

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

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Legislative Document

No. 1811

S.P. 711

In Senate, February 27, 1996

**An Act to Correct Errors and Inconsistencies in the Laws of Maine.**

(EMERGENCY)

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Reported by Senator MILLS of Somerset for the Revisor of Statutes pursuant to the Maine Revised Statutes, Title 1, section 94.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint Rule 20.

A handwritten signature in cursive script, reading "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

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

4       Whereas, Acts of this and previous Legislatures have  
6       resulted in certain technical errors and inconsistencies in the  
laws of Maine; and

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

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

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

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

24       **Sec. 1. 1 MRSA §124,** as amended by PL 1989, c. 700, Pt. A,  
26       §3, is further amended to read:

28       **§124. Maine Business Women's Week**

30       The Governor shall annually issue a proclamation setting  
aside the 3rd full week in October as Maine Business Women's  
32       Week. The proclamation shall must invite and urge the people of  
the State to observe the week in schools and other suitable  
34       places with appropriate ceremony and study. The Department of  
Education ~~and the Maine Commission for Women~~ may make appropriate  
36       information available to the people and the schools within the  
limits of ~~their budgets~~ its budget.

38       **Sec. 2. 5 MRSA §200-B,** as amended by PL 1995, c. 225, §1 and  
40       repealed and replaced by c. 327, §1, is repealed and the  
following enacted in its place:

42       **§200-B. Authority of Attorney General to request utility records**

44       **1. Public utility services.** As used in this section, the  
46       term "public utility services" means services furnished by a  
public utility as defined in Title 35-A, section 102, subsections  
48       5, 7, 8, 12, 14, 15, 19 and 22 whether or not subject to the  
jurisdiction of the Public Utilities Commission.

2        2. Demand for utility records; cause. The Attorney  
3        General, a deputy attorney general or a district attorney may  
4        demand, in writing, all the records or information in the  
5        possession of the public utility relating to the furnishing of  
6        public utility services to a person or a location if the attorney  
7        has reasonable grounds to believe that the services furnished to  
8        a person or to a location by a public utility are being or may be  
9        used for, or to further, an unlawful purpose. Upon a showing of  
10       cause to any Justice of the Superior Court or Judge of the  
11       District Court, the justice or judge shall approve the demand.  
12       Showing of cause must be by the affidavit of any law enforcement  
13       officer.

14       3. Release of other information. An order approving a  
15       demand for utility records may include a provision prohibiting  
16       the public utility from releasing the fact of the request or that  
17       the records or information will be or have been supplied. The  
18       public utility may not release the fact or facts without  
19       obtaining a court order to that effect.

20       4. Production of utility records. Upon receipt of a  
21       demand, approved by a justice or judge, the public utility shall  
22       immediately deliver to the attorney, or the attorney's designee  
23       or agent, making the request all the records or information  
24       demanded. A public utility or employee of that public utility is  
25       not criminally or civilly liable for furnishing any records or  
26       information in compliance with the order approving the demand.

27       5. Orders permitted under federal law. The Attorney  
28       General, a deputy attorney general or a district attorney may,  
29       upon an affidavit of an investigating law enforcement officer,  
30       make application to any Justice of the Superior Court or any  
31       Judge of the District Court for any order permitted pursuant to  
32       18 United States Code, Section 3122(a)(2).

33       **Sec. 3. 5 MRSA §931, sub-§1, ¶L,** as amended by PL 1991, c.  
34       376, §17, is further amended to read:

35       L. The executive director, deputy director, general counsel  
36       and staff attorneys of the Maine Health Care Finance  
37       Commission; and

38       **Sec. 4. 5 MRSA §931, sub-§1, ¶L-1,** as enacted by PL 1991, c.  
39       376, §18, is repealed.

