

REVISOR'S REPORT 2017
Chapter 1

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

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Sec. 1. 5 MRSA §13056-D, sub-§3, ¶D, as enacted by PL 2009, c. 414, Pt. G, §1 and affected by §5, is corrected to read:

D. A subcommittee appointed by the panel to nominate finalists shall review all of the proposals, identify issues for full review and discussion by the panel and ~~recommended~~ recommend project finalists to the full panel for detailed review and consideration.

EXPLANATION

This section corrects a clerical error.

Sec. 2. 5 MRSA §13056-D, sub-§7, as enacted by PL 2009, c. 414, Pt. G, §1 and affected by §5, is corrected to read:

7. Communities for Maine's Future Fund created. The Communities for Maine's Future Fund, ~~known~~ referred to in this subsection as "the fund," is established to provide funding for the rehabilitation, revitalization and enhancement of downtowns and village centers and main streets in the State. The fund is a dedicated, nonlapsing fund, and all revenues deposited in the fund remain in the fund and must be disbursed in accordance with this section.

EXPLANATION

This section corrects clerical errors.

Sec. 3. 5 MRSA §13056-E, sub-§1, as enacted by PL 2009, c. 414, Pt. G, §2 and affected by §5, is corrected to read:

1. Application for downtown improvement or asset grants. In addition to the other forms of financial assistance available, an eligible municipality or group of municipalities may apply for a downtown and community development grant from the Communities for Maine's Future Fund established in section 13056-D, subsection 7 and referred to in this section as "the fund," the proceeds of which must be used to acquire, design, plan, construct, enlarge, repair, protect or enhance downtown improvements or assets. The department may prescribe an application form or procedure for an eligible municipality or group of municipalities to apply for a grant under this section. The application must include all information necessary for the purpose of implementing this section.

EXPLANATION

This section corrects a clerical error.

Sec. 4. 12 MRSA §6087, sub-§2, ¶A, as enacted by PL 2017, c. 52, §2, is corrected to read:

A. Make recommendations to the commissioner on all matters concerning the health of the seaweed resource, its ecosystem and the industry it supports; and

EXPLANATION

This section makes a technical correction.

Sec. 5. 12 MRSA §6371, sub-§4, ¶I, as enacted by PL 2017, c. 197, §3, is corrected to read:

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

EXPLANATION

This section corrects a clerical error.

Sec. 6. 14 MRSA §1202-A, as amended by PL 2017, c. 223, §3, is corrected to read:

§1202-A. Prohibition of discrimination

A citizen ~~shall~~ may not be excluded from jury service in this State on account of race, color, religion, sex, sexual orientation as defined in Title 5, section 4553, subsection 9-C, national origin, ancestry, economic status, marital status, age or physical handicap, except as provided in this chapter.

EXPLANATION

This section corrects a grammatical error.

Sec. 7. 14 MRSA §4422, sub-§13, ¶E, as amended by PL 2017, c. 177, §2, is corrected to read:

E. A payment or account under a stock bonus, pension, ~~profit-sharing~~ profit-sharing, annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, unless:

- (1) The plan or contract was established by or under the auspices of an insider that employed the debtor at the time the debtor's rights under the plan or contract arose;
- (2) The payment is on account of age or length of service; and

(3) The plan or contract does not qualify under the United States Internal Revenue Code of 1986, Section 401(a), 403(a), 403(b), 408 or 409.

EXPLANATION

This section corrects a clerical error.

Sec. 8. 14 MRSA §6030-F, as enacted by PL 2015, c. 455, §1, is corrected to read:

§6030-F. Firearms in ~~public~~ federally subsidized housing

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

A. "Firearm" has the same meaning as in Title 12, section 10001, subsection 21.

B. "Rental agreement" means an agreement, written or oral, and valid rules and regulations embodying the terms and conditions concerning the use and occupancy of a dwelling unit and premises.

