

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 1328 - L.D. 1984

An Act to Correct Inconsistencies, Conflicts and Errors in the Laws of Maine

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

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

Whereas, these inconsistencies, conflicts and errors create uncertainties and confusion in interpreting legislative intent; and

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

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

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

PART A

Sec. A-1. 2 MRSA §6, sub-§3, as amended by PL 2023, c. 643, Pt. DD, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

- Director, Bureau of General Services;
- Director, Bureau of Alcoholic Beverages and Lottery Operations;
- State Budget Officer;
- State Controller;
- Director, Bureau of Forestry;
- Director, Office of Policy Innovation and the Future;

Director, Governor's Energy Resources Office;
State Human Resources Officer;
Director, Bureau of Parks and Lands;
Director of the Governor's Office of Communications;
Director, Bureau of Agriculture, Food and Rural Resources;
Director, Bureau of Resource Information and Land Use Planning;
Director, Office of Cannabis Policy;
Executive Director, Office of Affordable Health Care; and
Director, Maine Office of Community Affairs.

Sec. A-2. 2 MRSA §9, sub-§3, ¶C, as amended by PL 2013, c. 541, §1, is further amended by amending subparagraph (1), division (c), subdivision (vi) to read:

(vi) Projections of wind energy developers' plans, as well as technology trends and their state policy implications; and

Sec. A-3. 2 MRSA §9, sub-§3, ¶C, as amended by PL 2013, c. 541, §1, is further amended by amending the first blocked paragraph to read:

The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may report out legislation by February 1st of each odd-numbered year relating to the content of the plan. The joint standing committee of the Legislature having jurisdiction over natural resources matters may make recommendations regarding that legislation to the joint standing committee of the Legislature having jurisdiction over energy matters;

Sec. A-4. 5 MRSA §1, as amended by PL 1975, c. 771, §23, is further amended to read:

§1. Appointment of temporary officials; removal; salary

In order to provide for the uninterrupted and orderly functioning of any agency, board, commission or department of the State Government during a vacancy in the office of the appointive or elective head thereof and whenever there is no state official, deputy, assistant or other state employee duly authorized by law to exercise the powers and perform the duties of ~~such~~ the appointive or elective head during ~~such~~ the vacancy, the Governor is empowered to appoint a temporary deputy commissioner to exercise the powers and perform the duties of the appointive or elective head of ~~such~~ the office during ~~such~~ the vacancy. The term of office of ~~such~~ a temporary deputy commissioner so appointed ~~shall~~ be is at the pleasure of the Governor and ~~shall~~ may not extend beyond the date of qualification of a successor to the office of appointive or elective head of ~~such~~ the agency, board, commission or department or 60 days from the date of ~~his~~ the temporary deputy commissioner's appointment, whichever ~~shall first occur~~ occurs first. The term of office of ~~such~~ a temporary deputy commissioner so appointed to an office to which appointments are by law subject to confirmation by the Legislature ~~shall be is~~ at the pleasure of the Governor and ~~shall~~ may not extend beyond the date of qualification of a successor appointed to ~~such~~ the office or 6 months from the date of the temporary deputy commissioner's appointment, whichever ~~shall first occur~~ occurs first. ~~Such~~ A temporary

deputy commissioner ~~shall~~ is not be eligible for reappointment. ~~Such~~ A temporary deputy commissioner ~~shall~~ must be appointed from the personnel of the agency, board, commission or department in which ~~such~~ the vacancy occurs.

During the term of ~~such~~ the temporary deputy commissioner's appointment, the temporary deputy commissioner ~~shall~~ must be paid a salary to be determined by the Governor but not to exceed that received by the appointive or elective head at the termination of ~~his~~ the head's services with the State Government.

In the event an employee in the classified service of the State Government is appointed as a temporary deputy commissioner ~~he shall, the employee,~~ during the term of ~~his~~ the employee's appointment as temporary deputy commissioner, ~~retain~~ retains all of the rights and all of the retirement benefits to which ~~he~~ the employee may be entitled as a classified employee of the State Government.

Sec. A-5. 5 MRSA §130, first ¶, as corrected by RR 2023, c. 2, Pt. B, §20, is amended to read:

A public officer or a person, firm, association or corporation paying money into the State Treasury may make the payment by delivering to the Treasurer of State a check, draft, certificate of deposit or money order drawn, endorsed and payable to the Treasurer of State or the Treasurer of State's order, or may make the payment by delivering to the Treasurer of State the proper amount of lawful currency. The Treasurer of State shall keep a record of all drafts, checks, certificates of deposit, money orders and cash received by the Treasurer of State and upon receipt thereof shall immediately cause the same to be placed to the credit of the State in some state depository. If any check, draft or certificate of deposit is not paid on presentation, the Treasurer of State shall proceed to collect the amount thereof, with costs, from the person ~~drawing same~~ who drew the check, draft or certificate of deposit. The Treasurer of State shall daily transmit to the State Controller a statement of all receipts into the State Treasury, giving such details thereof as the State Controller may require.

Sec. A-6. 5 MRSA §201 is amended to read:

§201. Attendance of witnesses; recognizances

When a criminal prosecution in which ~~he~~ the Attorney General appears is continued, the Attorney General shall cause the witnesses ~~in~~ on behalf of the State to recognize to appear at the next term, unless otherwise directed by the court, and may procure the attendance of a witness living out of the State ~~deemed~~ determined by ~~him~~ the Attorney General to be material in procuring an indictment or conviction. The court shall allow ~~such~~ the witness a reasonable compensation beyond ~~his~~ the witness's legal fees.

Sec. A-7. 5 MRSA §244, first ¶, as amended by PL 2003, c. 450, §4, is further amended to read:

The State Auditor may not perform the accounting functions for the State, but shall audit the accounts, books, records and other evidences of financial transactions kept in the Department of ~~Financial and Administrative~~ and Financial Services or in the other departments and agencies of State Government. The State Auditor shall prepare and publish a report for each fiscal year, setting forth the essential facts of such audits in summary form, within the following fiscal year after the books of the State Controller have been officially closed. If the State Auditor finds in the course of an audit evidences of

improper transactions, or of unacceptable practices in keeping accounts or handling funds or of any other improper practice of financial administration, the State Auditor shall report the same to the Governor and the Legislature immediately. After reporting evidence of material weaknesses or reportable conditions, the State Auditor shall provide for subsequent review to ensure that those conditions are addressed in a timely manner and report to the Governor and the Legislature to confirm the status of the correction of those conditions. If the State Auditor finds evidences of illegal transactions, the State Auditor shall immediately report those transactions both to the Governor and to the Attorney General. All such evidences must be included in the annual reports of the State Auditor, and the State Auditor may, at the State Auditor's discretion, make them public at any time during the fiscal year.

