

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

## CHAPTER 97

H.P. 580 - L.D. 820

**An Act to Clarify the Law Regarding  
the Payment of the Application Fee  
for a Motorcycle Dealer License**

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

**Sec. 1. 29-A MRSA §852, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Initial application fee.** The fee for an initial application for a license under this subchapter is \$150. The fee is not refundable. When a new or used car dealer applies for a motorcycle dealer license this application fee is not required.

See title page for effective date.

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## CHAPTER 98

H.P. 487 - L.D. 694

**An Act to Increase the Number of  
Elm Trees in the State**

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

**Sec. 1. 12 MRSA §8702-A** is enacted to read:

**§8702-A. Elm Tree Restoration Fund**

**1. Establishment of fund.** The Elm Tree Restoration Fund, referred to in this section as the "fund," is established as a nonlapsing fund under the jurisdiction of the bureau to promote the restoration of disease-resistant cultivars of American elm in the municipalities of the State. The bureau may apply for and accept any appropriation, grant, gift or service made available from any public or private sources consistent with the purpose of this section and shall deposit any such money into the fund.

**2. Use of the fund.** Through a community forestry program pursuant to section 8002, subsection 1, paragraph B, the bureau shall develop a process for municipalities to submit proposals and establish criteria for reviewing proposals and awarding grants from the fund. The grants must be used for the planting and maintenance of disease-resistant cultivars of American elm and must match on a one-to-one basis funds raised by a municipality.

**Sec. 2. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
<b>CONSERVATION, DEPARTMENT OF</b>		
<b>Administration - Forestry</b>		
All Other	\$500	\$500
Provides initial allocations to reflect the establishment of the Elm Tree Restoration Fund.		

See title page for effective date.

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## CHAPTER 99

S.P. 361 - L.D. 1065

**An Act to Increase Fines for Long-  
term Care Facilities that Fail to  
Provide Quality Care to Residents**

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

**Sec. 1. 22 MRSA §7932, sub-§2**, as amended by PL 1997, c. 610, §1, is further amended to read:

**2. Facility.** "Facility" means any ~~boarding home~~ assisted living facility subject to licensure pursuant to chapters 1663 and 1665, any skilled nursing or intermediate care facility or unit subject to licensure pursuant to chapter 405 and any private psychiatric hospital subject to licensure pursuant to chapter 405.

**Sec. 2. 22 MRSA §7942, sub-§3**, as amended by PL 1993, c. 661, §21, is further amended to read:

**3. Long-term care facility.** "Long-term care facility" means ~~a residential care~~ an assisted living facility subject to licensure pursuant to chapters 1663 and 1665 and a skilled nursing or intermediate care facility or unit subject to licensure pursuant to chapter 405.

**Sec. 3. 22 MRSA §7944, sub-§1, ¶C**, as amended by PL 1993, c. 661, §23, is further amended to read:

C. The department may impose a penalty upon a long-term care facility for operating without a license or for a violation of this chapter. The minimum penalty for operating without a license is \$500 per day. A penalty or a combination of