C. "Subsidized apartment" means a rental unit for which the landlord receives rental assistance payments under a rental assistance agreement administered by the United States Department of Agriculture under the multifamily housing rental assistance program under Title V of the federal Housing Act of 1949 or receives housing assistance payments under a housing assistance payment contract administered by the United States Department of Housing and Urban Development under the housing choice voucher program, the new construction program, the substantial rehabilitation program or the moderate rehabilitation program under Section 8 of the United States Housing Act of 1937. "Subsidized apartment" does not include owner-occupied housing accommodations of 4 units or fewer.

2. Prohibition or restriction on firearms prohibited. A rental agreement for a subsidized apartment may not contain a provision or impose a rule that requires a person to agree, as a condition of tenancy, to a prohibition or restriction on the lawful ownership, use or possession of a firearm, a firearm component or ammunition within the tenant's specific rental unit. A landlord may impose reasonable restrictions related to the possession, use or transport of a firearm, a firearm component or ammunition within common areas as long as those restrictions do not circumvent the purpose of this subsection. A tenant shall exercise reasonable care in the storage of a firearm, a firearm component or ammunition.

3. Damages; attorney's fees. If a landlord brings an action to enforce a provision or rule prohibited under subsection 2, a tenant, tenant's household member or guest may recover actual damages sustained by that tenant, tenant's household member or guest and reasonable attorney's fees.

4. Immunity. Except in cases of willful, reckless or gross negligence, a landlord is not liable in a civil action for personal injury, death, property damage or other damages resulting from or arising out of an occurrence involving a firearm, a firearm component or ammunition that the landlord is required to allow on the property under this section.

5. Exception. This section does not apply to any prohibition or restriction that is required by federal or state law, rule or regulation.

EXPLANATION

This section corrects a headnote to reflect the substance of the section.

Sec. 9. 15 MRSA §5825, sub-§1, as enacted by PL 1987, c. 420, §2, is corrected to read:

1. Records of forfeited property. Any officer, department or agency having custody of property subject to forfeiture under section 5821 or having disposed of the property shall maintain complete records showing:

- A. From whom it received the property;
- B. Under what authority it held, received or disposed of the property;
- C. To whom it delivered the property;
- D. The date and manner of destruction or disposition of the property; and
- E. The exact kinds, quantities and forms of the property.

The records ~~shall~~ must be open to inspection by all federal and state officers responsible for enforcing federal and state drug control laws. Persons making final disposition or destruction of the property under court order shall report, under oath, to the court the exact circumstances ~~of~~ of the disposition or destruction.

EXPLANATION

This section corrects a clerical and a grammatical error.

Sec. 10. 17 MRSA §1831, sub-§4-A, as enacted by PL 2017, c. 284, Pt. KKKKK, §7, is corrected to read:

4-A. Gambling Control Unit. "Gambling Control Unit" or "unit" means the bureau within the Department of Public Safety under Title 25, section 2902, subsection 12 or an authorized representative of the Gambling Control Unit.

EXPLANATION

This section corrects a clerical error.

Sec. 11. 20-A MRSA §15683, sub-§1, ¶D, as amended by PL 2005, c. 2, Pt. D, §47 and affected by §§72 and 74 and by c. 12, Pt. WW, §18, is corrected to read:

D. If the school administrative unit is eligible for targeted technology resource funds pursuant to section 15681, subsection 1, the sum of:

- (1) The product of the elementary school level and middle school level per-pupil amount for targeted technology resource funds calculated pursuant to section 15681, subsection 3 multiplied by the kindergarten to grade 8 portion of the pupil count

calculated pursuant to section 15674, subsection 1, paragraph C, subparagraph (1); and

(2) The product of the high school level per-pupil amount for targeted technology resource funds calculated pursuant to section 15681, subsection 3 multiplied by the grade 9 to 12 portion of the pupil count calculated pursuant to section 15674, subsection 1, paragraph C, subparagraph (1);

EXPLANATION

This section corrects a clerical error.