40       **Sec. 5. 5 MRSA §1825-B, sub-§2, ¶E,** as amended by PL 1995, c.  
41       42, §1 and c. 119, §2, is repealed and the following enacted in  
42       its place:

2       E. The purchase is part of a cooperative project between  
3       the State and the University of Maine System or the Maine  
4       Technical College System involving:

5               (1) An activity assisting a state agency and enhancing  
6               the ability of the university system or technical  
7               college system to fulfill its mission of teaching,  
8               research and public service; and

9               (2) A sharing of project responsibilities and, when  
10              appropriate, costs;

11       **Sec. 6. 5 MRSA §3305, sub-§1, ¶H,** as amended by PL 1995, c.  
12       345, §1 and c. 465, Pt. B, §1 and affected by Pt. C, §2, is  
13       repealed and the following enacted in its place:

14       H. Compile, analyze and maintain information useful to the  
15       development of industry in the State concerning resources,  
16       sites, space, equipment, adequate housing, contracts,  
17       materials, transportation, markets, labor supply, population  
18       trends and other economic considerations and shall measure  
19       and monitor economic distress and poverty in the State on an  
20       ongoing basis. The State Planning Office, in conjunction  
21       with the Department of Economic and Community Development,  
22       shall study problems peculiar to the industry and economy of  
23       this State with a view toward the broader utilization of our  
24       natural resources, which studies must be advanced by  
25       coordination of research with existing private and  
26       governmental agencies and educational institutions, and may  
27       be advanced by contractual relations with persons or  
28       organizations equipped to conduct the needed research. The  
29       State Planning Office shall, upon request from the Governor  
30       or any state department, assist in the preparation of  
31       reports regarding the responsibilities and duties provided  
32       by this subsection, including regular analysis of poverty  
33       and economic distress. The State Planning Office shall  
34       coordinate its activities pursuant to this paragraph with  
35       the Bureau of Child and Family Services to meet the annual  
36       reporting needs of the bureau;

37       **Sec. 7. 5 MRSA §3305, sub-§1, ¶K,** as amended by PL 1995, c.  
38       395, Pt. D, §2 and c. 465, Pt. B, §2 and affected by Pt. C, §2,  
39       is repealed and the following enacted in its place:

40       K. Coordinate the development of energy policy, including:

41               (1) Collecting and analyzing energy data from all  
42               available energy sources in the State. The director  
43               shall afford confidential treatment to information,  
44               documents and data dealing with sales of individual

companies that are engaged in the wholesale and retail trade of petroleum products in the State, upon request of the individual companies;

(2) Preparation of an energy resources plan to be submitted to the Governor and the Legislature every 2 years that includes a description of historical energy demand by end-use sector and energy resources used to meet that demand and a forecast of energy demand by end-use sector for the next 5 years, 10 years and 20 years, which must include an electric and gas forecast;

(3) Encouragement and direction or sponsorship of research, experiments and demonstration projects within the State to develop alternate energy sources, particularly, but not limited to, those sources that rely on renewable natural resources of the State, such as solar energy, water of tides and rivers, forests, winds and other sources that to date have not been fully explored or utilized; and

(4) Provision of conservation alternatives to proposed new electric power generating plants and assessment of the long-term and short-term energy savings realized by the conservation alternatives;

**Sec. 8. 5 MRSA §3305, sub-§1, ¶L**, as amended by PL 1995, c. 395, Pt. D, §3 and enacted by c. 465, Pt. B, §3 and affected by Pt. C, §2, is repealed and the following enacted in its place:

L. Review and update the great ponds management strategy developed by the Great Pond Task Force pursuant to Title 38, section 1843-A at least every 5 years, based on the goals and principles set forth in the original strategy report;

**Sec. 9. 5 MRSA §3305, sub-§1, ¶M**, as enacted by PL 1995, c. 395, Pt. D, §4 and c. 465, Pt. B, §3 and affected by Pt. C, §2, is repealed and the following enacted in its place:

M. Administer a program of training and financial assistance for municipal code enforcement officers;

**Sec. 10. 5 MRSA §3305, sub-§1, ¶¶N and O** are enacted to read:

N. Coordinate the development of solid waste management policy including:

(1) Collecting and analyzing solid waste management and recycling data from all available sources including commercial and municipal entities;

2           (2) Preparing a solid waste management and recycling  
4           plan to be submitted to the Governor and the  
            Legislature every 2 years; and

6           (3) Providing technical and financial assistance to  
8           municipalities in waste reduction and recycling  
            activities; and

10          O. Own, design, develop or operate, or contract with  
12          private parties to operate, a solid waste disposal facility,  
            as provided in Title 38, chapter 24, subchapter IV.

