shall submit a set of the applicant's  
38 fingerprints and personal history information concerning the applicant's qualifications for  
39 a license on forms prepared by the state licensing authority. The state licensing authority

1 shall submit the fingerprints and the municipality may forward fingerprints to the State  
2 Bureau of ~~Investigation~~ Identification for criminal history background information. The  
3 state licensing authority shall also forward the fingerprints to the Federal Bureau of  
4 Investigation for the purpose of conducting a federal fingerprint-based criminal history  
5 record check. The state licensing authority may acquire a name-based criminal history  
6 record check for an applicant or a licensee who has twice submitted to a fingerprint-based  
7 criminal history record check and whose fingerprints are unclassifiable. An applicant  
8 who has previously submitted fingerprints for state licensing purposes may request that  
9 the fingerprints on file be used. The state licensing authority shall use the information  
10 resulting from the fingerprint-based criminal history record check to investigate and  
11 determine whether an applicant is qualified to hold a license pursuant to this chapter. The  
12 state licensing authority or municipality may verify any of the information an applicant is  
13 required to submit.

14 **Sec. 10. 7 MRSA §2902-A, sub-§3**, as corrected by RR 1999, c. 1, §4, is  
15 amended to read:

16 **3. Permit granted; requirements; suspension.** A permit must be granted upon the  
17 express condition that the permittee at all times conducts the operation and maintains the  
18 facilities in accordance with the requirements of state law and any rules adopted under  
19 this chapter. Any violation that results in a health or safety hazard may lead to  
20 suspension of a permit in accordance with Title 5, ~~chapter 375~~, section 10004 for a period  
21 of up to 30 days. A suspension or revocation of a permit for longer than 30 days, or a  
22 refusal to renew a permit, must be in accordance with Title 5, chapter 375, subchapter ~~4~~  
23 5.

24 **Sec. 11. 8 MRSA §263-A, sub-§1, ¶E**, as enacted by PL 1997, c. 528, §6, is  
25 amended to read:

26 E. The procedures and standards for setting ~~racing~~ race dates; and

27 **Sec. 12. 8 MRSA §271, sub-§1**, as amended by PL 2017, c. 231, §8, is further  
28 amended to read:

29 **1. Licensing.** If the commission is satisfied that all of this chapter and rules  
30 prescribed by the commission have been substantially complied with during the past year  
31 and will be fully complied with during the coming year by the person, association or  
32 corporation applying for a license; that the applicant, its members, directors, officers,  
33 shareholders, employees, creditors and associates are of good moral character; that the  
34 applicant is financially responsible; and that the award of ~~racing~~ race dates to the  
35 applicant is appropriate under the criteria contained in subsection 2, it may issue a license  
36 for the holding of harness horse races or meets for public exhibition with pari-mutuel  
37 pools, which must expire on December 31st. The fee for a license is \$100 or \$10 per  
38 week, whichever is higher. The commission shall make available harness racing laws  
39 and rules and relevant portions of the Maine Administrative Procedure Act to every initial  
40 licensee. The license must set forth the name of the licensee, the place where the races or  
41 race meets are to be held and the specific race dates and time of day or night during  
42 which racing may be conducted by the licensee. If the commission determines that the  
43 location where a commercial track is licensed to conduct races is unavailable, it may

1 permit a licensee to transfer its license to another location. The substitute location and  
2 the races conducted there by the licensee must be conducted in accordance with this  
3 chapter. A license issued pursuant to this subsection is not transferable or assignable.  
4 The District Court Judge, as designated in Title 4, chapter 5, may revoke any license  
5 issued at any time for violation of the commission's rules or licensing provisions upon  
6 notice and hearing. The license is automatically revoked, subject to Title 5, chapter 375,  
7 upon a change in ownership, legal or equitable, of 50% or more of the voting stock of the  
8 licensee; the licensee may not hold a harness horse race or meet for public exhibition  
9 without a new license.

10 **Sec. 13. 8 MRSA §276-B**, as amended by PL 2017, c. 231, §19, is further  
11 amended to read:

12 **§276-B. Commercial track ceases operation; entitled to funds**

13 Other than funds used exclusively to pay harness racing purses, a commercial track  
14 that ceases operation is entitled to distribution of all funds maintained by the State under  
15 this chapter based on the number of race days conducted by that commercial track up to  
16 and including the final ~~racing~~ race date conducted by that commercial track. Payments  
17 due from a commercial track that ceases operation to any in-state commercial track,  
18 agricultural fair or off-track wagering licensee must be made from the funds under this  
19 section prior to distribution to the commercial track that has ceased operation.

20 **Sec. 14. 8 MRSA §1003, sub-§5**, as enacted by PL 2017, c. 284, Pt. IIII, §1 and  
21 c. 303, §1, is repealed and the following enacted in its place:

22 **5. Additional duties of the director.** The director also serves as the director of the  
23 Gambling Control Unit, established as a bureau within the Department of Public Safety  
24 under Title 25, section 2902, subsection 12. As director of the unit, the director shall  
25 administer and enforce the laws governing fantasy contests under chapter 33 and beano  
26 and games of chance under Title 17, chapters 13-A and 62, respectively.

27 **Sec. 15. 10 MRSA §1023-J, first ¶**, as amended by PL 2011, c. 380, Pt. OOO,  
28 §1 and c. 657, Pt. W, §6, is further amended to read:

29 The Agricultural Marketing Loan Fund, referred to in this section as the "fund," is  
30 created. The fund must be deposited with and maintained by the Finance Authority of  
31 Maine. The fund must be administered by the Commissioner of Agriculture,  
32 Conservation and Forestry in accordance with Title 7, chapter 101, subchapter 1-D. All  
33 money received by the Finance Authority of Maine from any source for the development  
34 and implementation of an improved agricultural marketing loan program must be credited  
35 to the fund. Any money credited to the fund from the issuance of bonds on behalf of the  
36 State for financing loans for agricultural enterprises may be used only for the following  
37 purposes: to provide assistance to agricultural enterprises in this State for the design,  
38 construction or improvement of commodity and storage buildings and packing and  
39 marketing facilities; for the purchase, construction or renovation of buildings, equipment,  
40 docks, wharves, piers or vessels used in connection with a commercial agricultural  
41 enterprise; for the purchase of land in connection with development of new cranberry  
42 acreage; for the purchase of land for irrigation reservoirs or to provide direct access to

1 water for irrigation; for the purchase of land necessary for the start-up of a new  
2 agricultural enterprise; for the expansion of an existing agricultural enterprise when the  
3 land acquisition is necessary to comply with land use regulations; for the development of  
4 a business plan ~~in accordance with the provisions of Title 7, section 436-A~~; for  
5 improvements to pastureland, including seeding and actions to promote rotational  
6 grazing; or, if the commissioner so approves at the time of loan insurance commitment, to  
7 pledge money in the fund as security for, and to apply money in the fund to, payment of  
8 principal, interest and other amounts due on any term loans insured by the Finance  
9 Authority of Maine to an eligible dairy farmer. Repayment of these loans and interest on  
10 these loans must be credited to the fund and may be used for the purposes stated in this  
11 section or Title 7, section 436. Interest earned on money in the fund and interest earned  
12 on loans made from the fund may be used to pay the administrative costs of processing  
13 loan applications and servicing and administering the fund and loans and grants made  
14 from the fund since the inception of the agricultural marketing loan program, to the extent  
15 that these costs exceed the fee for administrative costs established by Title 7, section 435,  
16 subsection 4.

17 **Sec. 16. 10 MRSA c. 229**, as enacted by PL 2017, c. 178, §1 and c. 228, §1, is  
18 repealed and the following enacted in its place:

19 **CHAPTER 229**

20 **GUARANTEED ASSET PROTECTION WAIVERS**

21 **§1500-H. Guaranteed asset protection waivers**

22 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the  
23 following terms have the following meanings.

24 A. "Administrator" means a person, other than an insurer or creditor, that performs  
25 administrative or operational functions pursuant to a waiver program.

26 B. "Borrower" means a debtor or retail buyer under a finance agreement.

27 C. "Creditor" means:

28 (1) The lender in a loan or credit transaction;

29 (2) A person engaged as a retail seller of motor vehicles that provides credit to  
30 consumers, as defined in Title 9-A, section 1-301, subsection 10, of the motor  
31 vehicles, as long as that person complies with the provisions of this section;

32 (3) The seller in a commercial retail installment transaction; or

33 (4) The assignee of any of the persons in subparagraphs (1) to (4) to which the  
34 credit obligation is payable.

35 D. "Finance agreement" means a loan or retail installment sales contract for the  
36 purchase of a motor vehicle.

37 E. "Free-look period" means the period of time, not less than 30 days, from the  
38 effective date of the waiver until the date the borrower may cancel the waiver  
39 contract without penalty, fees or costs to the borrower.

1 F. "Guaranteed asset protection waiver" or "waiver" means a contractual agreement  
2 in which a creditor agrees for a separate charge to cancel or waive all or part of the  
3 amount due on a borrower's finance agreement for a motor vehicle in the event of a  
4 total physical damage loss or unrecovered theft of the motor vehicle. The waiver  
5 must be part of or a separate addendum to the finance agreement.

6 G. "Insurer" has the same meaning as in Title 24-A, section 4.

7 H. "Motor vehicle" means a self-propelled vehicle not operated exclusively on  
8 railroad tracks; a motorcycle as defined in Title 29-A, section 101, subsection 38; a  
9 motor home as defined in Title 29-A, section 101, subsection 40; an all-terrain  
10 vehicle as defined in Title 12, section 13001, subsection 3; a snowmobile as defined  
11 in Title 12, section 13001, subsection 25; a motorboat as defined in Title 12, section  
12 13001, subsection 16; a personal watercraft as defined in Title 12, section 13001,  
13 subsection 23; or a trailer as defined in Title 29-A, section 101, subsection 86.  
14 "Motor vehicle" includes vehicles whether self-propelled or towed.

15 I. "Person" includes an individual, company, association, organization, partnership,  
16 business trust, corporation and every form of legal entity.

17 J. "Superintendent" means, except in cases in which a credit union or financial  
18 institution authorized to do business in this State, as defined in Title 9-B, section 131,  
19 subsections 12-A and 17-A, is the creditor, the Superintendent of Consumer Credit  
20 Protection. In cases in which a financial institution authorized to do business in this  
21 State is the creditor, "superintendent" means the Superintendent of Financial  
22 Institutions.

23 **2. Requirements for offering waivers.** The following provisions apply to offering  
24 wavers.

25 A. A waiver may be offered, sold or provided to a borrower in this State in  
26 compliance with this chapter.

27 B. A waiver may, at the option of the creditor, be sold for a single payment or may  
28 be offered with a monthly or periodic payment option.

29 C. Notwithstanding any other provision of law, any cost to the borrower for a waiver  
30 entered into in compliance with the federal Truth in Lending Act, 15 United States  
31 Code, Section 1601 et seq. and its implementing regulations, as they may be amended  
32 from time to time, must be separately stated and may not be considered a finance  
33 charge or interest.

34 D. A retail seller must insure its waiver obligations under a contractual liability  
35 policy or other insurance policy issued by an insurer. A creditor, other than a retail  
36 seller, may insure its waiver obligations under a contractual liability policy or other  
37 insurance policy issued by an insurer. Any such insurance policy may be directly  
38 obtained by a creditor or retail seller or may be procured by an administrator to cover  
39 a creditor's or retail seller's obligations.

40 E. A waiver remains a part of the finance agreement upon the assignment, sale or  
41 transfer of the finance agreement by the creditor.

1 F. The extension of credit, the term of credit and the term of the related motor  
2 vehicle sale may not be conditioned upon the purchase of a waiver.

3 G. A creditor that offers a waiver must report the sale of and forward funds received  
4 on such a waiver to the designated party, if any, as prescribed in any applicable  
5 administrative services agreement, contractual liability policy, other insurance policy  
6 or other specified program documents.

7 H. Funds received or held by a creditor or administrator and belonging to an insurer,  
8 creditor or administrator, pursuant to the terms of a written agreement, must be held  
9 by the creditor or administrator in a fiduciary capacity.

10 I. The borrower's primary motor vehicle insurance carrier or, if applicable, the 3rd-  
11 party liability carrier shall determine the existence of a total physical damage loss. If  
12 no primary motor vehicle insurance or 3rd-party liability insurance is present on the  
13 date of loss, then the existence of a total physical damage loss must be determined  
14 pursuant to the terms of the waiver.