Sec. 12. 22 MRSA §1963, sub-§3, ¶F, as enacted by PL 2017, c. 312, Pt. A, §1, is corrected to read:

F. Support for the public health infrastructure under chapter 152, including, but not limited to, the district coordinating councils for public health as defined in section 411, subsection 3 and local public health officers and the creation and implementation of district public health improvement plans; ~~and~~

EXPLANATION

This section makes a technical correction.

Sec. 13. 22 MRSA §2425, sub-§12, ¶B, as enacted by PL 2013, c. 394, §6, is corrected to read:

B. Primary caregiver fees are as follows.

(1) There is no annual fee to register a primary caregiver who does not cultivate marijuana for a qualifying patient.

(2) There is an annual fee to register a primary caregiver who has been designated to cultivate marijuana under ~~subsection~~ section 2423-A, subsection 1, paragraph F. The fee must be not less than \$50 and not more than \$300 for each qualifying patient who has designated the primary caregiver.

(3) There is no fee for a registered primary caregiver to register for the remainder of the registration period a new qualifying patient in place of a former qualifying patient who has revoked the designation of the primary caregiver.

EXPLANATION

This section corrects a clerical error.

Sec. 14. 22 MRSA §2625, 3rd ¶, as repealed and replaced by PL 1977, c. 694, §365, is corrected to read:

This chapter ~~shall~~ may not be construed to ~~effect~~ affect or prevent the practices of any other legally recognized profession.

EXPLANATION

This section corrects a clerical and a grammatical error.

Sec. 15. 22 MRSA §8823, sub-§2, ¶A, as enacted by PL 1999, c. 647, §2, is corrected to read:

A. An audiologist, a physician, a speech-language pathologist, a nurse, a certified teacher of the deaf and a person who provides early intervention services to children who are deaf or hard-of-hearing through the ~~Governor~~ Governor Baxter School for the Deaf;

EXPLANATION

This section corrects a clerical error.

Sec. 16. 28-A MRSA §2, sub-§6-B, as enacted by PL 1993, c. 266, §1, is corrected to read:

6-B. ~~B.Y.O.B~~ B.Y.O.B. sponsor. "~~B.Y.O.B~~ B.Y.O.B. sponsor" means a person who conducts or holds a B.Y.O.B. function and is not required to register as a bottle club pursuant to section 161.

EXPLANATION

This section corrects a clerical error.

Sec. 17. 28-A MRSA §2, sub-§15, ¶B-2, as enacted by PL 1993, c. 730, §9, is corrected to read:

B-2. ~~Bed and breakfast.~~ "Bed and breakfast" means a place that advertises itself as a bed and breakfast where the public for a fee may obtain overnight accommodations that include a sleeping room or rooms and at least one meal per day.

EXPLANATION

This section corrects a clerical error.

Sec. 18. 28-A MRSA §1355-A, sub-§2, ¶K, as enacted by PL 2017, c. 123, §1, is corrected to read:

K. For the purposes of selling liquor for on-premises and off-premises consumption, a licensee who operates more than one facility licensed for the manufacture of liquor under this section may:

(1) Transfer product produced by the licensee in bulk or packaged in kegs, bottles or cans, including by the case, at one facility licensed for the manufacture of liquor to another facility at which the licensee is licensed to manufacture liquor or to any location where the licensee:

(a) Serves samples of the manufacturer's product in accordance with subsection 2, paragraphs E and F; and

(b) Is authorized under this section to sell the manufacturer's product to nonlicensees for off-premises consumption; and

(2) Transfer product produced by the licensee in bulk or packaged in kegs, bottles or cans, including by the case, from a facility at which the licensee is licensed to manufacture liquor to any establishment licensed for on-premises consumption under chapter 43 operated by the licensee as authorized under paragraph I.

If the same person or persons hold a majority ownership interest of greater than 50% in more than one facility licensed for the manufacture of liquor under this section, the person or persons ~~is~~ are considered one licensee for the purpose of transferring liquor as authorized by this paragraph.

EXPLANATION

This section corrects a clerical error.