Sec. A-8. 5 MRSA §1541, sub-§9 is amended to read:

9. Illegality of expenditures. To report to the Attorney General for such action, civil or criminal, as ~~he may deem~~ the Attorney General considers necessary, all facts showing illegality in the expenditure of public ~~moneys~~ money or the misappropriation of public properties;

Sec. A-9. 5 MRSA §1746, 3rd ¶, as corrected by RR 2023, c. 2, Pt. B, §59, is amended to read:

The Treasurer of State shall collect all interest or income when due on the obligations so deposited and shall pay ~~the same~~ that total sum, when and as collected, to the contractor who deposited the obligations. If the deposit is in the form of coupon bonds, the Treasurer of State shall deliver each coupon as it matures to the contractor. The Treasurer of State may enter into a contract or agreement with any national bank, trust company or safe deposit company located in New England or New York City for custodial care and servicing of any securities deposited with the Treasurer of State pursuant to this section. Those services must consist of the safekeeping of those securities and of all services required to effectuate the purposes of this section.

Sec. A-10. 5 MRSA §9054, sub-§1, as corrected by RR 2023, c. 2, Pt. B, §80, is amended to read:

1. Intervention. On timely application made pursuant to agency rules, the agency conducting the proceedings shall allow any person showing that the person is ~~not~~ or may be, or is a member of a class that is or may be, substantially and directly affected by the proceeding, or any other agency of federal, state or local government, to intervene as a party to the proceeding.

Sec. A-11. 5 MRSA §11113, first ¶, as corrected by RR 2023, c. 2, Pt. B, §85, is amended to read:

The executive director shall, upon receipt of an application for review, determine the appropriate joint standing committee of the Legislature responsible for review of the rule in question and send the application and a copy of the rule in question to each member of the committee. Each member of the committee shall individually review the application to determine whether the applicant is qualified and whether the public interest would be served by a review of the rule in question by the full committee. If a committee member decides that the review should be made, the committee member shall notify the director within 15 days after notice was sent. If 1/3 or more of the full committee notify the director

that a review of the rule should be made, the director shall advise the ~~chair~~ chairs of the committee, who shall schedule a meeting of the committee to review the rule. If the committee votes not to review the rule, a report to that effect must be prepared by the director and sent to the applicant and the Legislative Council.

Sec. A-12. 5 MRSA §17001, sub-§17, as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

Sec. A-13. 5 MRSA §17001, sub-§22, as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

Sec. A-14. 5 MRSA §17001, sub-§26, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

26. Parent. "Parent" means ~~mother or father~~ a natural or adoptive parent or stepparent.

Sec. A-15. 5 MRSA §17107, sub-§2, ¶E, as amended by PL 2007, c. 491, §81, is further amended to read:

E. The actuary shall make whatever investigations the actuary considers necessary of the experience of each of the programs of the retirement system with respect to the factors that affect the cost of the benefits provided by ~~the~~ those programs.

(1) The purpose of the investigations is to determine the actuarial assumptions to be recommended to the board for adoption in connection with actuarial determinations required under this Part.

(2-A) These investigations must be made whenever the board, on recommendation of the actuary, determines an investigation to be necessary to the actuarial soundness or prudent administration of the program or programs to which the investigation is related. The determination must take into account program demographics and changes in program demographics, employment patterns and projections, relevant economic measures and expectations and other factors that the board or actuary considers significant. With respect to the retirement system program for state employees and teachers, if 6 fiscal years have elapsed without an investigation being conducted, the board must either conduct an investigation within the next fiscal year or must record in the official minutes of a meeting of the board, in each fiscal year until the year in which an investigation is conducted, its decision not to do so and the reason or reasons for its decision.

Sec. A-16. 5 MRSA §19001, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

§19001. Declaration of policy

In order to extend to employees of the political subdivisions of the State of Maine, and to the civilian employees of the Maine National Guard who are employed pursuant to ~~section 90 of the National Defense Act of June 3, 1916 (32 U.S.C., sec. 42)~~, whether members of existing retirement or pension systems or not, the benefits of social security, provided under the ~~Federal~~ federal Social Security Act enacted by the Congress of the United States, it is declared to be the policy of the Legislature, subject to the limitations of this chapter, that ~~such~~ steps be taken as to provide ~~such protection~~ those benefits to such employees on as broad a basis as is permitted under the federal Social Security Act. This chapter ~~shall apply~~ applies to employees of the Maine Maritime Academy who are

members of an existing retirement or pension system. This chapter ~~shall~~ does not apply to teachers who are under a state or local government pension or retirement plan, except teachers at the Maine Maritime Academy. ~~For the purposes of bringing~~ To bring sheriffs and their deputies under social security, these law enforcement officers ~~shall be deemed~~ are considered "policemen" for the purposes of the federal Social Security Act.

Sec. A-17. 10 MRSA §1044, sub-§12, ¶B, as corrected by RR 2023, c. 2, Pt. C, §10, is amended to read:

B. Revenue obligation securities of the authority may not be issued until the Director of ~~the Governor's Energy Resources Office~~ has reviewed and commented upon the project proposal. The director shall make comments within 30 days after receipt of a notification and copy of the project proposal from the authority. The authority shall take the comments into consideration in its processing of the project.

Sec. A-18. 10 MRSA §1211, sub-§8, as corrected by RR 2023, c. 2, Pt. C, §23, is amended to read:

8. Trade name. "Trade name" means a ~~work~~ word, name, symbol, device or any combination of the foregoing in any form or arrangement used by a person to identify the person's business, vocation or occupation and distinguish it from the business, vocation or occupation of others.