15 **3. Contractual liability policy or other insurance policy.** The following  
16 provisions govern a contractual liability policy or other insurance policy insuring waivers.

17 A. A contractual liability policy or other insurance policy insuring waivers must state  
18 the obligation of the insurer to reimburse or pay to the creditor any sums the creditor  
19 is legally obligated to waive under the waivers issued by the creditor and purchased  
20 by the borrower or held by the borrower.

21 B. Coverage under a contractual liability or other insurance policy insuring a waiver  
22 must also cover any subsequent assignee upon the assignment, sale or transfer of the  
23 finance agreement.

24 C. Coverage under a contractual liability or other insurance policy insuring a waiver  
25 must remain in effect unless cancelled or nonrenewed as provided in Title 24-A.

26 D. The cancellation or nonrenewal of a contractual liability or other insurance policy  
27 may not reduce the insurer's responsibility for waivers issued by the creditor prior to  
28 the date of cancellation or nonrenewal and for which premium has been received by  
29 the insurer.

30 **4. Disclosures.** A waiver must disclose, as applicable, in writing and in clear,  
31 understandable language that is easy to read, the following:

32 A. The name and address of the initial creditor and the borrower at the time of sale,  
33 and the identity of any administrator if different from the creditor;

34 B. The purchase price and the terms of the waiver, including without limitation the  
35 requirements for protection, condition or exclusion associated with the waiver;

36 C. That the borrower may cancel the waiver within a free-look period as specified in  
37 the waiver and will be entitled to a full refund of the purchase price as long as no  
38 waiver benefits have been provided;

39 D. The procedure the borrower must follow, if any, to obtain waiver benefits under  
40 the terms and conditions of the waiver and a telephone number and address where the  
41 borrower may apply for waiver benefits;



1 E. Whether or not the waiver is cancellable after the free-look period, the conditions  
2 under which it may be cancelled or terminated and the procedures for requesting any  
3 refund due;

4 F. That, in order to receive any refund due in the event of a borrower's cancellation  
5 of the waiver agreement or early termination of the finance agreement, the borrower,  
6 in accordance with the terms of the waiver, must provide a written request to cancel  
7 to the creditor, administrator or other party as specified in the waiver. If a borrower  
8 is cancelling the waiver due to early termination of the finance agreement, the  
9 borrower must provide a written request to the creditor, administrator or other party  
10 within 90 days of the occurrence of the event terminating the finance agreement;

11 G. The methodology for calculating any refund due of the unearned portion of the  
12 purchase price of the waiver in the event of cancellation of the waiver or early  
13 termination of the finance agreement; and

14 H. That the extension of credit, the terms of credit and the terms of the related motor  
15 vehicle sale may not be conditioned upon purchase of the waiver.

16 **5. Cancellation.** The following provisions govern the cancellation of a waiver.

17 A. A waiver must be cancellable after the free-look period. A waiver must provide  
18 that if a borrower cancels the waiver within the free-look period, the borrower is  
19 entitled to a full refund of the purchase price as long as no benefits have been  
20 provided.

21 B. In the event of a borrower's cancellation of the waiver or early termination of the  
22 finance agreement, after the agreement has been in effect beyond the free-look  
23 period, the borrower is entitled to a pro rata refund of any unearned portion of the  
24 purchase price of the waiver. In order to receive a refund, the borrower, in  
25 accordance with any applicable terms of the waiver, must provide a written request to  
26 the creditor, administrator or other party. If the borrower is cancelling the waiver due  
27 to the early termination of the finance agreement, the borrower must provide a  
28 written request within 90 days of the event terminating the finance agreement.

29 C. If the cancellation of a waiver occurs as a result of a default under the finance  
30 agreement or the repossession of the motor vehicle associated with the finance  
31 agreement, or any other termination of the finance agreement, any refund due may be  
32 paid directly to the creditor or administrator and applied as set forth in paragraph D.

33 D. Any refund under paragraph A, B or C may be applied by the creditor as a  
34 reduction of the amount owed under the finance agreement unless the borrower  
35 shows that the finance agreement has been paid in full.

36 **6. Enforcement.** The superintendent may require the filing of notification by an  
37 administrator pursuant to Title 9-A, section 6-202 and section 6-203, subsection 1. The  
38 superintendent may require the filing of waivers in use by an administrator. Upon request  
39 by the superintendent, an administrator shall annually file a record of waivers  
40 administered by the administrator.

41 The superintendent may take action that is necessary or appropriate to enforce the  
42 provisions of this chapter and to protect borrowers who hold waivers in this State. In

1 cases in which a credit union or financial institution authorized to do business in this  
2 State, as defined in Title 9-B, section 131, subsections 12-A and 17-A, is a creditor, the  
3 Superintendent of Financial Institutions is responsible for enforcement. After notice and  
4 opportunity for hearing, the superintendent may:

5 A. Order the creditor, administrator or any other person not in compliance with this  
6 chapter to cease and desist from further waiver-related operations that are in violation  
7 of this chapter; and

8 B. Impose a penalty of not more than \$500 per violation and not more than \$10,000  
9 in the aggregate for all violations of a similar nature. For purposes of this paragraph,  
10 violations must be considered of a similar nature if the violations consist of the same  
11 or a similar course of conduct, action or practice, irrespective of the number of times  
12 the conduct, action or practice that is determined to be a violation of this chapter  
13 occurred.

14 **7. Exemptions.** The following exemptions apply.

15 A. This chapter does not apply to:

16 (1) An insurance policy or a guaranteed asset protection insurance policy offered  
17 by an insurer under Title 24-A; or

18 (2) A debt cancellation or debt suspension contract offered by a credit union or  
19 financial institution authorized to do business in this State, as defined in Title  
20 9-B, section 131, subsections 12-A and 17-A, in compliance with 12 Code of  
21 Federal Regulations, Part 37 (2017) or 12 Code of Federal Regulations, Part 721  
22 (2017) or other federal law.

23 B. Subsection 2, paragraph C and subsections 4 and 6 are not applicable to a waiver  
24 offered in connection with a retail installment sale associated with a commercial  
25 transaction.

26 C. Waivers governed under this chapter are not insurance and are exempt from Title  
27 24-A. A person is not required to obtain a license as a producer or insurer or in any  
28 other capacity be regulated under Title 24-A in order to market, administer, sell or  
29 offer to sell a waiver.

30 **Sec. 17. 10 MRSA c. 231** is enacted to read:

31 **CHAPTER 231**

32 **POSING AS A GOVERNMENTAL ENTITY OR AGENT IN COMMERCE**

33 **§1500-L. Posing as a governmental entity or agent in commerce**

34 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
35 following terms have the following meanings.

36 A. "Governmental entity" means a unit, subdivision or entity of the Federal  
37 Government, the State, a county, a municipality or another state, including an agency,  
38 department, board, commission, bureau, division or military or public safety  
39 organization.

1           **2. False representation of posing as a governmental entity or agent in**  
2 **commerce.** A person who is not an official, agent or representative of a governmental  
3 **entity or who does not have express approval of a governmental entity may not in**  
4 **commerce:**

5           A. Represent, imply or otherwise cause a likelihood of confusion that the person is  
6 an official, agent or representative of a governmental entity in the sale, advertising for  
7 sale, marketing, offering, distribution or solicitation of any goods or services;

8           B. Simulate a summons, complaint, jury notice, tax form or other judicial or  
9 administrative process or make an untrue statement that any good, service,  
10 advertisement or offer was sent or distributed by or has been approved, authorized or  
11 endorsed in whole or in part by a governmental entity;

12           C. Use language or a symbol, logo, representation, statement, title, name, seal,  
13 emblem, insignia, trade or brand name, business or control tracking number, website,  
14 e-mail address or any other term or content that falsely represents or implies or  
15 otherwise causes a likelihood of confusion that any goods, services, advertisement or  
16 offer is from a governmental entity; or

17           D. Offer a document that is available free of charge or at a lesser price from a  
18 governmental entity without conspicuously disclosing that availability in a manner  
19 that is clearly visible to a consumer.

20           **3. Unfair trade practice.** A violation of this section constitutes an unfair or  
21 **deceptive act or practice in violation of Title 5, chapter 10.**

22           **Sec. 18. 10 MRSA §1602, sub-§2, ¶A,** as enacted by PL 2003, c. 452, Pt. E, §1  
23 and affected by Pt. X, §2, is amended to read:

24           A. A person who violates this section commits a civil violation for which a fine of  
25 not more ~~that~~ than \$50 may be adjudged.

26           **Sec. 19. 10 MRSA §8001-A, sub-§9,** as enacted by PL 1989, c. 450, §5, is  
27 amended to read:

28           **9. State Board of Licensure for Professional Engineers.** Professional Engineers,  
29 State Board of Registration Licensure for.

30           **Sec. 20. 11 MRSA §10-105, sub-§(1),** as enacted by PL 1977, c. 586, is  
31 amended to read:

32           **(1).** A financing statement or continuation statement filed prior to January 1, 1978,  
33 which shall not have lapsed prior to January 1, 1978, shall remain effective for the period  
34 provided in the old code, but not less ~~that~~ than 5 years after the filing.

35           **Sec. 21. 12 MRSA §541-A,** as amended by PL 2017, c. 284, Pt. QQ, §1, is further  
36 amended to read:

1           **§541-A. Division of Geology, Natural Areas and Coastal Resources**

2           The Division of Geology, Natural Areas and Coastal Resources is established within  
3 the Department of Agriculture, Conservation and Forestry and is administered by the  
4 commissioner. The division consists of the Maine Geological Survey, referred to in this  
5 chapter as the "survey," and the Natural Areas Program. ~~The director of the bureau~~  
6 Director of the Bureau of Resource Information and Land Use Planning is the director of  
7 the survey.

8           **Sec. 22. 12 MRSA §10853, sub-§4**, as amended by PL 2017, c. 100, §1 and c.  
9 164, §3, is repealed and the following enacted in its place:

10           **4. Disabled veteran.** A resident disabled veteran or a nonresident disabled veteran  
11 who is a resident of another state may obtain upon application, at no cost, all hunting,  
12 trapping and fishing licenses, including permits, stamps and other permission needed to  
13 hunt, trap and fish, and, upon meeting the qualifications as established in section 12853,  
14 subsection 4, a guide license. A license holder under this subsection who qualifies to  
15 hunt during the special season on deer under section 11153 and who meets the eligibility  
16 requirements of section 11106 must have included in that person's license one antlerless  
17 deer permit and one either-sex permit. The commissioner shall issue all fishing, trapping  
18 and hunting licenses and permits requested under this subsection if the commissioner  
19 determines the applicant meets the requirements of this subsection and is not otherwise  
20 ineligible to hold that permit or license. For the purposes of this subsection, "disabled  
21 veteran" means a person who:

22           B. Was honorably discharged from the Armed Forces of the United States or the  
23 National Guard; and

24           C. Has a service-connected disability evaluated at 50% or more.

25           Each application must be accompanied by satisfactory evidence that the applicant meets  
26 the requirements of this subsection. An applicant for a license or permit under this  
27 section is subject to the provisions of this Part, including, but not limited to, a lottery or  
28 drawing system for issuing a particular license or permit. A permit or license issued  
29 under this subsection remains valid for the life of the permit or license holder, as long as  
30 the permit or license holder continues to remain a resident of this State or another state  
31 and the permit or license issued under this subsection is not revoked or suspended. For a  
32 nonresident to be eligible under this subsection, that nonresident's state must have a  
33 reciprocal agreement with this State.

34           **Sec. 23. 12 MRSA §10953, sub-§1-C**, as amended by PL 2017, c. 164, §6 and c.  
35 239, §1, is repealed and the following enacted in its place:

36           **1-C. Hunting with a crossbow; 65 years of age or older.** A person 65 years of age  
37 or older may hunt a wild bird or a wild animal with a crossbow during any open season  
38 on that wild bird or wild animal subject to this Part.

39           **Sec. 24. 12 MRSA §11154, sub-§5**, as amended by PL 2017, c. 72, §2 and c. 96,  
40 §1, is repealed and the following enacted in its place:

1           **5. Eligibility.** Except as provided in this subsection, a resident, nonresident or alien  
2 who is eligible to obtain a Maine hunting license or who will be eligible to obtain a  
3 Maine hunting license by the opening day of the open moose season is eligible to apply  
4 for a moose hunting permit. A person who has obtained a moose hunting permit is  
5 ineligible to obtain another permit until the 4th calendar year after the issuance of the last  
6 permit. This limitation does not apply to subpermittees under subsection 7. A person  
7 under 10 years of age on the opening day of the open moose season is eligible to apply  
8 for a moose hunting permit and may accrue points under subsection 8 but is ineligible to  
9 receive a moose hunting permit.