Sec. 19. 28-A MRSA §1366, sub-§3, ¶¶E and F, as amended by PL 2017, c. 168, §2, are corrected to read:

E. All wine, spirits and malt liquor must be prepackaged and sold by the bottle or case; ~~and~~

F. Taste testing of wine, spirits and malt liquor may be conducted in accordance with section 1367-; and

EXPLANATION

This section makes technical corrections.

Sec. 20. 28-A MRSA §1367, sub-§2, ¶¶B and C, as enacted by PL 2017, c. 168, §4, are corrected to read:

B. An individual at a taste-testing activity may not be served a taste-testing sample of more ~~that~~ than 4 ounces of malt liquor, 1 1/2 ounces of wine or 1/2 ounce of spirits. An individual is limited to 6 samples per day per manufacturer licensed under section 1355-A.

C. Malt liquor, wine or spirits for taste testing may not be poured in advance and made available for individuals ~~participation~~ participating in the taste testing to serve themselves.

EXPLANATION

This section corrects clerical errors.

Sec. 21. 30-A MRSA §4201, sub-§§3 and 5, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are corrected to read:

3. Plumbing. "Plumbing" means the installation, alteration or replacement of pipes, fixtures and other apparatus for bringing in potable water, removing ~~waste water~~ wastewater and the piping connections to heating systems using water. Except for the initial connection to a potable water supply and the final connection that discharges indirectly into a public sewer or ~~waste water~~ wastewater disposal system, the following are excluded from this definition:

- A. All piping, equipment or material used exclusively for manufacturing or industrial processes;
- B. The installation or alteration of automatic sprinkler systems used for fire protection and standpipes connected to automatic sprinkler systems or overhead;
- C. Building drains outside the foundation wall or structure;
- D. The replacement of fixtures with similar fixtures at the same location without any alteration of pipes; or
- E. The sealing of leaks within an existing line.

5. Subsurface ~~waste water~~ wastewater disposal system. "Subsurface ~~waste water~~ wastewater disposal system" means:

A. Any system for the disposal of waste or ~~waste water~~ wastewater on or beneath the surface of the earth including, but not limited to:

- (1) Septic tanks;
- (2) Drainage fields;
- (3) Grandfathered cesspools;
- (4) Holding tanks; or
- (5) Any other fixture, mechanism or apparatus used for those purposes; but

B. Does not include:

- (1) Any discharge system licensed under Title 38, section 414;
- (2) Any surface ~~waste water~~ wastewater disposal system; or
- (3) Any municipal or quasi-municipal sewer or ~~waste water~~ wastewater treatment system.

EXPLANATION

This section corrects clerical errors.

Sec. 22. 30-A MRSA §4301, sub-§1, as repealed and replaced by PL 2001, c. 673, §1, is corrected to read:

1. Affordable housing. "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law ~~412~~ 75-412, 50 Stat. 888, Section 8, as amended.

EXPLANATION

This section corrects a cross-reference.

Sec. 23. 30-A MRSA §4702, sub-§6, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is corrected to read:

6. Elderly. "Elderly" means a person or family as defined in the United States Housing Act of 1937, Public Law ~~412~~ 75-412, 50 Stat. 888, as amended.

EXPLANATION

This section corrects a cross-reference.

Sec. 24. 30-A MRSA §4722, sub-§1, ¶DD, as amended by PL 2017, c. 234, §17, is corrected to read:

DD. Certify affordable housing projects for the purpose of the income tax credit increase under Title 36, section 5219-BB, subsection 3; administer and enforce the affordability requirements set forth in this paragraph; and perform other functions described in this paragraph and necessary to the powers and duties described in this paragraph.

(1) For purposes of this paragraph, unless the context otherwise indicates, the following terms have the following meanings.

(a) "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 60% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law ~~412~~ 75-412, 50 Stat. 888, Section 8, as amended.