14          **Sec. 11. 5 MRSA §5301, sub-§2, ¶E,** as amended by PL 1995, c.  
16          131, §1 and c. 162, §1, is repealed and the following enacted in  
            its place:

18          E. Convictions for which incarceration for less than one  
20          year may be imposed and that involve sexual misconduct by an  
22          applicant or licensee of the Board of Licensure in Medicine,  
24          the Board of Osteopathic Licensure, the Board of Dental  
26          Examiners, the State Board of Examiners of Psychologists,  
            the State Board of Social Worker Licensure, the Board of  
            Chiropractic Licensure, the State Board of Examiners in  
            Physical Therapy, the Board of Trustees of the Maine  
            Criminal Justice Academy, the State Board of Nursing and the  
            Emergency Medical Services' Board.

28          **Sec. 12. 5 MRSA §5303, sub-§2,** as amended by PL 1995, c. 131,  
30          §2 and c. 162, §2, is repealed and the following enacted in its  
32          place:

34          2. Ten-year limits. For applicants to and licensees and  
36          registrants of the Board of Licensure in Medicine, the Board of  
38          Osteopathic Licensure, the Board of Dental Examiners, the State  
40          Board of Examiners of Psychologists, the State Board of Social  
            Worker Licensure, the State Board of Nursing, the Board of  
            Chiropractic Licensure, the Board of Trustees of the Maine  
            Criminal Justice Academy, the State Board of Examiners in  
            Physical Therapy and the Emergency Medical Services' Board, the  
            following apply.

42          A. The procedures outlined in sections 5301 and 5302 for  
44          the consideration of prior criminal conviction as an element  
46          of fitness to practice a licensed profession, trade or  
48          occupation apply within 10 years of the applicant's or  
            licensee's final discharge, if any, from the correctional  
            system.

2       B. Beyond the 10-year period, ex-offender applicants or  
4       licensees with no additional convictions must be considered  
6       in the same manner as applicants or licensees possessing no  
8       prior criminal record for the purposes of licensing  
10       decisions.

12       C. There is no time limitation for consideration of a  
14       registrant's, an applicant's or licensee's conduct that gave  
16       rise to the criminal conviction if that conduct is otherwise  
18       a ground for disciplinary action.

20       **Sec. 13. 5 MRSA §7501**, as enacted by PL 1995, c. 54, §1, is  
22       amended to read:

24       **§7501. Commission established**

26       There is established the Maine Commission for Community  
28       Service, referred to in this chapter as the "commission," to  
30       foster the State's ethic of community service; encourage  
32       community service and volunteerism as a means of meeting critical  
34       human, environmental, educational and public safety needs  
36       throughout the State; serve as the State's liaison regarding  
38       national and community service and volunteer activities; foster  
40       collaboration among service agencies; receive gifts and grants,  
42       implement statewide service programs and make subgrants to state  
44       and local entities in accordance with the ~~federal~~ National and  
46       Community Service Trust Act of 1993, ~~Public Law~~-Law-108-02 42 United  
48       States Code, Sections 12501 to 12682 (1994).