10           **Sec. 25. 15 MRSA §393, sub-§2,** as amended by PL 2017, c. 206, §1 and c. 227,  
11 §1, is repealed and the following enacted in its place:

12           **2. Application after 5 years.** A person subject to the provisions of subsection 1,  
13 paragraph A-1, subparagraphs (1) to (4) or paragraph C as a result of a conviction or  
14 adjudication may, after the expiration of 5 years from the date that the person is finally  
15 discharged from the sentences imposed as a result of the conviction or adjudication, apply  
16 to the Office of the Governor for a permit to carry a firearm subject to subsection 4. That  
17 person may not be issued a permit to carry a concealed handgun pursuant to Title 25,  
18 chapter 252. A permit issued pursuant to this subsection is valid for 4 years from the date  
19 of issue unless sooner revoked for cause by the Governor. For purposes of this  
20 subsection, "firearm" does not include a firearm defined under 18 United States Code,  
21 Section 921(a)(3).

22           **Sec. 26. 17 MRSA §2276,** as enacted by PL 1975, c. 739, §15, is repealed.

23           **Sec. 27. 20-A MRSA §1051, sub-§6, ¶D,** as enacted by PL 2017, c. 284, Pt. C,  
24 §3 and Pt. VVVVV, §1, is repealed and the following enacted in its place:

25           D. A group of school administrative units that have an interlocal agreement pursuant  
26 to Title 30-A, chapter 115 in order to establish a school management and leadership  
27 center to jointly purchase the services of a superintendent may elect the  
28 superintendent in the manner prescribed in their interlocal agreement.

29           **Sec. 28. 20-A MRSA §6051, sub-§1, ¶K,** as amended by PL 2017, c. 284, Pt. C,  
30 §10 and Pt. JJJJJJ, §2, is further amended to read:

31           K. A schedule of expenditures of federal awards; ~~and~~

32           **Sec. 29. 20-A MRSA §6051, sub-§1, ¶L,** as enacted by PL 2017, c. 284, Pt. C,  
33 §11 and Pt. JJJJJJ, §3, is repealed and the following enacted in its place:

34           L. Beginning July 1, 2017, a determination of whether the school administrative unit  
35 has complied with section 15675, subsection 2; and

36           **Sec. 30. 20-A MRSA §6051, sub-§1, ¶M** is enacted to read:

37           M. A determination of whether the school administrative unit has complied with  
38 applicable provisions of section 15690-A.

1           **Sec. 31. 21-A MRSA §1001, sub-§2**, as amended by PL 1995, c. 483, §1, is  
2 further amended to read:

3           **2. Election.** "Election" means any primary, general or special election for state, or  
4 county office or municipal ~~offices as defined in~~ office pursuant to Title 30-A, section  
5 2502, subsection 1.

6           **Sec. 32. 22 MRSA §1471-C, sub-§13-A**, as enacted by PL 1987, c. 723, §3, is  
7 amended to read:

8           **13-A. Household use pesticide product.** "Household use pesticide product" means  
9 any general use pesticide product ~~which~~ that contains no more than 3% active ingredients  
10 and ~~which~~ that is applied undiluted by homeowners to control pests in and around the  
11 family dwelling and associated structures. For the purposes of this definition and section  
12 ~~1471-U~~ 1471-W, subsection 5, petroleum solvents ~~shall~~ are not ~~be~~ considered active  
13 ingredients.

14           **Sec. 33. 22 MRSA §1715, sub-§1**, as corrected by RR 2001, c. 2, Pt. A, §34, is  
15 amended to read:

16           **1. Access requirements.** Any person, including, but not limited to an affiliated  
17 interest as defined in former section 396-L, that is subject to the requirements of this  
18 subsection, shall provide the services listed in paragraph C to individuals who are eligible  
19 for charity care in accordance with a charity care policy adopted by the affiliate or  
20 provider that is consistent with rules applicable to hospitals under section 1716. A person  
21 is subject to this subsection if that person:

22           A. Is either a direct provider of major ambulatory service, as defined in former  
23 section 382, subsection 8-A, or is or has been required to obtain a certificate of need  
24 under section 329 or former section 304 or 304-A;

25           B. Provides outpatient services as defined in former section 382, subsection 9-A; and

26           C. Provides one or more of the following services:

27                   (1) Imaging services, including, but not limited to, magnetic resonance imaging,  
28 computerized tomography, mammography and radiology. For purposes of this  
29 section, imaging services do not include:

30                           (a) Screening procedures that are not related to the diagnosis or treatment of  
31 a specific condition; or

32                           (b) Services when:

33                                   (i) The services are owned by a community health center, a physician or  
34 group of physicians;

35                                   (ii) The services are offered solely to the patients of that center,  
36 physician or group of physicians; and

37                                   (iii) Referrals for the purpose of performing those services are not  
38 accepted from other physicians;

- 1 (2) Laboratory services performed by a hospital or by a medical laboratory  
2 licensed in accordance with the Maine Medical Laboratory Commission, or  
3 licensed by an equivalent out-of-state licensing authority, excluding those  
4 licensed laboratories owned by community health centers, a physician or group of  
5 physicians where the laboratory services are offered solely to the patients of that  
6 center, physician or group of physicians;
- 7 (3) Cardiac diagnostic services, including, but not limited to, cardiac  
8 catheterization and angiography but excluding electrocardiograms and  
9 electrocardiograph stress testing;
- 10 (4) Lithotripsy services;
- 11 (5) Services provided by free-standing ambulatory surgery facilities certified to  
12 participate in the Medicare program; or
- 13 (6) Any other service performed in an out-patient setting requiring the purchase  
14 of medical equipment costing in the aggregate \$500,000 or more and for which  
15 the charge per unit of service is \$250 or more.

16 **Sec. 34. 22 MRSA §2842, sub-§§3 and 4**, as amended by PL 2013, c. 31, §1,  
17 are further amended to read:

18 **3. Medical certificate by medical examiner or the Office of Chief Medical**  
19 **Examiner.** When a death occurs under circumstances that make it a medical examiner  
20 case as defined in section 3025, or when inquiry as to the cause of death is required by  
21 law, the medical examiner or the Office of ~~the~~ Chief Medical Examiner shall complete  
22 the medical certification of the cause of death as specified by department rule and sign  
23 the death certificate. A certification need not be completed before the remains are ready  
24 for release.

25 The medical examiner or the Office of ~~the~~ Chief Medical Examiner is responsible for the  
26 identity of the deceased and the time, date, place, cause, manner and circumstances of  
27 death on the death certificate. Entries may be left "pending" if further study is needed; or,  
28 at the specific direction of the Attorney General relative to cases under investigation by  
29 the Attorney General's office, entries must be left "withheld" until such time as the  
30 Attorney General, in the Attorney General's sole discretion, determines that any criminal  
31 investigation and prosecution will not be harmed by public disclosure of such  
32 information. Notwithstanding section 2706, subsection 4, unless directed otherwise by  
33 the Attorney General as specified in this subsection, this information for which the  
34 medical examiner is responsible may be made available to the general public by the  
35 Office of ~~the~~ Chief Medical Examiner.

36 **4. Correction of errors on death statistic records filed under chapter 711.**  
37 Certificates of death in medical examiner cases, as defined in section 3025, may be  
38 completed or amended at any time by means described in rule by the department to the  
39 Office of ~~the~~ Chief Medical Examiner. Either the Chief Medical Examiner or the medical  
40 examiner assigned to the case may sign the forms or submit an electronic amendment or  
41 file a certificate using the electronic death registration system in accordance with section  
42 2847. A person authorized by the Chief Medical Examiner may amend a certificate of  
43 death with respect to the time, date, place and circumstances of death. The medical

1 examiner assigned shall submit the form or electronic amendment to the Office of ~~the~~  
2 Chief Medical Examiner for filing with the State Registrar of Vital Statistics. These  
3 forms or electronic amendments may be filed at any time after death and need not include  
4 a summary description of the evidence in support of the completion or amendment.

5 **Sec. 35. 22 MRSA §2942, sub-§3**, as enacted by PL 2007, c. 601, §2, is amended  
6 to read:

7 **3. Chief Medical Examiner.** "Chief Medical Examiner" means the Office of ~~the~~  
8 Chief Medical Examiner within the Office of the Attorney General.

9 **Sec. 36. 22 MRSA §2843-A, sub-§2**, as amended by PL 2017, c. 38, §1 and by c.  
10 70, §1, is repealed and the following enacted in its place:

11 **2. Custody and control generally.** The custody and control of the remains of  
12 deceased residents of this State, dead bodies or dead human bodies are governed by the  
13 following provisions in the following order of priority:

14 A. If the subject has designated another person to have custody and control in a  
15 written and signed document, custody and control belong to that designated person;

16 B. If the subject has not left a written and signed document designating a person to  
17 have custody and control, or if the person designated by the subject refuses custody  
18 and control, custody and control belong to the next of kin; and

19 C. If the next of kin is 2 or more persons with the same relationship to the subject,  
20 the majority of the next of kin have custody and control. If the next of kin cannot, by  
21 majority vote, make a decision regarding the subject's remains, the court shall make  
22 the decision upon petition under subsection 4, paragraph D.

23 If a person who has the right of custody and control under this subsection does not  
24 exercise the rights and responsibilities of custody and control within 4 days after the  
25 death of the subject, custody and control belong to a person from the next lower level of  
26 priority as established in paragraphs A to C.

27 If a person who has custody and control under this subsection does not complete decision  
28 making regarding final disposition within 30 days after taking custody and control, a  
29 funeral director or practitioner of funeral service who has physical possession of the  
30 remains or dead body may bury the remains or dead body at the expense of the funeral  
31 director or practitioner.

32 A person who has been charged with murder, as described in Title 17-A, section 201, or  
33 manslaughter, as described in Title 17-A, section 203, subsection 1, paragraph B, forfeits  
34 the right of custody and control provided under this subsection; and a funeral director or  
35 practitioner of funeral service who is aware of the charges may not release the remains or  
36 a dead body to that person who has been charged with murder or manslaughter. If the  
37 charges against the person are dismissed or the person is acquitted of the charges before  
38 the final disposition takes place, the person regains the right of custody and control in the  
39 same position of priority established in this subsection.

40 The remains or a dead body is considered abandoned if no one takes custody and control  
41 of the remains or dead body for a period of 15 days. A funeral director or practitioner of



1 funeral service who has physical possession of abandoned remains or an abandoned dead  
2 body may bury or cremate the remains or dead body. The funeral director or practitioner  
3 of funeral service may embalm or refrigerate abandoned remains or an abandoned dead  
4 body without authorization. A certificate of abandonment that indicates the means of  
5 disposition must be filed in the municipality where the death occurred.

6 **Sec. 37. 22 MRSA §3022, sub-§8**, as repealed and replaced by PL 2001, c. 221,  
7 §1, is amended to read:

8 **8. Certain information confidential.** The following records in the possession or  
9 custody of a medical examiner or the Office of ~~the~~ Chief Medical Examiner are not  
10 public records within the meaning of Title 1, section 402, subsection 3 and are  
11 confidential:

12 A. Medical records relating to a medical examiner case;

13 B. Law enforcement agency reports or records relating to a medical examiner case;

14 C. Communications with the Department of the Attorney General relating to a  
15 medical examiner case;

16 D. Communications with the office of a district attorney relating to a medical  
17 examiner case;

18 E. Death certificates and amendments made to the certificates, except for the  
19 information for which the medical examiner is responsible, as listed in section 2842,  
20 subsection 3, and not ordered withheld by the Attorney General relating to a medical  
21 examiner case or missing person;

22 F. Photographs and transparencies, histological slides, videotapes and other like  
23 items relating to a medical examiner case; and

24 G. Written or otherwise recorded communications that express or are evidence of  
25 suicidal intent obtained under section 3028, subsections 4 and 5.

26 **Sec. 38. 22 MRSA §3022, sub-§14**, as amended by PL 2013, c. 267, Pt. B, §16,  
27 is further amended to read:

28 **14. Access to report documents.** Report documents, as defined in section 3035,  
29 subsection 2, in the possession or custody of a medical examiner or the Office of ~~the~~  
30 Chief Medical Examiner constitute investigative information. Release and inspection are  
31 governed by Title 16, section 804. Release and inspection are also contingent upon the  
32 person's request specifying a specific decedent or decedents and the payment of any  
33 required fee under section 3035.