(b) "Affordable housing project" means a project in which:

- (i) At least 50% of the aggregate square feet of the completed project is housing of which at least 50% of the aggregate square feet of the completed housing creates new affordable housing; or
- (ii) At least 33% of the aggregate square feet of the completed project creates new affordable housing.

(2) An affordable housing project for which the owner of the property received the income tax credit increase under Title 36, section 5219-BB, subsection 3 must remain an affordable housing project for 30 years from the date the affordable housing project is placed in service. If the property does not remain an affordable housing project for 30 years from the date the affordable housing project is placed in service, the owner of the property shall pay to the Maine State Housing Authority for application to the Housing Opportunities for Maine Fund established under section 4853 an amount equal to the income tax credit increase allowed under Title 36, section 5219-BB, subsection 3, plus interest on that amount at the rate of 7% per annum from the date the property is placed in service until the date of payment of all amounts due. The affordability requirements and the repayment obligation in this subparagraph must be set forth in a restrictive covenant executed by the owner of the property and the affordable housing project for the benefit of and enforceable by the Maine State Housing Authority and recorded in the appropriate registry of deeds before the owner of the property claims the income tax credit increase under Title 36, section 5219-BB, subsection 3.

(3) If the repayment obligation in subparagraph (2) is not fully satisfied after written notice is sent by certified mail or registered mail to the owner of the property at the owner's last known address, the Maine State Housing Authority may file a notice of lien in the registry of deeds of the county in which the real property subject to the lien is located. The notice of lien must specify the amount and interest due, the name and last known address of the owner, a description of the property subject to the lien and the Maine State Housing Authority's address and the name and address of its attorney, if any. The Maine State Housing Authority shall send a copy of the notice of lien filed in the registry by certified mail or registered mail to the owner of the property at the owner's last known address and to any person who has a security interest, mortgage, lien, encumbrance or other interest in the property that is properly recorded in the registry of deeds in which the property is located. The lien arises and becomes perfected at the time the notice is filed in the appropriate registry of deeds in accordance with this subparagraph. The lien constitutes a lien on all property with respect to which the owner receives the income tax credit increase under Title 36, section 5219-BB, subsection 3 and the proceeds of any disposition of the property that occurs after notice to the owner of the repayment obligation. The lien is prior to any mortgage and security interest, lien, restrictive covenant or other encumbrance recorded, filed or otherwise perfected after the notice of lien is filed in the appropriate registry of deeds. The lien may be enforced by a turnover or sale order in accordance with Title 14, section 3131 or any other manner in which a judgment lien may be enforced under the law. The lien must be in the amount of the income tax credit increase allowed under Title 36, section 5219-BB, subsection 3, plus interest on that amount at the rate of 7% per annum from the date the property is placed in service until the date of payment of all amounts due. Upon receipt of payment of all amounts due under the lien, the Maine State Housing Authority shall execute a discharge lien for filing in the registry or offices in which the notice of lien was filed.

(4) Annually by every August 1st until and including August 1, 2023, the Maine State Housing Authority shall review the report issued pursuant to Title 27, section 511, subsection 5, paragraph A to determine the percentage of the total aggregate square feet of completed projects that constitutes new affordable housing, rehabilitated and developed using:

(a) Either of the income tax credits under Title 36, section 5219-BB, subsection 2; and

(b) The income tax credit increase under Title 36, section 5219-BB, subsection 3.

If the total aggregate square feet of new affordable housing does not equal or exceed 30% of the total aggregate square feet of rehabilitated and developed completed projects eligible for a credit under Title 36, section 5219-BB, the Maine State Housing Authority and Maine Historic Preservation Commission shall notify the State Tax Assessor of this fact;

EXPLANATION

This section corrects a cross-reference.

Sec. 25. 30-A MRSA §4753, sub-§3, as enacted by PL 2015, c. 424, §1, is corrected to read:

3. Universal application and waiting list. The Maine State Housing Authority and municipal housing authorities shall establish a single, streamlined application for tenant-based rental assistance under the United States Housing Act of 1937, Public Law ~~412 75-412~~, 50 Stat. 888, Section 8 by which families may apply for housing assistance in any geographic area of the State and shall also establish a statewide, centralized waiting list for that tenant-based rental assistance. The Maine State Housing Authority and municipal housing authorities shall establish a method for individuals or families to submit applications and to update applications for rental assistance by electronic means.