Sec. A-19. 10 MRSA §3263, as amended by PL 1981, c. 585, §7, is further amended to read:

§3263. Petition for release

Any owner of a building, wharf, pier or real estate upon which a lien is claimed may petition in writing the judge or justice of the court in which the lien action is filed setting forth the name of the lienor, the court and county or division in which the action is pending, the fact that a lien is claimed ~~thereon~~ under sections 3251 to 3254, the particular building, wharf, pier or real estate, and ~~his~~ the owner's interests therein in the building, wharf, pier or real estate, its value and ~~his~~ the owner's desire to have it released from ~~said~~ the lien. The judge or justice shall issue a written notice, which ~~shall~~ must be served on the lienor or ~~his~~ the lienor's attorney 10 days at least prior to the time fixed ~~therein in the notice~~ for a hearing. At the hearing, the judge or justice may order ~~such~~ the owner to give bond to the lienor in ~~such~~ an amount and with ~~such~~ sureties as ~~he~~ the judge or justice may approve, conditioned to pay the amount for which ~~such~~ the lienor may be entitled to a lien as determined by the court, with ~~his~~ the lienor's costs in the action, within 30 days after final decree or judgment. The clerk shall give the plaintiff an attested copy of the complaint and proceedings, with a certificate under seal of the court attached ~~thereto~~ to the copy of the complaint and proceedings, that ~~such~~ the bond has been duly filed in ~~his~~ the clerk's office. The record of ~~such~~ the copy and certificate in the registry of deeds, in the county or district where ~~such~~ the real estate or interest ~~therein in the real estate~~ lies, vacates the lien.

Sec. A-20. 10 MRSA §3601 is amended to read:

§3601. Logs and lumber generally

~~Whoever~~ A person who labors at cutting, hauling, rafting or driving logs or lumber, or at cooking for persons engaged in such labor, or in shoeing horses or oxen, or repairing property while thus employed, has a lien on the logs and lumber for the amount due for ~~his~~

that person's personal services and the services performed by his that person's team, and for the use of his that person's truck, motor vehicle or other mechanical equipment, which takes precedence of all other claims except liens reserved to the State. Whoever A person who both shores and runs logs by himself, his or whose servants or agents shore and run logs has a lien thereon on the logs for the price of such that shoring and running. Such The liens continue for 60 days after the logs or lumber arrive at the place of destination for sale or manufacture and may be enforced by attachment.

Sec. A-21. 10 MRSA §3801 is amended to read:

§3801. Vehicles, aircraft and parachutes

Whoever A person who performs labor by himself or his or whose employees perform labor in manufacturing or repairing the ironwork or woodwork of wagons, carts, sleighs and other vehicles, aircraft or component parts thereof, and parachutes, or so performing labor furnishes materials therefor or provides storage therefor by direction or consent of the owner thereof, shall have has a lien on such the vehicle, aircraft or component parts thereof, and parachutes for his that person's reasonable charges for said that labor, and for materials used in performing said that labor, and for said that storage, which takes precedence of all other claims and incumbrances on said those vehicles, aircraft or component parts thereof, and parachutes not made to secure a similar lien, and may be enforced by attachment at any time within 90 days after such the labor is performed or such the materials or storage furnished and not afterwards, provided as long as a claim for such the lien is duly filed as required in section 3802. Said The lien shall must be dissolved if said the property has actually changed ownership prior to such the filing.

Sec. A-22. 10 MRSA §3855 is amended to read:

§3855. Attachment of vessels on stocks; sale

If the vessel at the time is on the stocks, the attachment shall must be made by filing in the office of the clerk of the town in which such the vessel is located, within 48 hours thereafter after the order of attachment, a copy of so much of his the officer's return on the writ of attachment as relates to the attachment, with the name of the plaintiff, the name of the person liable for the debt, the description of the vessel as given in the writ of attachment, the date of the writ of attachment, the amount claimed and the court to which it is returnable, and by leaving a copy of such certificate with one of the owners of the vessel, if known to him the officer and residing within his the officer's precinct, or with the master workman thereon worker on the vessel. If the attachment is so made, the officer need not does not need to take possession of the vessel before it is launched unless specially directed by the plaintiff or his the plaintiff's attorney to do so, but he the officer shall, as soon as may be possible, afterwards. He The officer may take possession at any time before it the vessel is launched; but if he the officer does, he shall the officer may not hinder the work thereon on the vessel or prevent or delay the launching. If at the time of attachment the vessel is launched, it shall must be attached like other personal property. Whenever a vessel has been attached and the expense of retaining possession of said the vessel is great, or the vessel is liable to depreciate in value by reason thereof of retaining possession, any attaching creditor or an owner of said the vessel may bring an action in the Superior Court by complaint praying that said the vessel attached may be sold, and said the court may order a hearing thereon on the complaint. Due notice shall must be given to all parties in interest of the time and place appointed for said the hearing, and a hearing on said the

complaint ~~shall~~ must be had before ~~said~~ the court. If it appears to ~~said~~ the court to be for the benefit of all parties in interest that ~~said~~ the vessel should be sold, ~~it~~ the court shall issue to the officer in possession of the ~~same~~ vessel, or to the sheriff of the county in which ~~said~~ the vessel has been attached, an order to sell it at public auction, and shall designate in ~~said~~ the order the notice to be given of the time and place of ~~said~~ that sale. ~~Said~~ The vessel ~~shall~~ must be sold pursuant to ~~said~~ the order, and the proceeds of ~~such~~ the sale, after deducting necessary expenses, ~~shall~~ must be held by the first attaching officer or the sheriff, subject to the successive attachments, as if sold on execution. If ~~said~~ the parties do not consent to a sale as provided, Title 14, sections 4158 and 4352 to 4355, so far as ~~the same~~ those sections are applicable, ~~shall~~ apply to proceedings under this section.

Sec. A-23. 11 MRSA §5-1106, sub-§(2-A), as enacted by PL 2023, c. 669, Pt. A, §53 and affected by Pt. E, §1, is reallocated to 11 MRSA §5-1116, sub-§(2-A).

Sec. A-24. Effective date. That section of this Part that reallocates the Maine Revised Statutes, Title 11, section 5-1106, subsection (2-A) takes effect July 1, 2025.