34 **Sec. 39. 22 MRSA §3023-A**, as enacted by PL 2013, c. 113, §2, is amended to  
35 read:

36 **§3023-A. Medicolegal death investigators; appointment; jurisdiction**

37 The Chief Medical Examiner may appoint persons who are not physicians as  
38 medicolegal death investigators, who have statewide jurisdiction and serve at the pleasure  
39 of the Chief Medical Examiner, subject to the Chief Medical Examiner's control and rules

1 adopted by the Chief Medical Examiner. Medicolegal death investigators must meet the  
2 certification and training requirements established by the Chief Medical Examiner and  
3 must be residents of this State. Medicolegal death investigators may be employees of the  
4 Office of ~~the~~ Chief Medical Examiner or serve on a fee-for-service basis as determined  
5 by the Chief Medical Examiner. A medicolegal death investigator before entering upon  
6 the duties of the office must be duly sworn to the faithful performance of the medicolegal  
7 death investigator's duty.

8 **Sec. 40. 22 MRSA §3028, sub-§5**, as amended by PL 2013, c. 113, §8, is further  
9 amended to read:

10 **5. Requests for objects.** Any person having possession of any object or objects, as  
11 described in subsection 4, shall at the request of the medical examiner or medicolegal  
12 death investigator give that object or objects to a law enforcement officer, to the medical  
13 examiner, to the medicolegal death investigator or to the Office of Chief Medical  
14 Examiner. Medical personnel and institutions turning over any objects or specimens that  
15 have been removed from the victim while under medical care are immune from civil or  
16 criminal liability when complying with this subsection. Original written or recorded  
17 material that might express suicidal intent must be sent to the Office of ~~the~~ Chief Medical  
18 Examiner. The Chief Medical Examiner may elect to accept copies in place of originals.

19 **Sec. 41. 22 MRSA §3028-C, sub-§1**, as enacted by PL 1985, c. 611, §8, is  
20 amended to read:

21 **1. Disposal of nonsubstantial body fragments and body fluids.** Body fragments  
22 or body fluids retained for evidence, further study or documentation, or those ~~which~~ that  
23 have been recovered after the body has been released from the custody of the medical  
24 examiner, may be disposed of according to the practices of the laboratory responsible for  
25 analysis, by the Office of ~~the~~ Chief Medical Examiner, or by the medical examiner or  
26 pathologist retaining those fragments or fluids, unless claimed in writing by the person  
27 responsible for burial.

28 **Sec. 42. 22 MRSA §3782-A, sub-§6**, as enacted by PL 1997, c. 530, Pt. A, §19,  
29 is amended to read:

30 **6. Rulemaking.** The department shall adopt rules to implement this ~~subsection~~  
31 section. Except as specifically provided, rules adopted pursuant to this subsection are  
32 routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

33 **Sec. 43. 22 MRSA §8302-B, sub-§1**, as enacted by PL 1997, c. 494, §11 and  
34 affected by §15, is amended to read:

35 **1. Investigation.** The provider must pass a background investigation check by the  
36 State Bureau of ~~Investigation~~ Identification, a check for involvement with child protective  
37 services and a motor vehicle record check.

38 **Sec. 44. 23 MRSA §244-A, sub-§1**, as amended by PL 2017, c. 295, §2, is  
39 further amended to read:

1           **1. Owner.** In addition to payments otherwise authorized, the department shall make  
2 an additional payment not in excess of the amount allowed under the federal Uniform  
3 Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law  
4 91-646, as amended, to any displaced person who is displaced from a dwelling actually  
5 owned and occupied by the displaced person for not less than 90 days prior to the  
6 initiation of negotiations for the acquisition of the property. The additional payment must  
7 include the following elements:

8           A. The amount, if any, that when added to the acquisition cost of the dwelling  
9 acquired by the department equals the reasonable cost of a comparable replacement  
10 dwelling. All determinations required to carry out this paragraph must be made in  
11 accordance with standards established by the department;

12           B. The amount, if any, that will compensate the displaced person for any increased  
13 interest costs and other debt service costs that person is required to pay for financing  
14 the acquisition of any such comparable replacement dwelling. The amount may be  
15 paid only if the dwelling acquired by the department was encumbered by a bona fide  
16 mortgage that was a valid lien on the dwelling for not less than 180 days prior to the  
17 initiation of negotiations for the acquisition of that dwelling. In calculating the  
18 amount to be paid under this section, increased interest costs and other debt service  
19 costs must be reduced to discounted present value. The payment must be an amount  
20 that will reduce the mortgage balance on the replacement dwelling to an amount that  
21 could be amortized with the same monthly payment for principal and interest as that  
22 for the mortgage on the displaced dwelling; and

23           C. Reasonable expenses incurred by the displaced person for evidence of title,  
24 recording fees and other closing costs incident to the purchase of the replacement  
25 dwelling, but not including prepaid expenses.

26           **Sec. 45. 24-A MRSA §2546**, as enacted by PL 1979, c. 442, §4, is amended to  
27 read:

28           **§2546. Calculation of cash surrender values**

29           For contracts ~~which that~~ provide cash surrender benefits, the cash surrender benefits  
30 available prior to maturity ~~shall may~~ not be less than the present value as of the date of  
31 surrender of that portion of the maturity value of the paid-up annuity benefit ~~which that~~  
32 would be provided under the contract at maturity arising from considerations paid prior to  
33 the time of cash surrender reduced by the amount appropriate to reflect any prior  
34 withdrawals from or partial surrenders of the contract, the present value being calculated  
35 on the basis of an interest rate not more than 1% higher than the interest rate specified in  
36 the contract for accumulating the net considerations to determine the maturity value,  
37 decreased by the amount of any indebtedness to the insurer on the contract, including  
38 interest due and accrued, and increased by any existing additional amounts credited by  
39 the insurer to the contract. In no event ~~shall may~~ any cash surrender benefit be less ~~that~~  
40 than the minimum nonforfeiture amount at that time. The death benefit under the  
41 contracts ~~shall must~~ be at least equal to the cash surrender benefit.

42           **Sec. 46. 24-A MRSA §4551, sub-§2, ¶A**, as enacted by PL 2017, c. 129, §1, is  
43 amended to read:

1 A. Within 90 days of a death master file match, complete a good faith effort, which  
2 must be documented by the insurer, to confirm the death of an insured, an annuity  
3 owner or retained asset account holder against other available records and  
4 information; and

5 **Sec. 47. 24-A MRSA §6304, sub-§1**, as enacted by PL 1989, c. 931, §5, is  
6 amended to read:

7 **1. Assessment from policyholders and self-insureds.** With respect to professional  
8 liability insurance policies for physicians and hospitals issued on or after July 1, 1990,  
9 each insurer shall collect an assessment from each policyholder. With respect to  
10 professional liability insurance for self-insureds issued on or after July 1, 1990, each self-  
11 insured shall pay an assessment as directed by the superintendent. The superintendent  
12 shall determine the amount of the assessment in accordance with this chapter.  
13 Notwithstanding any provision of law, assessments made and collected pursuant to this  
14 chapter do not constitute premium, as defined in section 2403, for purposes of any laws  
15 of this State relating to taxation, filing of insurance rates or assessment purposes other  
16 than as expressly provided under this chapter. The assessments are considered as  
17 premium only for purposes of any laws of this State relating to cancellation or  
18 nonrenewal of insurance coverage ~~and the determination of hospital financial~~  
19 ~~requirements under Title 22, chapter 107.~~

20 **Sec. 48. 25 MRSA §1542-A, sub-§1, ¶L**, as amended by PL 2017, c. 204, §3; c.  
21 253, §1; c. 258, Pt. B, §1, is further amended to read:

22 L. Who is assigned to provide services to the Department of Administrative and  
23 Financial Services, Bureau of Revenue Services pursuant to a contract or subcontract  
24 for services to the bureau and whose fingerprints have been required by the State Tax  
25 Assessor pursuant to Title 36, section 194-C; ~~or~~

26 **Sec. 49. 25 MRSA §1542-A, sub-§1, ¶M**, as enacted by PL 2017, c. 204, §4; c.  
27 253, §2; and c. 258, Pt. B, §2, is repealed and the following enacted in its place:

28 M. Who has applied for a guide license under Title 12, section 12853;

29 **Sec. 50. 25 MRSA §1542-A, sub-§1, ¶N**, as enacted by PL 2017, c. 253, §2, is  
30 amended to read:

31 N. Who is licensed under Title 32, chapter 48 and has applied for an expedited  
32 license under Title 32, section 18506-;

33 **Sec. 51. 25 MRSA §1542-A, sub-§1, ¶¶O and P** are enacted to read:

34 O. Who is licensed under Title 32, chapter 36 and has applied for an expedited  
35 license under Title 32, section 18506; or

36 P. Who is an applicant for licensure with the State Board of Nursing as required  
37 under Title 32, section 2111, subsection 1.

38 **Sec. 52. 25 MRSA §1542-A, sub-§3, ¶L**, as enacted by PL 2017, c. 204, §5; c.  
39 253, §3; and c. 258, Pt. B, §3, is repealed and the following enacted in its place:

1           L. The State Police shall take or cause to be taken the fingerprints of the person  
2           named in subsection 1, paragraph M at the request of that person and upon payment  
3           of the expenses by that person as required by Title 12, section 12853, subsection 4-A,  
4           paragraph B.

5           **Sec. 53. 25 MRSA §1542-A, sub-§3, ¶¶N and O** are enacted to read:

6           N. The State Police shall take or cause to be taken the fingerprints of the person  
7           named in subsection 1, paragraph O at the request of that person and upon payment  
8           of the expenses by that person as required by Title 32, section 2571-A.

9           O. The State Police shall take or cause to be taken the fingerprints of the person  
10           named in subsection 1, paragraph P at the request of that person and upon payment  
11           by the person of the fee established in Title 32, section 2111, subsection 1.

12           **Sec. 54. 25 MRSA §1542-A, sub-§4**, as amended by PL 2017, c. 253, §4 and c.  
13           258, Pt. B, §4, is repealed and the following enacted in its place:

14           **4. Duty to submit to State Bureau of Identification.** It is the duty of the law  
15           enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B  
16           and G to transmit immediately to the State Bureau of Identification the criminal  
17           fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or  
18           pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless  
19           an express request is made by the commanding officer of the State Bureau of  
20           Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be  
21           transmitted immediately to the State Bureau of Identification to enable the bureau to  
22           conduct state and national criminal history record checks for the Department of  
23           Education. The bureau may not use the fingerprints for any purpose other than that  
24           provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints,  
25           except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken  
26           pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted  
27           immediately to the State Bureau of Identification to enable the bureau to conduct state  
28           and national criminal history record checks for the court and the Department of Public  
29           Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection  
30           1, paragraph J, K or L must be transmitted immediately to the State Bureau of  
31           Identification to enable the bureau to conduct state and national criminal history record  
32           checks for the Department of Administrative and Financial Services, Bureau of Revenue  
33           Services. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted  
34           immediately to the State Bureau of Identification to enable the bureau to conduct state  
35           and national criminal history record checks for the Board of Osteopathic Licensure,  
36           established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph  
37           N must be transmitted immediately to the State Bureau of Identification to enable the  
38           bureau to conduct state and national criminal history record checks for the Board of  
39           Licensure in Medicine, established in Title 32, chapter 48. Fingerprints taken pursuant to  
40           subsection 1, paragraph P must be transmitted immediately to the State Bureau of  
41           Identification to enable the bureau to conduct state and national criminal history record  
42           checks for the State Board of Nursing, established in Title 32, chapter 31.

1           **Sec. 55. 26 MRSA §938**, as enacted by PL 1985, c. 294, §§2 and 3, is amended to  
2 read:

3           **§938. Advertising or soliciting for workers during strike or disturbance; exceptions;**  
4                           **penalty**

5           If any employer, during the continuance of a strike among ~~his~~ the employer's  
6 employees, or during the continuance of a lockout or other labor trouble among ~~his~~ the  
7 employer's employees, publicly advertises in newspapers, or by posters or otherwise, for  
8 employees, or ~~by himself~~ directly or ~~his~~ through the employer's agents solicits persons to  
9 work for ~~him~~ the employer to fill the places of strikers, ~~he~~ the employer shall plainly and  
10 explicitly mention in the advertisements or oral or written solicitations that a strike,  
11 lockout or other labor disturbance exists. If any employee, during the continuance of a  
12 strike, lockout or other labor trouble, advertises for or solicits business for a competitor of  
13 the ~~employers~~ employer that is engaged in the labor dispute, ~~he~~ the employee shall  
14 plainly and explicitly mention in the advertisement or oral or written ~~solicitations~~  
15 solicitation that a strike, lockout or other labor disturbance exists. This section ~~shall~~  
16 ~~cease~~ ceases to be operative if the board determines that the business of the employer, in  
17 respect to which the strike or other labor trouble occurred, is being carried on in the  
18 normal and usual manner and to the normal and usual extent. The board shall determine  
19 this question as soon as possible; upon the application of the employer. Any person, firm,  
20 association or corporation ~~who~~ that violates this section ~~shall~~ must be punished by a fine  
21 not less ~~that~~ than \$250 nor more than \$500.