The Maine State Housing Authority and the Department of Health and Human Services shall ensure that an application or an addendum to an application submitted pursuant to this subsection may also be used by individuals and families who choose to apply for the Bridging Rental Assistance Program established in Title 34-B, section 3011 and a federal shelter plus care program authorized by the federal McKinney-Vento Homeless Assistance Act, Public Law 100-77 (1987) as amended by the federal Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, Public Law 111-22, Division B (2009).

EXPLANATION

This section corrects a cross-reference.

Sec. 26. 30-A MRSA §5002, sub-§11, as enacted by PL 1989, c. 601, Pt. B, §4, is corrected to read:

11. Lower income households. "Lower income households" means low-income and very low-income households as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412 ~~75-412~~, 50 Stat. 888, Section 8, as amended.

EXPLANATION

This section corrects a cross-reference.

Sec. 27. 30-A MRSA §5246, sub-§1, as enacted by PL 2003, c. 426, §1, is corrected to read:

1. Affordable housing. "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412 ~~75-412~~, 50 Stat. 888, Section 8, as amended.

EXPLANATION

This section corrects a cross-reference.

Sec. 28. 32 MRSA §1202-A, sub-§4, ¶B, as enacted by PL 2017, c. 198, §17, is corrected to read:

B. In order to obtain a license under this subsection, a person must first pass an examination approved by the board and provide evidence of having:

(1) Worked at least 12,000 hours in the field of electrical installations as a licensed helper electrician or apprentice electrician under the direct supervision of a master ~~electrician~~ electrician, journeyman electrician or limited electrician, or worked at least 4,000 hours in the field of electrical installations as a journeyman electrician or journeyman-in-training electrician under the indirect supervision of a master electrician or limited electrician and having completed a program of study consisting of 576 hours as approved by the board or from an accredited institution. The 576 hours must consist of 450 hours of required study, including a course of 45 hours in the current National Electrical Code and 126 hours of degree-related courses; or

(2) Comparable work experience or education or training, or a combination of work experience, education and training, completed within the State or outside the State, that is acceptable to the board.

EXPLANATION

This section corrects a clerical error.

Sec. 29. 32 MRSA §1852, 3rd ¶, as amended by PL 2017, c. 113, §2, is corrected to read:

All machines, apparatus, vessels, fountains, tanks or other equipment, caps and ingredients used in the manufacture of beverages must be kept in a sanitary condition. No vessels or tanks ~~must~~ may be used for syrup mixing or for storing such mixed syrup unless they are of glass or stainless steel, porcelain lined, block tin lined or made of some other suitable impervious material.

EXPLANATION

This section corrects a grammatical error.

Sec. 30. 32 MRSA §14049-A, first ¶, as enacted by PL 2017, c. 270, §1, is corrected to read:

For the purpose of determining whether within a 12-month period an appraisal management company oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in a state or 25 or more certified or licensed appraisers in 2 or more states and ~~therefor~~ therefore qualifies as an appraisal management company pursuant to this chapter, the following provisions apply.

EXPLANATION

This section corrects a clerical error.

Sec. 31. 34-B MRSA §3011, as enacted by PL 2015, c. 267, Pt. WW, §1, is corrected to read:

§3011. Bridging Rental Assistance Program

The Bridging Rental Assistance Program is established within the department as a transitional housing voucher program. The purpose of the program is to assist persons with mental illness with housing assistance for up to 24 months or until they receive assistance from a housing voucher program administered by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law ~~412~~ 75-412, 50 Stat. 888, Section 8 or receive an alternative housing placement. The department shall adopt rules to carry out the purpose of the program. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

EXPLANATION

This section corrects a cross-reference.