Sec. A-25. 11 MRSA §9-1102, sub-§(80), ¶(d), as amended by PL 2023, c. 669, Pt. A, §83 and affected by Pt. E, §1, is further amended by amending the first blocked paragraph to read:

"Control" as provided in section 7-1106 and the following definitions in other Articles apply to this Article:

"Applicant"	Section 5-1102.
"Beneficiary"	Section 5-1102.
"Broker"	Section 8-1102.
"Certificated security"	Section 8-1102.
"Check"	Section 3-1104.
"Clearing corporation"	Section 8-1102.
"Contract for sale"	Section 2-106.
"Controllable electronic record"	Section 12-102.
"Customer"	Section 4-104.
"Entitlement holder"	Section 8-1102.
"Financial asset"	Section 8-1102.
"Holder in due course"	Section 3-1302.
"Issuer" (with respect to a letter of credit or letter-of-credit right)	Section 5-1102.
"Issuer" (with respect to a security)	Section 8-1201.
"Issuer" (with respect to documents of title)	Section 7-1102.
"Lease"	Section 2-1103.
"Lease agreement"	Section 2-1103.
"Lease contract"	Section 2-1103.
"Leasehold interest"	Section 2-1103.
"Lessee"	Section 2-1103.
"Lessee in ordinary course of business"	Section 2-1103.
"Lessor"	Section 2-1103.
"Lessor's residual interest"	Section 2-1103.

"Letter of credit"	Section 5-1102.
"Merchant"	Section 2-104.
"Negotiable instrument"	Section 3-1104.
"Nominated person"	Section 5-1102.
"Note"	Section 3-1104.
"Proceeds of a letter of credit"	Section 5-114 <u>5-1114</u> .
"Protected purchaser"	Section 8-1303.
"Prove"	Section 3-1103.
"Qualifying purchaser"	Section 12-102.
"Sale"	Section 2-106.
"Securities account"	Section 8-1501.
"Securities intermediary"	Section 8-1102.
"Security"	Section 8-1102.
"Security certificate"	Section 8-1102.
"Security entitlement"	Section 8-1102.
"Uncertificated security"	Section 8-1102.

Sec. A-26. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 11, section 9-1102, subsection (80), paragraph (d) takes effect July 1, 2025.

Sec. A-27. 11 MRSA §9-1306-B, sub-§(1), as enacted by PL 2023, c. 669, Pt. A, §101 and affected by Pt. E, §1, is amended to read:

(1). Except as provided in subsection (2), the local law of the controllable electronic record's jurisdiction specified in section 12-107, subsection 3 (3), paragraphs (c) and (d) governs perfection, the effect of perfection or nonperfection and the priority of a security interest in a controllable electronic record and a security interest in a controllable account or controllable payment intangible evidenced by the controllable electronic record.

Sec. A-28. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 11, section 9-1306-B, subsection (1) takes effect July 1, 2025.

Sec. A-29. 12 MRSA §13068-A, sub-§10, ¶A, as amended by PL 2023, c. 583, §1 and c. 646, Pt. A, §18, is further amended by repealing the first blocked paragraph and enacting the following in its place:

As used in this paragraph, "motorboat" does not include an airboat as defined in subsection 10-A.

Sec. A-30. 15 MRSA §3307, sub-§3, as amended by PL 2021, c. 365, §10 and affected by §37, is further amended to read:

3. **Record.** A verbatim record must be made of all detention, ~~bind-over~~ bind-over, adjudicatory and dispositional hearings.

Sec. A-31. 16 MRSA §705, sub-§4, as enacted by PL 2023, c. 560, Pt. B, §2, is amended to read:

4. **Confidential criminal history record information of person whose legal name has been changed.** Regardless of whether the order changing a person's name was made confidential under Title 18-C, section 1-701, subsection 3-A or any other provision of law, a Maine criminal justice agency may disseminate confidential criminal history record information associated with each former and current legal name of a person whose name

has been changed to any person or public or private entity that is authorized to receive confidential criminal history record information under subsection ~~1-A~~ 1.

Sec. A-32. 20-A MRSA §5001-A, sub-§2, ¶B, as amended by PL 2009, c. 330, §1, is further amended by amending subparagraph (5) to read:

(5) Agreed in writing with that person's parent and the school board or its designee to meet annually until that person's 17th birthday to review that person's educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent may appeal to the commissioner; or

Sec. A-33. 20-A MRSA §5001-A, sub-§2, ¶D, as amended by PL 2009, c. 330, §2, is further amended to read:

D. A person who has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to attendance in public school under this paragraph must be approved by the commissioner; ~~or~~.

Sec. A-34. 20-A MRSA §5001-A, sub-§2, ¶E, as amended by PL 2015, c. 448, §9, is repealed.

Sec. A-35. 20-A MRSA §7209-A, sub-§5, as enacted by PL 2023, c. 643, Pt. W, §17, is amended to read:

5. Transition of Child Development Services System regional sites to regional support and service hubs. When a school administrative unit is responsible for child find activities and for ensuring a free, appropriate public education, the Child Development Services System site in that region shall transition to serve as a regional support and service hub to meet the requirements of section ~~7242~~ 7211 and to make necessary services and supports available in accordance with a memorandum of understanding developed between the department and the school administrative unit before the transition of responsibility occurs. The regional support and service hubs must be aligned with the 9 superintendent regions established by the statewide association of superintendents.

Sec. A-36. 22 MRSA c. 415, as amended, is repealed.

Sec. A-37. 22 MRSA §2127, sub-§6, as amended by PL 2023, c. 597, §2, is further amended to read:

6. Coordination with Medicaid and the ~~Cub-Care program~~ Children's Health Insurance Program. The department shall coordinate assistance under this chapter with Medicaid and the Children's Health Insurance Program under section 3174-T in a manner most likely to obtain and maximize federal matching funds.

Sec. A-38. 22 MRSA §2423-A, sub-§10, ¶E, as repealed and replaced by PL 2023, c. 646, Pt. A, §25 and c. 679, Pt. A, §7, is repealed and the following enacted in its place:

E. A cannabis testing facility shall obtain and must be able to produce, upon demand of the office or a municipal code enforcement officer, documentation of the facility's accreditation pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body.