22           **Sec. 56. 26 MRSA §1192, sub-§6-E**, as amended by PL 2017, c. 110, §8 and c.  
23 117, §4, is repealed and the following enacted in its place:

24           **6-E. Prohibition against disqualification of individuals in approved training**  
25 **under federal Workforce Innovation and Opportunity Act.** Notwithstanding any  
26 other provision of this chapter, unless inconsistent with federal law, the acceptance of  
27 training opportunities available through the federal Workforce Innovation and  
28 Opportunity Act, 29 United States Code, Sections 3101 to 3361 is deemed to be  
29 acceptance of training with the approval of the State within the meaning of any other  
30 provision of federal or state law, relating to unemployment benefits.

31           **Sec. 57. 26 MRSA §1198, sub-§2, ¶J**, as amended by PL 2017, c. 110, §9 and c.  
32 117, §11, is repealed and the following enacted in its place:

33           J. The eligible employer allows eligible employees to participate, as appropriate, in  
34 training, including employer-sponsored training or worker training funded under the  
35 federal Workforce Innovation and Opportunity Act, Public Law 113-128, to enhance  
36 job skills if such training has been approved by the commissioner.

37           **Sec. 58. 29-A MRSA §201, sub-§3, ¶D**, as enacted by PL 1993, c. 683, Pt. A, §2  
38 and affected by Pt. B, §5, is amended to read:

39           D. A municipal agent authorized to process permits and decals for vehicles with  
40 gross vehicle weight in excess of 6,000 pounds may charge a fee not to exceed \$1  
41 over the required fee for each permit or decal issued.

1           **Sec. 59. 29-A MRSA §1405, sub-§3**, as amended by PL 2017, c. 27, §4 and  
2 affected by §10 and amended by c. 229, §27, is repealed and the following enacted in its  
3 place:

4           **3. Fee.** The fee for a duplicate registration certificate is \$2. The fee for a duplicate  
5 learner's permit, duplicate license or duplicate nondriver identification card is \$5. The fee  
6 for the expedited issuance of a duplicate license or nondriver identification card is an  
7 additional \$10. The reason for the expedited issuance must be provided, and the Secretary  
8 of State shall determine if expedited issuance is warranted.

9           This subsection is repealed July 1, 2019.

10           **Sec. 60. 29-A MRSA §1405, sub-§3-A** is enacted to read:

11           **3-A. Fee.** The fee for a duplicate registration certificate is \$2. The fee for a  
12 duplicate learner's permit, duplicate license or duplicate nondriver identification card is  
13 \$5. The fee for a duplicate license or duplicate nondriver identification card under  
14 section 1260 is \$30. The fee for the expedited issuance of a duplicate license or  
15 nondriver identification card, including the expedited issuance of a duplicate license or  
16 nondriver identification card under section 1260, is an additional \$10. The reason for the  
17 expedited issuance must be provided, and the Secretary of State shall determine if  
18 expedited issuance is warranted.

19           **Sec. 61. Effective date.** That section of this Act that enacts the Maine Revised  
20 Statutes, Title 29-A, section 1405, subsection 3-A takes effect July 1, 2019.

21           **Sec. 62. 30-A MRSA §701, sub-§2-C**, as amended by PL 2017, c. 281, §1 and c.  
22 284, Pt. V, §1, is repealed and the following enacted in its place:

23           **2-C. Tax assessment for correctional services beginning July 1, 2015.** Beginning  
24 July 1, 2015, the counties shall annually collect no less than \$62,172,371 from  
25 municipalities for the provision of correctional services in accordance with this  
26 subsection. The counties may collect an amount that is more than the base assessment  
27 limit established in this subsection, except that the additional amount each year may not  
28 exceed the base assessment limit as adjusted by the growth limitation factor established in  
29 section 706-A, subsection 3 or 4%, whichever is less. If a county collects in a year an  
30 amount that is more than the base assessment limit established for that county pursuant to  
31 this subsection, the base assessment limit in the succeeding year is the amount collected  
32 in the prior year. For the purposes of this subsection, "correctional services" includes  
33 management services, personal services, contractual services, commodity purchases,  
34 capital expenditures and all other costs, or portions thereof, necessary to maintain and  
35 operate correctional services. "Correctional services" does not include county jail debt  
36 unless there is a surplus in the account that pays for correctional services at the end of the  
37 state fiscal year.

38           The assessment to municipalities within each county may not be less than the base  
39 assessment limit, which is:

40           A. A sum of \$4,287,340 in Androscoggin County;

- 1           B. A sum of \$2,316,666 in Aroostook County;
- 2           C. A sum of \$11,575,602 in Cumberland County;
- 3           D. A sum of \$1,621,201 in Franklin County;
- 4           E. A sum of \$1,670,136 in Hancock County;
- 5           F. A sum of \$5,588,343 in Kennebec County;
- 6           G. A sum of \$3,188,700 in Knox County;
- 7           H. A sum of \$2,657,105 in Lincoln County;
- 8           I. A sum of \$1,228,757 in Oxford County;
- 9           J. A sum of \$5,919,118 in Penobscot County;
- 10          K. A sum of \$878,940 in Piscataquis County;
- 11          L. A sum of \$2,657,105 in Sagadahoc County;
- 12          M. A sum of \$5,363,665 in Somerset County;
- 13          N. A sum of \$2,832,353 in Waldo County;
- 14          O. A sum of \$2,000,525 in Washington County; and
- 15          P. A sum of \$8,386,815 in York County.

16           **Sec. 63. 32 MRSA §91-B, sub-§2, ¶G**, as enacted by PL 2011, c. 271, §19, is  
17 amended to read:

18           G. Confidential information may be released to the Office of ~~the~~ Chief Medical  
19 Examiner within the Office of the Attorney General.

20           **Sec. 64. 32 MRSA §1202-A, sub-§5, ¶B**, as enacted by PL 2017, c. 198, §17, is  
21 amended to read:

22           B. In order to obtain a license under this subsection, a person must meet the  
23 following requirements, as applicable:

24           (1) A limited electrician in water pumps must provide evidence of having  
25 completed at least 135 hours of electrical education as approved by the board or  
26 from an accredited institution and provide evidence of 2,000 hours of work  
27 experience approved by the board in rules. A limited electrician in water pumps  
28 is restricted to performing electrical work between the branch circuit overcurrent  
29 device, the water pump and associated controls.

30           (2) A limited electrician in outdoor signs, including sign lighting, must provide  
31 evidence of having completed at least 135 hours of electrical education as  
32 approved by the board or from an accredited institution and provide evidence of  
33 2,000 hours of work experience approved by the board in rules. The scope of this  
34 license does not include branch circuit wiring.

35           (3) A limited electrician in gasoline dispensing must provide evidence of having  
36 completed at least 135 hours of electrical education as approved by the board or  
37 from an accredited institution and provide evidence of 2,000 hours of work



1 experience approved by the board in rules. A limited electrician in gasoline  
2 ~~dispensers~~ dispensing is restricted to performing electrical work between the  
3 branch circuit overcurrent device, the dispenser and associated controls.

4 (4) A limited electrician in traffic signals, including outdoor lighting of traffic  
5 signals, must provide evidence of having completed at least 135 hours of  
6 electrical education as approved by the board or from an accredited institution  
7 and provide evidence of 2,000 hours of work experience approved by the board  
8 in rules. A limited electrician in traffic signals is restricted to performing  
9 electrical work on traffic signals, including outdoor lighting of traffic signals and  
10 the traffic signal electrical service.

11 (5) A limited electrician in house wiring must provide evidence of having  
12 completed at least 225 hours of electrical education as approved by the board or  
13 from an accredited institution and provide evidence of 4,000 hours of work  
14 experience approved by the board in rules. A limited electrician in house wiring  
15 is restricted to performing electrical work in one-family dwellings and 2-family  
16 dwellings, including manufactured homes.

17 (6) A limited electrician in refrigeration must provide evidence of having  
18 completed at least 270 hours of electrical education as approved by the board or  
19 from an accredited institution and provide evidence of 6,000 hours of work  
20 experience approved by the board in rules. Graduates of a community college  
21 electrical program in refrigeration approved by the board or from an accredited  
22 institution are credited with 4,000 hours of work experience upon graduation. A  
23 limited electrician in refrigeration is restricted to performing electrical work  
24 between the branch circuit overcurrent device, the refrigeration equipment and  
25 associated controls.

26 (7) A limited electrician in low-energy electronics, including fire alarms, must  
27 provide evidence of having completed at least 270 hours of electrical education  
28 as approved by the board or from an accredited institution and provide evidence  
29 of 4,000 hours of work experience approved by the board in rules. A limited  
30 electrician in low-energy electronics is restricted to performing electrical work on  
31 low-energy electronics as supplied by Class I, II and III limited energy systems,  
32 all fire alarm systems and the dedicated branch circuit wiring.

33 (8) A limited electrician in crane wiring must provide evidence of having  
34 completed at least 135 hours of electrical education as approved by the board or  
35 from an accredited institution and provide evidence of 2,000 hours of work  
36 experience approved by the board in rules. A limited electrician in crane wiring  
37 is restricted to the installation of electrical equipment and wiring used in  
38 connection with cranes, monorail hoists, hoists and runways.

39 **Sec. 65. 32 MRSA §2180, sub-§1**, as enacted by PL 2017, c. 258, Pt. A, §1, is  
40 amended to read:

41 **1. Effective date.** This compact becomes effective and binding on the earlier of the  
42 date of legislative enactment of this compact into law by no fewer than 26 states ~~or~~ and  
43 December 31, 2018. All party states to this compact that were parties to the prior

1 compact are deemed to have withdrawn from the prior compact within 6 months after the  
2 effective date of this compact.

3 **Sec. 66. 32 MRSA §6214-D, sub-§1, ¶D**, as amended by PL 2017, c. 265, §3, is  
4 further amended to read:

5 D. Meet one of the following requirements:

6 (1) Complete 2,000 hours of documented supervised practice in alcohol and drug  
7 counseling as a certified alcohol and drug counselor;

8 (2) Possess an associate or bachelor's degree from an accredited college or  
9 university in clinically based behavioral sciences or addiction counseling or a  
10 related field as defined by board rule, complete course work as defined by board  
11 rule and complete a minimum of 4,000 hours of documented supervised practice  
12 in alcohol and drug counseling, except that an applicant who holds a bachelor's  
13 degree from an accredited college or university that meets the requirements of  
14 this subparagraph and who has completed at least 18 credit hours of course work  
15 in addiction counseling need only complete a minimum of 2,000 hours of  
16 documented supervised practice in alcohol and drug counseling; or

17 (3) Possess a master's degree from an accredited college or university in  
18 clinically based behavioral sciences or addiction counseling or a related field as  
19 defined by board rule, complete course work as defined by board rule and  
20 complete a minimum of 2,000 hours of documented supervised practice in  
21 alcohol and drug counseling, except that an applicant who holds a master's degree  
22 from an accredited college or university that meets the requirements of this  
23 subparagraph and who has completed at least 12 credit hours of course work in  
24 addiction counseling need only complete a minimum of 1,500 hours of  
25 documented supervised practice in alcohol and drug counseling.

26 **Sec. 67. 32 MRSA §7054-A, 3rd ¶**, as enacted by PL 1985, c. 736, §14, is  
27 amended to read:

28 Any person certified by the board prior to the effective date of this section or under  
29 former section 7054 as a certified social worker and who engages in the independent  
30 practice of social work pursuant to former section 7052 ~~shall~~ must be licensed as a  
31 "certified social worker - independent practice" and may continue to practice social work  
32 as previously authorized. This person has the option to be licensed as a "licensed master  
33 social worker" without further examination if the person has a ~~masters'~~ master's degree in  
34 social work or social welfare.