Sec. 32. 35-A MRSA §3209-A, as enacted by PL 2011, c. 262, §1, is corrected to read:

§3209-A. Net energy billing

The commission may adopt or amend rules governing net energy billing. Rules adopted or amended under this ~~subsection~~ section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. "Net energy billing" means a billing and metering practice under which a customer is billed on the basis of net energy over the billing period taking into account accumulated unused kilowatt-hour credits from the previous billing period.

EXPLANATION

This section corrects an internal reference.

Sec. 33. 36 MRSA §5219-QQ, sub-§2, ¶F, as enacted by PL 2017, c. 297, §2, is corrected to read:

F. Upon making the qualified investment and completing the headquarters and employment criteria in subsection 1, paragraph ~~H~~ G, a certified applicant shall submit an application to the commissioner for a certificate of completion. If the commissioner determines that a qualified investment has been made, the applicant's headquarters is located in the State and at least 25% of the applicant's full-time employees, as measured at the time of application for the certificate of approval, are based in the State, the commissioner shall issue a certificate of completion to the certified applicant as soon as is practical.

EXPLANATION

This section corrects a cross-reference.

Sec. 34. 38 MRSA §490-RR, sub-§2, ¶D, as enacted by PL 2017, c. 142, §9, is corrected to read:

D. The financial assurance required by the department under this subsection must consist of a trust fund that is secured with any of the following forms of negotiable property, or a combination thereof, as approved by the department:

- (1) A cash account in one or more federally insured accounts;
- (2) Negotiable bonds issued by the United States or by a state or a municipality having a Standard and Poor's credit rating of AAA or AA or an equivalent rating from a national securities credit rating service; or
- (3) Negotiable certificates of deposit in one or more federally insured depositories.

EXPLANATION

This section corrects a clerical error.

Sec. 35. 39-A MRSA §407, as amended by PL 2015, c. 469, §7, is corrected to read:

§407. ~~Preservation of existing employer status~~ Misclassification of employees

An employer with a currently approved workers' compensation policy or a currently accepted self-insurance workers' compensation policy that has misclassified one or more employees has failed to secure payment of compensation within the meaning of section 324, subsection 3 and is subject to the penalties prescribed by that section.

EXPLANATION

This section corrects a headnote to reflect the substance of the section.

Sec. 36. PL 2017, c. 2, Pt. N, §1 is corrected to read:

Sec. N-1. PL 1997, c. 763, §5 is amended to read:

Sec. 5. Payment of retiree health insurance premiums. The Maine ~~Technical Community~~ College System shall make ~~contributions toward payment of the unfunded liability costs and administrative costs to the Maine State Retirement System and~~ payment of the retiree health insurance premiums to the Department of Administrative and Financial Services on behalf of Maine ~~Technical Community~~ College System ~~employees~~ retirees who ~~elect~~ elected to participate in a defined contribution plan offered by the Board of Trustees of the Maine ~~Technical Community~~ College System as provided in the Maine Revised Statutes, Title 20-A, section 12722, subsection 2 ~~at the same percentage as the Maine Technical College System contributes on behalf of its employees who are active members of the retirement system.~~

EXPLANATION

This section corrects a clerical error.

Sec. 37. PL 2017, c. 170, Pt. C, §9 is corrected to read:

Sec. C-9. Retroactivity. That section of this Part that ~~amends~~ repeals and replaces the Maine Revised Statutes, Title 36, section 1760, subsection 5-A applies retroactively to sales occurring on or after October 1, 2016.

EXPLANATION

This section corrects a clerical error.

Sec. 38. PL 2017, c. 257, §6 is corrected to read:

Sec. 6. Application. ~~The~~ Those sections of ~~the bill~~ this Act that amend the Maine Revised Statutes, Title 36, sections 2011 and 2555 apply to requests for credit or refund of sales tax paid to a retailer and service provider tax paid to a service provider for which administrative or judicial review is still available.

EXPLANATION

This section corrects a clerical error.