Sec. A-39. 22 MRSA §2843, first ¶, as amended by PL 2023, c. 676, §10, is further amended to read:

Except as authorized by the department, a dead human body may not be buried, cremated, subjected to natural organic reduction or otherwise disposed of or removed from the State until a funeral director or other authorized person in charge of the disposition of the dead human body or its removal from the State has obtained a permit from the State Registrar of Vital Statistics or the clerk of the municipality where death occurred or where the establishment of a funeral director having custody of the dead human body is located as specified by department rule. The permit is sufficient authority for final disposition in any place where dead human bodies are disposed of in this State, as long as the requirements of ~~section 2900-A~~ and Title 32, ~~sections section 1405 and 2900-A~~ are met in appropriate cases. The permit may not be issued to anyone other than a funeral director until the state registrar or the clerk of the municipality receives a medical certificate that has been signed by a physician or a medical examiner that indicates that the physician or medical examiner has personally examined the body after death. A permit must also be issued if a nurse practitioner or physician assistant has signed the medical certificate indicating that the nurse practitioner or physician assistant has knowledge of the deceased's recent medical condition or was in charge of the deceased's care and that the nurse practitioner or physician assistant has personally examined the body after death. The authorized person may transport a dead human body only upon receipt of this permit.

Sec. A-40. 22 MRSA §2843, sub-§3-A, as repealed by PL 2023, c. 67, §4 and amended by c. 676, §13, is repealed.

Sec. A-41. 22 MRSA §2900-A, sub-§8, as enacted by PL 2023, c. 676, §19, is amended to read:

8. Certificate from medical examiner or medicolegal death investigator. The body of a deceased person may not be subjected to natural organic reduction within 48 hours after death unless the person died of a contagious or infectious disease, and in no event may the body of a deceased person be subjected to natural organic reduction until the natural organic reduction facility in charge of the disposition has received a certificate from a duly appointed medical examiner or medicolegal death investigator appointed pursuant to ~~Title 22, section 3023-A~~ that the medical examiner or medicolegal death investigator has made personal inquiry into the cause and manner of death and is satisfied that further examination or judicial inquiry concerning the cause and manner of death is not necessary. This certificate, a certified copy of the death certificate and a burial transit permit, if necessary, when presented by the authorized person as defined in ~~Title 22, section 2846~~ is sufficient authority for the body to be subjected to natural organic reduction, and the natural organic reduction facility in charge of the disposition may not refuse to subject the body to natural organic reduction solely because these documents are presented by such an authorized person. The certificate must be retained for a period of 15 years by the natural organic reduction facility in charge of subjecting the body to natural organic reduction. For the certificate, the medical examiner must receive a fee of \$25 payable by the person requesting the certificate. This fee may be waived at the discretion of the Chief Medical Examiner.

Sec. A-42. 23 MRSA §4210-B, sub-§5, as amended by PL 2011, c. 649, Pt. E, §2, is further amended to read:

5. Other fund sources. The Multimodal Transportation Fund may accept funds from other sources, including, but not limited to, the Federal Rail Railroad Administration, to carry out the provisions of this section.

Sec. A-43. 24 MRSA §2902, as amended by PL 2013, c. 329, §2, is further amended by amending the section headnote to read:

§2902. Statute of limitations for health care providers and health care practitioners excluding claims based on sexual acts

Sec. A-44. 24 MRSA §2902, first ¶, as amended by PL 2013, c. 329, §2, is further amended to read:

~~Except as provided in section 2902-B, actions~~ Actions for professional negligence must be commenced within 3 years after the cause of action accrues. For the purposes of this section, a cause of action accrues on the date of the act or omission giving rise to the injury. Notwithstanding the provisions of Title 14, section 853, relating to minority, actions for professional negligence by a minor must be commenced within 6 years after the cause of action accrues or within 3 years after the minor reaches the age of majority, whichever first occurs. This section does not apply when the cause of action is based upon the leaving of a foreign object in the body, in which case the cause of action accrues when the plaintiff discovers or reasonably should have discovered the harm. For the purposes of this section, the term "foreign object" does not include a chemical compound, prosthetic aid or object intentionally implanted or permitted to remain in the patient's body as a part of the health care or professional services.

Sec. A-45. 26 MRSA §351, as enacted by PL 1987, c. 594, §1, is amended to read:

§351. Rules

The Commissioner of Labor shall adopt rules in accordance with ~~the Maine Administrative Procedure Act~~, Title 5, chapter 375, relating to sanitation on railroad property as it affects the safety and health of railroad employees, including, but not limited to, ~~enginemen, trainmen, yardmen,~~ engineers, yard workers, maintenance-of-way employees, clerical employees, ~~carmen~~ and enginehouse employees.

Sec. A-46. 26 MRSA §968, sub-§2, as corrected by RR 2023, c. 2, Pt. E, §56, is amended by amending the first blocked paragraph to read:

The salary of the executive director must be established by the board within salary range 86 and may be adjusted periodically by the board within the limits for salary review procedures established in Title 2, section 6, ~~subsection 5~~.

Sec. A-47. 26 MRSA §1227, sub-§1, as corrected by RR 2023, c. 2, Pt. E, §116, is amended by amending the first blocked paragraph to read:

The ~~foregoing~~ remedies in this subsection are in addition to all other remedies.

Sec. A-48. 26 MRSA §1228, as corrected by RR 2023, c. 2, Pt. E, §117, is amended to read:

§1228. Liability of successor

An individual or organization, including the types of organizations described in section 1043, subsection 10, whether or not an employing unit, that acquires the organization, trade or business or a substantial part of the assets thereof from an employer, is liable, in an amount not to exceed the reasonable value of the organization, trade, business or assets acquired, for any contributions or interest due or accrued and unpaid by the employer, and the amount of the liability must, in addition, be a lien against the property or assets

acquired, which must be prior to all other liens. The lien may not be valid as against a person who acquires from the successor any interest in the property or assets in good faith, for value and without notice of the lien. Upon written request made after the acquisition is completed, the commissioner shall furnish the successor with a written statement of the amount of contributions and interest due or accrued and unpaid by the employer as of the date of the acquisition, and the amount of the liability of the successor or the amount of the lien may not exceed the liability disclosed by the statement. The ~~foregoing~~ remedies in this section are in addition to all other existing remedies against the employer or the employer's successor.