35 **Sec. 68. 32 MRSA §18515, sub-§2**, as enacted by PL 2017, c. 253, §7, is  
36 amended to read:

37 **2. Officers.** The interstate commission shall elect or appoint annually from among  
38 its commissioners a chair, a vice-chair and a treasurer, each of whom has the authority  
39 and duties as specified in the bylaws. The chair, or, in the chair's absence or disability, the  
40 vice-chair, shall preside at all meetings of the interstate commission.

1           **Sec. 69. 33 MRSA §479-C**, as amended by PL 2017, c. 284, Pt. TT, §1, is further  
2 amended to read:

3           **§479-C. Conservation lands registry**

4           A holder of a conservation easement or a fee owner of land for conservation purposes  
5 that is organized or doing business in the State shall annually report to the Department of  
6 Agriculture, Conservation and Forestry the book and page number at the registry of deeds  
7 for each conservation easement that it holds or each parcel owned in fee for conservation  
8 purposes, the municipality, the approximate number of acres protected under each  
9 easement or parcel owned, the approximate number of acres that are exempt from  
10 taxation pursuant to Title 36, section 652 for which the municipality or county does not  
11 receive payments in lieu of taxes and such other information as the Department of  
12 Agriculture, Conservation and Forestry determines necessary to fulfill the purposes of  
13 this subchapter. The filing must be made by a date and on forms established by the  
14 Department of Agriculture, Conservation and Forestry to avoid duplicative filings when  
15 possible and otherwise reduce administrative burdens. The annual filing must be  
16 accompanied by a an \$80 fee. The Department of Agriculture, Conservation and Forestry  
17 shall maintain a permanent record of the registration and report to the Attorney General  
18 any failure of a holder of a conservation easement disclosed by the filing or otherwise  
19 known to the Department of Agriculture, Conservation and Forestry. The fees established  
20 under this section must be held by the Department of Agriculture, Conservation and  
21 Forestry in a nonlapsing, special account to defray the costs of maintaining the registry  
22 and carrying out its duties under this section.

23           **Sec. 70. 34-B MRSA §1207, sub-§1, ¶B**, as amended by PL 2017, c. 147, §6, is  
24 further amended to read:

25           B. Information may be disclosed if necessary to carry out the statutory functions of  
26 the department; the hospitalization provisions of chapter 3, subchapter 4; ~~the~~  
27 ~~provisions of section 1931~~; the purposes of section 3608; the purposes of Title 5,  
28 section 19506; the purposes of United States Public Law 99-319, dealing with the  
29 investigatory function of the independent agency designated with advocacy and  
30 investigatory functions under United States Public Law 88-164, Title I, Part C or  
31 United States Public Law 99-319; the investigation and hearing pursuant to Title 15,  
32 section 393, subsection 4-A; or the provision of mental health services by the  
33 Department of Corrections pursuant to Title 34-A, section 3031, 3069-A or 3069-B;

34           **Sec. 71. 34-B MRSA §1207, sub-§1, ¶B-3**, as amended by PL 2017, c. 93, §1  
35 and repealed by c. 147, §7, is repealed.

36           **Sec. 72. 35-A MRSA §7104-C, sub-§2, ¶I**, as enacted by PL 2011, c. 600, §7  
37 and affected by §10, is amended to read:

38           I. The State Tax Assessor shall remit the total prepaid wireless fees collected  
39 pursuant to this subsection to the commission. The commission shall deposit the total  
40 fees into the prepaid wireless fee fund established in subsection 3 and shall ensure  
41 that, within 30 days of receipt:

- 1 (1) The portion of the remitted prepaid wireless fees attributable to the E-9-1-1  
2 surcharge imposed by Title 25, section 2927, subsection ~~4-H~~ 1-F is deposited in a  
3 separate account;
- 4 (2) The portion of the remitted prepaid wireless fees attributable to the fee  
5 imposed under section 7104, subsection 3-A is deposited in the state universal  
6 service fund established pursuant to section 7104, subsection 3; and
- 7 (3) The portion of the remitted prepaid wireless fees attributable to the fee  
8 imposed under section 7104-B, subsection 2-A is deposited in the  
9 telecommunications education access fund established under section 7104-B,  
10 subsection 2.

11 **Sec. 73. 36 MRSA §191, sub-§2, ¶BBB**, as enacted by PL 2015, c. 490, §4, is  
12 amended to read:

13 BBB. The disclosure to an authorized representative of the Department of  
14 Professional and Financial Regulation, Bureau of Insurance of information necessary  
15 to determine whether a long-term disability income protection plan or short-term  
16 disability income protection plan as described in section ~~5219-NN~~ 5219-OO,  
17 subsection 1 qualifies for the disability income protection plans in the workplace  
18 credit provided by section 5219-NN-~~2~~;

19 **Sec. 74. 36 MRSA §191, sub-§2, ¶CCC**, as enacted by PL 2017, c. 211, Pt. A,  
20 §9, is amended to read:

21 CCC. The disclosure of information to the Revenue Forecasting Committee or its  
22 staff under Title 5, section 1710-J, by or at the direction of the Associate  
23 Commissioner for Tax Policy when pertinent to the associate commissioner's duties  
24 of providing revenue forecasting analysis to the committee. The information may be  
25 disclosed only in oral or paper form and only after notice to the State Tax Assessor of  
26 the intended disclosure. The associate commissioner shall apprise the committee  
27 members of the provisions regarding confidentiality of such information, of the  
28 continuing confidential nature of the disclosed information and the provision in Title  
29 5, section 1710-J, allowing discussion of the information by the committee meeting  
30 in executive session not open to the public-~~2~~;

31 **Sec. 75. 36 MRSA §191, sub-§2, ¶DDD**, as enacted by PL 2017, c. 284, Pt.  
32 UUUU, §16 and c. 297, §1, is repealed and the following enacted in its place:

33 DDD. The disclosure by employees of the bureau to an authorized representative of  
34 the Maine Commission on Indigent Legal Services for determining the eligibility for  
35 indigent legal services and the ability to reimburse expenses incurred for assigned  
36 counsel and contract counsel under Title 4, chapter 37; or

37 **Sec. 76. 36 MRSA §191, sub-§2, ¶EEE** is enacted to read:

38 EEE. The disclosure to the joint standing committee of the Legislature having  
39 jurisdiction over taxation matters pursuant to section 5219-QQ, subsection 4,  
40 paragraph B of the revenue loss, including the loss due to refundable credits,  
41 attributable to each taxpayer claiming the tax credit for major business headquarters

1 expansions provided under that section, regardless of the number of persons eligible  
2 for the credit.

3 **Sec. 77. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2017, c. 170, Pt. B, §7  
4 and c. 211, Pt. A, §10, is repealed and the following enacted in its place:

5 A. "Eligible business equipment" means qualified property that, in the absence of  
6 this subchapter, would first be subject to assessment under this Part on or after April  
7 1, 2008. "Eligible business equipment" includes, without limitation, repair parts,  
8 replacement parts, replacement equipment, additions, accessions and accessories to  
9 other qualified business property that first became subject to assessment under this  
10 Part before April 1, 2008 if the part, addition, equipment, accession or accessory  
11 would, in the absence of this subchapter, first be subject to assessment under this Part  
12 on or after April 1, 2008. "Eligible business equipment" also includes inventory  
13 parts. "Eligible business equipment" does not include property eligible for exemption  
14 under section 652.

15 "Eligible business equipment" does not include:

16 (1) Office furniture, including, without limitation, tables, chairs, desks,  
17 bookcases, filing cabinets and modular office partitions;

18 (2) Lamps and lighting fixtures used primarily for the purpose of providing  
19 general purpose office or worker lighting;

20 (3) Property owned or used by an excluded person;

21 (4) Telecommunications personal property subject to the tax imposed by section  
22 457;

23 (5) Gambling machines or devices, including any device, machine, paraphernalia  
24 or equipment that is used or usable in the playing phases of any gambling activity  
25 as that term is defined in Title 8, section 1001, subsection 15, whether that  
26 activity consists of gambling between persons or gambling by a person involving  
27 the playing of a machine. "Gambling machines or devices" includes, without  
28 limitation:

29 (a) Associated equipment as defined in Title 8, section 1001, subsection 2;

30 (b) Computer equipment used directly and primarily in the operation of a  
31 slot machine as defined in Title 8, section 1001, subsection 39;

32 (c) An electronic video machine as defined in Title 17, section 1831,  
33 subsection 4;

34 (d) Equipment used in the playing phases of lottery schemes; and

35 (e) Repair and replacement parts of a gambling machine or device;

36 (6) Property located at a retail sales facility and used primarily in a retail sales  
37 activity unless the property is owned by a business that operates a retail sales  
38 facility in the State exceeding 100,000 square feet of interior customer selling  
39 space that is used primarily for retail sales and whose Maine-based operations  
40 derive less than 30% of their total annual revenue on a calendar year basis from

1 sales that are made at a retail sales facility located in the State. For purposes of  
2 this subparagraph, the following terms have the following meanings:

3 (a) "Primarily" means more than 50% of the time;

4 (b) "Retail sales activity" means an activity associated with the selection and  
5 retail purchase of goods or rental of tangible personal property. "Retail sales  
6 activity" does not include production as defined in section 1752, subsection  
7 9-B; and

8 (c) "Retail sales facility" means a structure used to serve customers who are  
9 physically present at the facility for the purpose of selection and retail  
10 purchase of goods or rental of tangible personal property. "Retail sales  
11 facility" does not include a separate structure that is used as a warehouse or  
12 call center facility;

13 (7) Property that is not entitled to an exemption by reason of the additional  
14 limitations imposed by subsection 2; or

15 (8) Personal property that would otherwise be entitled to exemption under this  
16 subchapter used primarily to support a telecommunications antenna used by a  
17 telecommunications business subject to the tax imposed by section 457.

18 **Sec. 78. 36 MRSA §2903, sub-§1**, as amended by PL 2011, c. 240, §24, is  
19 further amended to read:

20 **1. Excise tax imposed.** Beginning July 1, 2008 and ending June 30, 2009, an excise  
21 tax is imposed on internal combustion engine fuel used or sold in this State, including  
22 sales to the State or a political subdivision of the State, at the rate of 28.4¢ per gallon,  
23 except that the rate is 3.4¢ per gallon on internal combustion engine fuel bought or used  
24 for the purpose of propelling jet or turbojet engine aircraft. Beginning July 1, 2009, an  
25 excise tax is imposed on internal combustion engine fuel used or sold in this State,  
26 including sales to the State or a political subdivision of the State, at the rate of 29.5¢ per  
27 gallon, except that the rate is 3.4¢ per gallon on internal combustion engine fuel bought  
28 or used for the purpose of propelling jet engine aircraft. ~~The tax rate provided by this~~  
29 ~~subsection except the rate of tax imposed on fuel bought or used for the purpose of~~  
30 ~~propelling jet engine aircraft is subject to an annual inflation adjustment pursuant to~~  
31 ~~section 3321.~~ Any fuel containing at least 10% internal combustion engine fuel is subject  
32 to the tax imposed by this section.

33 **Sec. 79. 36 MRSA §3203, sub-§1-B**, as amended by PL 2011, c. 240, §25, is  
34 further amended to read:

35 **1-B. Generally; rates.** Except as provided in section 3204-A, beginning July 1,  
36 2008 and ending June 30, 2009, an excise tax is levied and imposed on all suppliers of  
37 distillates sold, on all retailers of low-energy fuel sold and on all users of special fuel  
38 used in this State for each gallon of distillate at the rate of 29.6¢ per gallon. Beginning  
39 July 1, 2009, an excise tax is levied and imposed on all suppliers of distillates sold, on all  
40 retailers of low-energy fuel sold and on all users of special fuel used in this State for each  
41 gallon of distillate at the rate of 30.7¢ per gallon. Tax rates for each gallon of low-energy  
42 fuel are based on the British Thermal Unit, referred to in this subsection as "BTU,"

1 energy content for each fuel as based on gasoline gallon equivalents or the comparable  
 2 measure for distillates. The gasoline gallon equivalent is the amount of alternative fuel  
 3 that equals the BTU energy content of one gallon of gasoline. ~~In the case of distillates,~~  
 4 ~~the tax rate provided by this section is subject to annual inflation adjustment pursuant to~~  
 5 ~~section 3321.~~ For purposes of this subsection, "base rate" means the rate in effect for  
 6 gasoline or diesel on July 1st of each year ~~as indexed under section 3321.~~ A biodiesel  
 7 blend containing less than 90% biodiesel fuel is subject to the rate of tax imposed on  
 8 diesel.

9 A. This paragraph establishes the applicable BTU values and tax rates based on  
 10 gasoline gallon equivalents.

11 Fuel type based on gasoline	12 BTU content per gallon or 13 gasoline gallon equivalent	14 Tax rate formula (BTU 15 value fuel/BTU value 16 gasoline) x base rate 17 gasoline
18 Gasoline	115,000	100% x base rate
19 Propane	84,500	73% x base rate
20 Compressed Natural Gas (CNG)	115,000	100% x base rate
21 Methanol	56,800	49% x base rate
22 Ethanol	76,000	66% x base rate
23 Hydrogen	115,000	100% x base rate
Hydrogen Compressed Natural Gas	115,000	100% x base rate

24 B. This paragraph establishes the applicable BTU values and tax rates based on  
 25 distillate gallon equivalents.

26 Fuel type based on diesel	27 BTU content per gallon or 28 gallon equivalent	29 Tax rate formula (BTU 30 value fuel/BTU value 31 diesel) x base rate diesel
32 Diesel	128,400	100% x base rate
33 Liquefied Natural Gas (LNG)	73,500	57% x base rate
Biodiesel	118,300	92% x base rate

34 C. The conversion factors established in this paragraph must be used in converting to  
 35 gasoline gallon equivalents.

36 (1) For compressed natural gas, BTUs per 100 standard cubic feet is 93,000, and  
 37 there are 123.66 standard cubic feet per gasoline gallon equivalent.

38 (2) For hydrogen, BTUs per 100 standard cubic feet is 27,000, and there are  
 39 425.93 standard cubic feet per gasoline gallon equivalent.

40 (3) For hydrogen compressed natural gas, BTUs per 100 standard cubic feet is  
 41 79,800, and there are 144.11 standard cubic feet per gasoline gallon equivalent.

1           **Sec. 80. 36 MRSA §3208, first ¶**, as amended by PL 2007, c. 438, §78, is further  
2 amended to read:

3           Every user subject to the tax imposed by section 3203 is entitled to a credit on the  
4 tax, equivalent to the then current rate of taxation per gallon imposed by section 3203 ~~as~~  
5 ~~adjusted pursuant to section 3321~~, on all special fuel purchased by that user from a  
6 supplier or retailer licensed in accordance with section 3204 upon which the tax imposed  
7 by section 3203 has been paid. Evidence of the payment of that tax, in a form required by  
8 or satisfactory to the State Tax Assessor, must be furnished by each user claiming the  
9 credit. When the amount of the credit to which any user is entitled for any quarter  
10 exceeds the amount of the tax for which that user is liable for the same quarter, the excess  
11 may be allowed as a credit on the tax for which that user would be otherwise liable for  
12 another quarter or quarters. Upon application to the assessor, the excess may be refunded  
13 if the applicant has paid to another state or province under a lawful requirement of that  
14 jurisdiction a tax similar in effect to the tax imposed by section 3203 on the use or  
15 consumption of that fuel outside the State, at the same rate per gallon that tax was paid in  
16 this State, but in no case to exceed the then current rate per gallon of the tax imposed by  
17 section 3203 ~~as adjusted pursuant to section 3321~~. Upon receipt of the application the  
18 assessor, if satisfied after investigation that a refund is justified, shall so certify to the  
19 State Controller. The refund must be paid out of the Highway Fund. This credit lapses at  
20 the end of the last quarter of the year following that in which the credit arose.

21           **Sec. 81. 36 MRSA §5219-QQ, sub-§1, ¶G**, as enacted by PL 2017, c. 297, §2,  
22 is amended to read:

23           G. "Qualified applicant" means an applicant that, at the time an application for a  
24 certificate of approval is submitted, satisfies all of the following criteria:

- 25           (1) The applicant's headquarters are or will be located in the State;
- 26           (2) The applicant employs at least 5,000 full-time employees worldwide of  
27           which at least 25% are or will be employees based in ~~this~~ the State;
- 28           (3) The applicant has business locations in at least 3 other states or foreign  
29           countries; and
- 30           (4) The applicant intends to make a qualified investment in the State within 5  
31           years following the date of the application.

32           **Sec. 82. 36 MRSA §5219-QQ, sub-§4, ¶A**, as enacted by PL 2017, c. 297, §2,  
33 is amended to read:

34           A. On or before March 1st of each year, a certified applicant shall file a report with  
35 the commissioner for the tax year ending during the immediately preceding calendar  
36 year, referred to in this paragraph as "the report year," containing the following  
37 information:

- 38           (1) The number of full-time employees based in ~~this~~ the State of the certified  
39           applicant on the last day of the tax year ending during the calendar year  
40           immediately preceding the report year; and
- 41           (2) The incremental amount of qualified investment made in the report year.



1 The commissioner may prescribe forms for the annual report described in this  
2 paragraph. The commissioner shall provide copies of the report to the State Tax  
3 Assessor and to the joint standing committee of the Legislature having jurisdiction  
4 over taxation matters at the time the report is received.

5 **Sec. 83. 36 MRSA §5283-A, sub-§1**, as amended by PL 2017, c. 284, Pt.  
6 AAAA, §2 and Pt. DDDD, §2, is repealed and the following enacted in its place:

7 **1. Minimum threshold for total contributions.** The State Tax Assessor may not  
8 include on an individual income tax return form a designation for a taxpayer to make a  
9 contribution through a checkoff under section 5284, 5284-A, 5285, 5288-A, 5289 or 5291  
10 unless on returns filed in the prior calendar year the total contributions to the organization  
11 or fund to which the contributions are credited under the applicable section are at least:

12 A. For calendar year 2012, \$10,000;

13 B. For calendar year 2013, \$13,000;

14 C. For calendar year 2014, \$16,000;

15 D. For calendar year 2015, \$19,000;

16 E. For calendar year 2016, \$22,000; and

17 F. For calendar years beginning on or after January 1, 2017, \$25,000.

18 This subsection does not apply to a contribution checkoff that has been on the individual  
19 income tax form for less than one year.

20 **Sec. 84. 37-B MRSA §3, sub-§1, ¶D**, as amended by PL 2017, c. 108, §1 and  
21 amended by c. 114, §1, is repealed and the following enacted in its place:

22 **D. Have the following powers and duties.**

23 (1) The Adjutant General shall administer the department subordinate only to the  
24 Governor.

25 (2) The Adjutant General shall establish methods of administration consistent  
26 with the law necessary for the efficient operation of the department.

27 (3) The Adjutant General may prepare a budget for the department.

28 (4) The Adjutant General may transfer personnel from one bureau to another  
29 within the department.

30 (5) The Adjutant General shall supervise the preparation of all state  
31 informational reports required by the federal military establishment.

32 (6) The Adjutant General shall keep an accurate account of expenses incurred  
33 and, in accordance with Title 5, sections 43 to 46, make a full report to the  
34 Governor as to the condition of the military forces, and as to all business  
35 transactions of the Military Bureau, including detailed statements of expenditures  
36 for military purposes.

37 (7) The Adjutant General is responsible for the custody, care and repair of all  
38 military property belonging to or issued to the State for the military forces and

1 shall dispose of military property belonging to the State that is unserviceable.  
2 The Adjutant General shall account for and deposit the proceeds from that  
3 disposal with the Treasurer of State, who shall credit them to the Capital Repair,  
4 Maintenance, Construction and Acquisition Account of the Military Bureau.

5 (8) The Adjutant General may sell for cash to officers of the state military forces,  
6 for their official use, and to organizations of the state military forces, any military  
7 or naval property that is the property of the State. The Adjutant General shall,  
8 with an annual report, render to the Governor an accurate account of the sales and  
9 deposit the proceeds of the sales with the Treasurer of State, who shall credit  
10 them to the General Fund.

11 (9) The Adjutant General shall represent the state military forces for the purpose  
12 of establishing the relationship between the federal military establishment and the  
13 various state military staff departments.

14 (10) The Adjutant General shall accept, receive and administer federal funds for  
15 and on behalf of the State that are available for military purposes or that would  
16 further the intent and specific purposes of this chapter and chapter 3. The  
17 Adjutant General shall provide the personnel, supplies, services and matching  
18 funds required by a federal cost-sharing arrangement pursuant to 31 United States  
19 Code, Chapters 63 and 65 (2013); 32 United States Code (2013); and National  
20 Guard Regulation 5-1 (2010). The Adjutant General shall receive funds and  
21 property and an accounting for all expenditures and property acquired through  
22 such a federal cost-sharing arrangement and make returns and reports concerning  
23 those expenditures and that property as required by such a federal cost-sharing  
24 arrangement.

25 (11) The Adjutant General shall acquire, construct, operate and maintain military  
26 facilities necessary to comply with this Title and Title 32 of the United States  
27 Code and shall operate and maintain facilities now within or hereafter coming  
28 within the jurisdiction of the Military Bureau.

29 (12) The Adjutant General may adopt rules pertaining to compliance with state  
30 and federal contracting requirements, subject to Title 5, chapter 375. Those rules  
31 must provide for approval of contracts by the appropriate state agency.

32 (13) The Adjutant General shall allocate and supervise any funds made available  
33 by the Legislature to the Civil Air Patrol.

34 (14) The Adjutant General shall report at the beginning of each biennium to the  
35 joint standing committee of the Legislature having jurisdiction over veterans'  
36 affairs on any recommended changes or modifications to the laws governing  
37 veterans' affairs, particularly as those changes or modifications relate to changes  
38 in federal veterans' laws. The report must include information on the status of  
39 communications with the United States Department of Veterans Affairs regarding  
40 the potential health risks to and the potential disabilities of veterans who as  
41 members of the Maine National Guard were exposed to environmental hazards at  
42 the Canadian military support base in Gagetown, New Brunswick, Canada.

43 (15) The Adjutant General may receive personal property from the United States  
44 Department of Defense that the Secretary of Defense has determined is suitable

1 for use by agencies in law enforcement activities, including counter-drug  
2 activities, and in excess of the needs of the Department of Defense pursuant to 10  
3 United States Code, Section 2576a, and transfer ownership of that personal  
4 property to state, county and municipal law enforcement agencies  
5 notwithstanding any other provision of law. The Adjutant General may receive  
6 excess personal property from the United States Department of Defense for use  
7 by the department, notwithstanding any other provision of law.

8 (16) The Adjutant General may establish a science, mathematics and technology  
9 education improvement program for schoolchildren known as the STARBASE  
10 Program. The Adjutant General may accept financial assistance and in-kind  
11 assistance, advances, grants, gifts, contributions and other forms of financial  
12 assistance from the Federal Government or other public body or from other  
13 sources, public or private, to implement the STARBASE Program. The Adjutant  
14 General may employ a director and other employees, permanent or temporary, to  
15 operate the STARBASE Program.

16 (17) The Adjutant General shall establish a system, to be administered by the  
17 Director of the Bureau of Maine Veterans' Services, to express formally  
18 condolence and appreciation to the closest surviving family members of members  
19 of the United States Armed Forces who, since September 11, 2001, are killed in  
20 action or die as a consequence of injuries that result in the award of a Purple  
21 Heart medal. In accordance with the existing criteria of the department for the  
22 awarding of gold star medals, this system must provide for the Adjutant General  
23 to issue up to 3 gold star medals to family members who reside in the State, one  
24 to the spouse of the deceased service member and one to the parents of the  
25 service member. If the parents of the service member are divorced, the Adjutant  
26 General may issue one medal to each parent. If the service member has no  
27 surviving spouse or parents or if they live outside of the State, the Adjutant  
28 General may issue a gold star medal to the service member's next of kin, as  
29 reported to the department, who resides in the State.

30 (18) The Adjutant General may establish a National Guard Youth Challenge  
31 Program consistent with 32 United States Code, Section 509 (1990). The  
32 Adjutant General may accept financial assistance from the Federal Government  
33 or other public body or from other sources, public and private, to implement the  
34 National Guard Youth Challenge Program. The Adjutant General may employ a  
35 director and other employees, permanent or temporary, to operate the program.

36 (19) The Adjutant General may execute cooperative agreements for purposes  
37 described or defined by this Title and other arrangements necessary to operate the  
38 department.

39 (20) The Adjutant General shall act as the Governor's homeland security advisor.

40 (21) The Adjutant General shall implement a program to identify residents of the  
41 State who are not considered veterans but are military retirees or former members  
42 of the Maine Army National Guard or Maine Air National Guard who  
43 successfully completed service.