Sec. A-49. 26 MRSA §1230, sub-§3, as corrected by RR 2023, c. 2, Pt. E, §119, is amended to read:

3. Warrant effective as lien. An abstract or copy of the warrant may be filed for record in the registry of deeds of any county. From the time of the filing, the amount specified in the warrant constitutes a lien upon all real property and other tangible assets in the county or town owned by the liable employer or acquired by the liable employer during the period of the lien. The lien has the force, effect and priority of a judgment lien and continues for 5 years from the date of recording, unless sooner released or otherwise discharged or extended as prescribed ~~herein~~ in this subsection. The lien may be extended for an additional 5-year period by filing, for record in the registry of deeds, an abstract or copy of the warrant within the original 5-year period or within 5 years from the date of the last extension of the lien.

Sec. A-50. 28-B MRSA §201, sub-§4, as amended by PL 2019, c. 676, §5 and amended by PL 2021, c. 669, §5, is further amended to read:

4. Cannabis store. ~~Consistent with the restrictions of section 205, subsection 2, paragraph C, a~~ A cannabis store license; or

Sec. A-51. 28-B MRSA §703, sub-§1, ¶D, as repealed and replaced by PL 2023, c. 641, §1 and c. 679, Pt. B, §127, is repealed and the following enacted in its place:

D. Unless determined impracticable by the office by rule, must be stamped or embossed with a universal symbol on each serving of the edible cannabis product or each serving must be individually wrapped or blister packaged with a universal symbol clearly included on the wrapping or packaging. In the event the office determines by rule that stamping, embossing, individual wrapping or blister packaging for a particular type of edible cannabis product is impracticable, each serving of the product must be packaged together with the universal symbol affixed to the packaging. For purposes of this chapter, edible cannabis products that are determined to be impracticable to stamp, emboss, individually wrap or blister package include but are not limited to:

- (1) Potato or corn chips;
- (2) Popcorn;
- (3) Pretzels;
- (4) Loose granola; and
- (5) Gummies;

Sec. A-52. 32 MRSA §85, sub-§9, as enacted by PL 2023, c. 587, §1, is amended to read:

9. Dogs. Notwithstanding section 4860, an emergency medical services person licensed under this chapter may provide emergency medical treatment to a law enforcement dog, as defined in Title 14, section 164-B, subsection 1, paragraph B, or to a search and rescue dog, as defined in Title 14, section 164-B, subsection 1, paragraph D, in accordance with protocols adopted by the Medical Direction and Practices Board.

Sec. A-53. 32 MRSA §19312, sub-§2, ¶D, as enacted by PL 2023, c. 580, §8, is amended to read:

D. The dispensing party may dispense contact lenses only upon receipt of a written prescription, except that an optometrist may fill a prescription of another optometrist or a physician without a copy of the prescription. Mail order contact lens suppliers must be licensed by and register with the Maine Board of Pharmacy pursuant to ~~Title 32~~, section 13751 and are subject to discipline by that board for violations of that board's rules and the laws governing the board. An individual who fills a contact lens prescription shall maintain a copy of that prescription for a period of 5 years.

Sec. A-54. 34-A MRSA §5806, as enacted by PL 1983, c. 459, §6, is amended to read:

§5806. Violations of parole

A probation-parole officer may arrest and charge a parolee with violation of parole and take ~~him~~ the parolee into ~~his~~ the probation-parole officer's custody in any place ~~he~~ the parolee may be found, and detain the parolee in any jail, pending the issuance of a parole violation warrant, ~~which. The detention shall~~ may not extend beyond the next business day of the office of the ~~director~~ commissioner. In the event a warrant is not issued in that time, the parolee ~~shall~~ must be released from arrest and detention ~~forthwith~~ immediately. A parolee so arrested and detained ~~shall have no~~ does not have a right of action against the probation-parole officer or any other persons because of that arrest and detention.

When a parolee violates a condition of ~~his~~ the parolee's parole or violates the law, the ~~director~~ commissioner may issue a warrant for ~~his~~ the parolee's arrest. A probation-parole officer, or any other law enforcement officer within the State authorized to make arrests, may arrest the parolee on the warrant and return ~~him~~ the parolee to the institution from which ~~he~~ the parolee was paroled. At its next meeting at that institution, the board shall hold a hearing. The parolee is entitled to appear and be heard. If the board, after hearing, finds that the parolee has violated ~~his~~ the parolee's parole or the law, it shall revoke ~~his~~ the parolee's parole, set the length of time ~~he shall~~ the parolee must serve of the unexpired portion of ~~his~~ the parolee's sentence before ~~he can~~ the parolee may again be eligible for hearing by the board, and remand ~~him~~ the parolee to the institution from which ~~he~~ the parolee was released; except that, when a parolee from the Maine Correctional Center violates the law and is sentenced by the court to the Maine State Prison, any length of time set by the board to be served of the unexpired portion of ~~his~~ the parolee's correctional center sentence may be served at the Maine State Prison.

1. Forfeits deductions. Upon revocation of parole by the board, the prisoner forfeits any deductions for good behavior earned while on parole.

2. May earn deductions. While serving the unexpired portion of ~~his~~ the prisoner's sentence after parole has been revoked, the prisoner may earn deductions for good conduct.

Whenever a warrant is issued under this section for the arrest of a parolee, the running of the parolee's sentence ~~shall~~ must be interrupted and ~~shall~~ must remain interrupted until the parolee is returned to the institution from which ~~he~~ the parolee was paroled. Interruption of the running of ~~his~~ the parolee's sentence ~~shall~~ must include any time served prior to such return, after conviction for a crime committed while on parole.

In the event of the withdrawal of the warrant by authority of the ~~director~~ commissioner, or in the event that the board at the hearing on the alleged violation finds that the parolee did not violate the conditions of ~~his~~ the parolee's parole, or the law, ~~he~~ shall the parolee must be credited with the time lost by the interruption of the running of ~~his~~ the parolee's sentence.

Sec. A-55. 34-B MRSA §3613, as enacted by PL 2023, c. 643, Pt. KKK, §1, is repealed.

Sec. A-56. 34-B MRSA §3613, as enacted by PL 2023, c. 675, §9, is reallocated to 34-B MRSA §3614.

Sec. A-57. 36 MRSA §5202-E, sub-§1, ¶D, as enacted by PL 2023, c. 627, §1, is amended to read:

D. The percentage of corporations that filed corporate income taxes doing business in the State that reported total corporate income tax due of zero or less for the 4 most recent tax years for which there is complete data; ~~and~~

Sec. A-58. 38 MRSA §342, first ¶, as enacted by PL 1971, c. 618, §8, is amended to read:

The Commissioner of Environmental Protection ~~shall have~~ has the following duties:

Sec. A-59. 38 MRSA §486-A, sub-§2-A, as enacted by PL 2023, c. 644, §11 and c. 660, §13, is repealed and the following enacted in its place:

2-A. Developer; route analysis; public participation. The department shall require an applicant who has submitted an application pursuant to section 485-A related to the development and construction of a transmission line or lines requiring approval under this article to demonstrate to the department that the applicant conducted one or more public meetings regarding the transmission line or lines prior to the submission of its application. The public meetings must include the presentation of information regarding the proposed transmission line or lines, including but not limited to proposed route information, and provide an opportunity for public participation and comment. Information presented and public comments received at the public meetings must be made publicly available and be part of the record of any department or board proceeding.

Sec. A-60. PL 2023, c. 669, Pt. A, §22 is repealed and the following enacted in its place:

Sec. A-22. 11 MRSA §2-1102, as enacted by PL 1991, c. 805, §4, is repealed and the following enacted in its place:

§2-1102. Scope

(1). This Article applies to any transaction, regardless of form, that creates a lease and, in the case of a hybrid lease, it applies to the extent provided in subsection (2).

(2). In a hybrid lease:

(a). If the aspects of the lease that relate to the lease of goods do not predominate:

(i) Only the provisions of this Article that relate primarily to those aspects of the transaction apply and the provisions that relate primarily to the transaction as a whole do not apply;

(ii) Section 2-1209 applies if the lease is a finance lease; and

(iii) Section 2-1407 applies to the promises of the lessee in a finance lease to the extent the promises are consideration for the right to possession and use of the leased goods; and

(b). If the aspects of the lease that relate to the lease of goods predominate, this Article applies to the transaction but does not preclude application in appropriate circumstances of other law to aspects of the lease that do not relate to the lease of goods.

Sec. A-61. Effective date. That section of this Part that repeals and replaces Public Law 2023, chapter 669, Part A, section 22 takes effect July 1, 2025.

PART B

Sec. B-1. 5 MRSA §81, as amended by PL 1977, c. 674, §1, is further amended to read:

§81. Office and duties; vacancy; salary; expenses; fees

The Department of the Secretary of State, as heretofore established, ~~shall consist~~ consists of the Secretary of State, the State Archives and such other state departments and agencies as are by law subject to the direction of the Secretary of State. The secretary shall keep ~~his~~ the Secretary of State's office at the seat of government; have the custody of the state seal and preserve all records in ~~such~~ that office, at the expense of the State. The Secretary of State may appoint deputy secretaries of state who shall serve at the pleasure of the Secretary of State. The secretary shall designate one of ~~his~~ the deputies as first deputy secretary of state. When a vacancy happens in the office of Secretary of State during the recess of the Legislature, the first deputy secretary of state shall act as Secretary of State until a Secretary of State is elected by the Legislature. ~~Such~~ That deputy shall take the oath required of the elected Secretary of State and must have the same compensation while ~~he~~ performs ~~performing~~ the duties of the office.

The Secretary of State and ~~his deputy~~ shall any deputy secretaries of state must receive such actual traveling expenses incident to the administration of ~~his department~~ the Department of the Secretary of State as ~~shall be~~ are necessary.

The Secretary of State shall collect the legal and usual fees payable to ~~him~~ by virtue of his office the Secretary of State and shall pay them over ~~forthwith~~ immediately to the Treasurer of State.

Sec. B-2. 8 MRSA §263-A, sub-§7, as enacted by PL 2017, c. 371, §1, is amended to read:

7. Input on the promotion of harness racing. The commission shall invite input from a statewide association of harness ~~horsemen~~ horse owners, trainers and drivers, a statewide association of Standardbred breeders, a statewide association of agricultural fairs and persons who are members of organizations representing the interests of commercial harness racing tracks and off-track betting facilities on the marketing and promotion of harness racing in this State.

Sec. B-3. 8 MRSA §271, sub-§2, as amended by PL 2019, c. 626, §§4 to 6, is further amended to read:

2. Minimum number of race days; criteria for date awards. The commission shall determine the number of race days that should be awarded to licensed applicants pursuant to this section based on the criteria set forth herein. The commission may award fewer than the minimum race days set forth in section 275-A, subsection 1 to commercial tracks with the express written approval of the track, and with the express written approval of an association of ~~horsemen~~ horse owners, trainers and drivers as defined in section 272-B, if credible evidence is presented that demonstrates that fewer race days is in the best interest of Maine's harness racing industry. The award of fewer race days than set forth in section 275-A, subsection 1 may not affect the status of those tracks as commercial tracks pursuant to section 299. In assigning race dates to licensees, the commission shall consider the following factors:

- A. The revenues to be generated, consistent with the profitability and financial health of the licensee and the development of revenues from interstate simulcasting of the licensee's race programming, for the operating account pursuant to section 287; the purse supplements pursuant to section 286; the Sire Stakes Fund pursuant to section 281; and the Stipend Fund pursuant to Title 7, section 86;
- B. The quality of race programming and facilities offered and to be offered by the licensee, the suitability of the applicant's racing facilities for operation at the season for which the race dates are requested and the ability of the applicant to offer racing at night;
- C. The necessity of having and maintaining proper physical facilities for racing meetings, including the ability to maintain ownership of or a leasehold on the facilities; and consequently, to ensure the continuance of the facilities, the quality of the licensee's maintenance of its track and plant, the adequacy of its provisions for rehabilitation and capital improvements and the necessity of fair treatment of the economic interests and investments of those who, in good faith, have provided and maintained racing facilities;
- D. The desirability of reasonable consistency in the pattern of race date assignments from year to year;
- E. With respect to agricultural societies seeking licenses to conduct harness racing meets at the time of their annual fairs, the scheduling of agricultural fairs determined by the Commissioner of Agriculture, Conservation and Forestry pursuant to Title 7, sections 83 and 84;
- F. The preservation of a diversity of harness racing tracks in the State;
- G. The quality of the licensee's observance and enforcement of this chapter and the rules adopted pursuant to this chapter during the past year;

- H. The extent to which the licensee fully utilized race dates granted to it for the past year;
- I. The personnel and resources available to the commission for the enforcement of this chapter and the rules adopted pursuant to this chapter;
- J. The likely availability of race-worthy horses throughout the year with a goal of promoting full cards and avoiding 5-horse fields; and
- K. Such other criteria consistent with the betterment of harness racing and the public health, safety and welfare as the commission may establish by rule.