1                   (22) The Adjutant General may negotiate and execute agreements to provide  
2                   state military forces to or accept military forces from other states in support of  
3                   federally funded National Guard missions.

4                   (23) The Adjutant General may provide logistical and administrative support to  
5                   military welfare societies as defined in 10 United States Code, Section 1033(b)(2)  
6                   in the performance of their functions and to state military welfare societies as  
7                   defined in section 101-A, subsection 3 in the performance of their functions to  
8                   provide relief directly to members of the Maine National Guard and the Maine  
9                   Air National Guard and to facilitate the distribution of emergency financial relief  
10                   in accordance with section 158.

11                   **Sec. 85. 37-B MRSA §851, first ¶**, as enacted by PL 2013, c. 146, §18, is  
12                   amended to read:

13                   The director, in consultation with the Office of ~~the~~ Chief Medical Examiner, the  
14                   Department of Health and Human Services and the Maine Center for Disease Control and  
15                   Prevention within that department and other agencies as appropriate, shall prepare a plan  
16                   for the recovery, identification and disposition of human remains in a disaster. The  
17                   Office of ~~the~~ Chief Medical Examiner is responsible for execution of the plan, and all  
18                   members of the emergency management forces shall cooperate and assist the office in  
19                   executing the plan.

20                   **Sec. 86. 38 MRSA §469, sub-§1, ¶D-1**, as enacted by PL 2017, c. 137, Pt. B,  
21                   §16, is amended to read:

22                   D-1. Long Island.

23                   (1) Tidal waters of the Town of Long Island located within the area described by  
24                   the following points: from a point located at latitude 43° - 38'-21" N., longitude  
25                   70° - 05'-00" W.; thence running due west to a point located at latitude 43° - 38'-  
26                   21" N., longitude 70° - 08'-52" W.; thence running northwesterly to a point  
27                   located at latitude 43° - 38'-27" N., longitude 70° - 08'-58" W.; thence running  
28                   northeasterly to a point located at latitude 43° - 40'-08" N., longitude 70° - 07'-03"  
29                   W.; thence running southeasterly to point of beginning - Class SA.

30                   **Sec. 87. 38 MRSA §469, sub-§1, ¶E**, as amended by PL 2017, c. 137, Pt. B, §16,  
31                   is further amended to read:

32                   E. Portland.

33                   (1) Tidal waters of the City of Portland located within the area described by the  
34                   following points: from a point located at latitude 43° - 38'-21" N., longitude 70° -  
35                   01'-28" W.; thence running due west to a point located at latitude 43° - 38'-21"  
36                   N., longitude 70° - 05'-00" W.; thence running northwesterly to a point located at  
37                   latitude 43° - 40'-08" N., longitude 70° - 07'-03" W.; thence running northeasterly  
38                   to a point located at latitude 43° - 41'-17" N., longitude 70° - 05'-43" W.; thence  
39                   running southeasterly to point of beginning - Class SA.

40                   (2) Tidal waters of the City of Portland lying westerly of a line beginning at  
41                   Spring Point Light in South Portland to the easternmost point of Fort Gorges

1 Island, thence running northerly to the southernmost point of Mackworth Island -  
2 Class SC.

3 (3) Tidal waters of the City of Portland located within the area described by the  
4 following points: from a point located at latitude 43° - 38'-21" N., longitude 70° -  
5 08'-52" W.; thence running due west to a point located at latitude 43° - 38'-21"  
6 N., longitude 70° - 09'-06" W.; thence running northeasterly to a point located at  
7 latitude 43° - 38'-27" N., longitude 70° - 08'-58" W.; thence running southeasterly  
8 to point of beginning - Class SA.

9 **Sec. 88. 38 MRSA §1362, sub-§1, ¶A**, as amended by PL 1987, c. 517, §29, is  
10 further amended to read:

11 A. Any substance identified by the ~~board~~ commissioner under section 1319-O;

12 **Sec. 89. PL 2017, c. 2, Pt. P, §1** is amended to read:

13 **Sec. P-1. Establishment of Opioid Health Home Program.** The Opioid  
14 ~~Home~~ Health Home Program, referred to in this Part as "the program," is established  
15 within the Department of Health and Human Services. The department shall determine  
16 criteria to allow a provider to qualify as an opioid health home and to obtain funding from  
17 the department. As used in this section, "opioid health home" means a provider of  
18 services based on an integrated care delivery model focused on whole-person treatment  
19 including, but not limited to, counseling, care coordination, medication-assisted  
20 treatment, peer support and medical consultation, for individuals who have been  
21 diagnosed with an opioid addiction and who are also:

- 22 1. Uninsured;
- 23 2. MaineCare members; or
- 24 3. Uninsured and MaineCare-eligible.

25 The department shall establish by emergency rule pursuant to section 5 of this Part  
26 the criteria for qualification as an opioid health home and the payment structure to  
27 support each qualified opioid health home.

28 **Sec. 90. PL 2017, c. 284, Pt. FF, §2**, is amended to read:

29 **Sec. FF-2. Maine Governmental Facilities Authority; issuance of securities.**  
30 Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section  
31 ~~1610-J~~ 1610-K, and notwithstanding the limitation contained in Title 4, section 1606,  
32 subsection 2 regarding the amount of securities that may be issued, the Maine  
33 Governmental Facilities Authority is authorized to issue securities in its own name in an  
34 amount up to \$30,000,000. Proceeds must be used for the purpose of paying the costs  
35 associated with capital repairs and improvements to and construction of state-owned  
36 facilities and with hazardous waste cleanup on state-owned properties as designated by  
37 the Commissioner of Administrative and Financial Services.



1           Section 20 corrects a clerical error.

2           Section 21 corrects a reference to the Director of the Bureau of Resource Information  
3 and Land Use Planning within the Department of Agriculture, Conservation and Forestry.

4           Section 22 corrects a conflict created by Public Law 2017, chapters 100 and 164,  
5 which affected the same provision of law, by incorporating the changes made by both  
6 laws.

7           Section 23 corrects a conflict created by Public Law 2017, chapters 164 and 239,  
8 which affected the same provision of law, by incorporating the changes made by both  
9 laws.

10          Section 24 corrects a conflict created by Public Law 2017, chapters 72 and 96, which  
11 affected the same provision of law, by incorporating the changes made by both laws.

12          Section 25 corrects a conflict created by Public Law 2017, chapters 206 and 227,  
13 which affected the same provision of law, by incorporating the changes made by both  
14 laws and making a change to the language adopted from chapter 227 to conform the  
15 language to changes made by chapter 206. It eliminates language that applied before  
16 January 1, 2018 and corrects a reference to federal law.

17          Section 26 repeals a redundant provision of law.

18          Section 27 corrects a conflict created by Public Law 2017, chapter 284, Parts C and  
19 VVVVV, which enacted substantively similar provisions with the same paragraph letter  
20 but different language, by repealing the paragraph and replacing it with the Part VVVVV  
21 version.

22          Sections 28 to 30 correct a numbering problem created by Public Law 2017, chapter  
23 284, Parts C and JJJJJJ, which enacted 2 substantively different provisions with the same  
24 paragraph letter, and make a technical change.

25          Section 31 corrects a reference to law regarding campaign reports in municipal  
26 elections in the campaign reporting laws.

27          Section 32 corrects a cross-reference and makes grammatical changes.

28          Section 33 corrects cross-references.

29          Sections 34 and 35 correct references to the Department of the Attorney General,  
30 Office of Chief Medical Examiner.

31          Section 36 corrects a conflict created by Public Law 2017, chapters 38 and 70, which  
32 affected the same provision of law, by incorporating the changes made by both laws.

33          Sections 37 to 41 correct references to the Department of the Attorney General,  
34 Office of Chief Medical Examiner. Section 41 also corrects grammatical errors.

35          Section 42 corrects a clerical error and the format of a cross-reference.

1 Section 43 corrects a reference to the Department of Public Safety, State Bureau of  
2 Identification.

3 Section 44 corrects a clerical error.

4 Section 45 corrects a clerical error and grammatical errors.

5 Section 46 makes a technical correction.

6 Section 47 removes a reference to the laws governing the Maine Health Care Finance  
7 Commission, which were repealed by Public Law 1995, chapter 653, Part B, section 4.

8 Sections 48 to 51 correct a lettering problem created by Public Law 2017, chapters  
9 204, 253 and 258, which enacted 3 substantively different provisions with the same  
10 paragraph letter, and make technical changes.

11 Sections 52 and 53 correct a lettering problem created by Public Law 2017, chapters  
12 204, 253 and 258, which enacted 3 substantively different provisions with the same  
13 paragraph letter and make technical changes.

14 Section 54 corrects a conflict created by Public Law 2017, chapters 253 and 258,  
15 which affected the same provision of law, by incorporating the changes made by both  
16 laws. It also adds a cross-reference for the State Board of Nursing.

17 Section 55 corrects a clerical error and grammatical errors, makes language gender  
18 neutral and updates usage.

19 Section 56 corrects a conflict created by Public Law 2017, chapters 110 and 117,  
20 which affected the same provision of law, by repealing the provision and replacing it with  
21 the chapter 110 version.

22 Section 57 corrects a conflict created by Public Law 2017, chapters 110 and 117,  
23 which affected the same provision of law, by repealing the provision and replacing it with  
24 the chapter 110 version.

25 Section 58 corrects a clerical error.

26 Sections 59 to 61 correct a conflict created by Public Law 2017, chapters 27 and 229,  
27 which affected the same provision of law. The changes made by chapter 27 are subject to  
28 a future effective date of July 1, 2019. Section 59 repeals the Maine Revised Statutes,  
29 Title 29-A, section 1405, subsection 3 and replaces it with the chapter 229 version with a  
30 future repeal date of July 1, 2019. Section 60 enacts Title 29-A, section 1405, subsection  
31 3-A, which incorporates the changes made by chapters 27 and 229. Section 61 provides  
32 an effective date of July 1, 2019 for Title 29-A, section 1405, subsection 3-A. Sections  
33 59 and 60 also correct grammatical errors.

34 Section 62 corrects a conflict created by Public Law 2017, chapters 281 and 284,  
35 which affected the same provision of law, by incorporating the changes made by both  
36 laws.



1           Section 63 corrects a reference to the Office of Chief Medical Examiner within the  
2 Department of the Attorney General.

3           Section 64 corrects a clerical error.

4           Section 65 corrects a grammatical error.

5           Section 66 corrects clerical errors.

6           Section 67 corrects a cross-reference and a clerical error and makes a grammatical  
7 change.

8           Section 68 corrects a grammatical error.

9           Section 69 corrects a clerical error.

10          Section 70 removes a cross-reference to a repealed section of law.

11          Section 71 corrects a conflict created when Public Law 2017, chapter 93 amended  
12 Title 34-B, section 1207, subsection 1, paragraph B-3 and chapter 147 repealed the  
13 paragraph. This section corrects the conflict by repealing Title 34-B, section 1207,  
14 subsection 1, paragraph B-3.

15          Section 72 corrects a cross-reference.

16          Section 73 corrects a cross-reference and makes a technical correction.

17          Section 74 makes a technical correction.

18          Sections 75 and 76 correct a numbering problem created by Public Law 2017,  
19 chapters 284 and 297, which enacted 2 substantively different provisions with the same  
20 paragraph letter, and make technical changes.

21          Section 77 corrects a conflict created by Public Law 2017, chapters 170 and 211,  
22 which affected the same provision of law, by incorporating the changes made by both  
23 laws.

24          Sections 78 to 80 remove cross-references to a repealed provision of law.

25          Sections 81 and 82 correct language to clarify intended use of a defined term.

26          Section 83 corrects a conflict created by Public Law 2017, chapter 284, Parts AAAA  
27 and DDDD, which affected the same provision of law, by incorporating the changes  
28 made by both laws.

29          Section 84 corrects a numbering problem created by Public Law 2017, chapters 108  
30 and 114, which enacted 2 substantively different provisions with the same subparagraph  
31 number.

32          Section 85 corrects references to the Office of Chief Medical Examiner within the  
33 Department of the Attorney General.

1           Section 86 corrects a clerical error.

2           Section 87 corrects clerical errors.

3           Section 88 changes a reference to the Board of Environmental Protection to the  
4 Commissioner of Environmental Protection to conform the provision to changes made by  
5 Public Law 2015, chapter 124, section 9.

6           Section 89 corrects the name of a program within the Department of Health and  
7 Human Services.

8           Section 90 corrects a cross-reference. The incorrect cross-reference results from the  
9 reallocation of the Maine Revised Statutes, Title 4, section 1610-J.