If the executive director or the commission determines that any of the criteria listed in this subsection have not been met by the licensee, the executive director shall submit a notice of the deficiency in meeting any criteria to the licensee, regardless of whether the deficiency resulted in the denial of the application for or the refusal to award race dates. The director shall also submit a copy of the notice in the same manner and at the same time to the joint standing committee of the Legislature having jurisdiction over agriculture matters.

Sec. B-4. 8 MRSA §272-B, first ¶, as amended by PL 2013, c. 490, §1, is further amended to read:

Notwithstanding any ~~other~~ provision of this chapter to the contrary, up to 3% of funds designated to supplement purses may be paid to a statewide association of ~~horsemen~~ horse owners, trainers and drivers in accordance with this section. A statewide association of ~~horsemen~~ horse owners, trainers and drivers, referred to in this section as "the association," means an association of ~~horsemen~~ horse owners, trainers and drivers a majority of the membership of which is composed of owners, trainers and drivers or any combination of owners, trainers and drivers who are licensed by the commission and whose officers are authorized by the membership to negotiate with a person licensed to conduct racing under section 271 on behalf of the association's membership.

Sec. B-5. 8 MRSA §272-C, sub-§1, as amended by PL 2017, c. 231, §13, is further amended to read:

1. Establishment; deposits; rules. A licensee conducting live racing in the State shall establish a trust account for the benefit of the persons who race horses at that licensee's facility. Except as provided by subsection 3, funds distributed to or retained by the licensee pursuant to sections 287, 289, 290, 292 and 298 and Title 7, section 91, less any administrative assessments pursuant to section 267-A, that must be used to pay or supplement harness racing purses must be deposited in that account and used exclusively to pay harness racing purses. The funds in a trust account established in accordance with this subsection are not considered to be property of the licensee, may not be pledged as security for the debts of the licensee and are not subject to attachment or execution by creditors of the licensee. The commission may adopt rules governing the handling of trust accounts, providing for the reallocation of trust account funds to other licensed commercial tracks in the event that a track ceases operation or cancels a significant number of race days, as determined by the commission, and governing the handling of harness racing purses at any commercial track that does not have a contract with a statewide ~~horsemen~~ association of horse owners, trainers and drivers. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. B-6. 8 MRSA §275-A, sub-§1, ¶A, as repealed and replaced by PL 2021, c. 406, §1, is amended by amending subparagraph (2) to read:

(2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of ~~horsemen~~ horse owners, trainers and drivers as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry; or

Sec. B-7. 8 MRSA §275-A, sub-§1, ¶B, as repealed and replaced by PL 2021, c. 406, §2, is amended by amending subparagraph (2) to read:

(2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of ~~horsemen~~ horse owners, trainers and drivers as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry.

Sec. B-8. 8 MRSA §275-D, sub-§8, ¶B, as amended by PL 1997, c. 528, §22, is further amended by amending subparagraph (2) to read:

(2) Either the association representing the ~~horsemen~~ horse owners, trainers and drivers at those tracks at that time or the commission.

Sec. B-9. 8 MRSA §286, sub-§1, ¶A, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 3.315%; and

Sec. B-10. 8 MRSA §286, sub-§1, ¶B, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 0.526%; and

Sec. B-11. 8 MRSA §286, sub-§2, ¶A, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (5) to read:

(5) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 7.871%;

Sec. B-12. 8 MRSA §286, sub-§2, ¶B, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (5) to read:

(5) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 5.062%;

Sec. B-13. 8 MRSA §286, sub-§3, ¶A, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 4.305%; and

Sec. B-14. 8 MRSA §286, sub-§3, ¶B, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 1.512%; and

Sec. B-15. 8 MRSA §286, sub-§5, ¶A, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 16.558%; and

Sec. B-16. 8 MRSA §286, sub-§5, ¶B, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 8.399%; and

Sec. B-17. 8 MRSA §286, sub-§7, ¶A, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 4.305%; and

Sec. B-18. 8 MRSA §286, sub-§7, ¶B, as enacted by PL 1997, c. 528, §46, is amended by amending subparagraph (6) to read:

(6) The ~~horsemen's~~ horse owners', trainers' and drivers' purse share is 1.512%; and

Sec. B-19. 8 MRSA §292, as amended by PL 2001, c. 300, §§2 and 3, is further amended to read:

§292. Horsemen's Horse owners', trainers' and drivers' purse share

Amounts calculated as ~~horsemen's~~ horse owners', trainers' and drivers' purse share under section 286 must be retained by the licensee to supplement purse money at the track where the wager was placed, except that, for wagers placed at a racetrack in the State on a simulcast race conducted at another racetrack in the State, 1.512% of the regular wagers and 4.305% of the exotic wagers must be sent to the track in the State where the harness race was conducted.

Sec. B-20. 8 MRSA §1037, sub-§4, ¶F, as enacted by PL 2011, c. 358, §6, is amended to read:

F. An accounting of the Sire Stakes Fund, including the total amount of the fund at the beginning and end of the racing season and, reported separately, expenditures used to supplement purses, pay breeder promotional contracts, pay advertising costs, make payments to a statewide ~~horsemen~~ association of horse owners, trainers and drivers, pay administrative costs and make contributions to the operating account described in section 267-A.

Sec. B-21. 10 MRSA §3251, as amended by PL 2015, c. 56, §1, is further amended to read:

§3251. Lien established

~~Whoever~~ A person who performs labor or furnishes labor or materials, including repair parts of machines used, or performs services as a surveyor, an architect, a forester licensed under Title 32, chapter 76 or an engineer, or as a real estate licensee, or as an owner-renter, owner-lessor, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such objects are constructed, or in selling any interest in land, improvements or structures, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest ~~such~~ the owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches

to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of ~~such~~ the land, building, wharf or pier, so contracting, is a minor ~~or married woman~~, such the lien exists and ~~such~~ that minority ~~or coverture~~ does not bar a recovery in any proceeding brought to enforce it.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.