50       **Sec. 14. 5 MRSA §12004-A, sub-§41**, as amended by PL 1995, c.  
3       353, §1 and c. 394, §1, is repealed and the following enacted in  
5       its place:

7       **41.**   State Board of       \$35/Day       32 MRSA  
9       Alcohol and Drug       Plus Expenses   §6201  
11       Counselors

13       **Sec. 15. 5 MRSA §19204-A, first ¶**, as amended by PL 1995, c.  
15       319, §5 and c. 404, §15, is repealed and the following enacted in  
17       its place:

19       Except as otherwise provided by this chapter, persons who  
21       are the subjects of HIV tests must be offered pretest and  
23       post-test counseling. Persons who are authorized by section  
25       19203-C or 19203-F to receive test results after exposure must be  
27       offered counseling regarding the nature, reliability and  
29       significance of the HIV test and the confidential nature of the  
31       test. Persons offered counseling under this section may decline  
33       the offer by signing a waiver stating that counseling has been  
35       offered and is being declined.



2           **Sec. 16. 10 MRSA §1475, sub-§3**, as amended by PL 1995, c. 65,  
Pt. A, §21 and affected by §153 and Pt. C, §15 and amended by c.  
4 188, §2, is repealed and the following enacted in its place:

6           **3. Written statement.** A dealer shall obtain from the seller  
of a used motor vehicle a written statement containing the  
8 following information:

10           A. The make, model, model year and any identification or  
serial numbers of the motor vehicle;

12           B. The name and address of the seller, the principal use to  
14 which the motor vehicle was put by the seller, such as  
personal transportation, police car, daily rental car, taxi  
16 or other descriptive term;

18           C. A statement identifying any and all mechanical defects  
known to the seller at the time of sale; and

20           D. A statement identifying the type of damage, if any, that  
22 the vehicle has sustained, such as fire, water or  
substantial collision damage, if such information is known  
24 to the seller.

26 Any dealer who offers for sale to consumers a repossessed vehicle  
that has been obtained by the dealer through any transaction  
28 other than a retail sale is not subject to the provisions of this  
subsection.

30 The seller of the used motor vehicle shall sign and date this  
32 written statement and the dealer who buys the vehicle shall  
maintain a record of it for 2 years following the sale of the  
34 motor vehicle.

36 As used in subsection 2-A and this subsection, "substantial  
collision damage" means any damage to a motor vehicle from a  
38 collision when the costs of repair of that damage, at the time of  
repair, including replacement of mechanical and body parts,  
40 exceeded by 3 times the amount of damage that would at the time  
of the collision have required a report of the collision to a law  
42 enforcement agency under the provisions of Title 29-A, section  
2251.

44           **Sec. 17. 10 MRSA §8001, sub-§§35 and 36**, as amended by PL 1995,  
46 c. 389, §2 and repealed by c. 397, §10, are repealed.

48           **Sec. 18. 11 MRSA §9-407, sub-§1** is amended to read:

(1) If the person filing any financing statement, termination statement, statement of assignment, or statement of release, furnishes the filing officer a copy thereof, the filing officer shall upon request note upon the copy the file number and date and hour of the filing of the original and deliver or send the copy to such person.

**Sec. 19. 17 MRSA §3203**, as amended by PL 1995, c. 65, Pt. A, §55 and affected by §153 and Pt. C, §15 and amended by c. 87, §1, is repealed and the following enacted in its place:

**§3203. Sales of motor vehicles prohibited**

Except as provided in section 3203-A, any person who carries on or engages in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles; or who opens any place of business or lot in which that person attempts to or does engage in the business of buying, selling, exchanging, dealing or trading in new or used motor vehicles; or who does buy, sell, exchange, deal or trade in new or used motor vehicles as a business on the first day of the week, commonly known and designated as Sunday, is a disorderly person. Such a disorderly person upon conviction for the first offense must be punished by a fine of not more than \$100 or by imprisonment for not more than 10 days, or by both; and for the 2nd offense must be punished by a fine of not more than \$500 or by imprisonment for not more than 30 days, or by both; and for the 3rd or each subsequent offense must be punished by a fine of not more than \$750 or by imprisonment for not more than 6 months, or by both. If the person is the holder of dealer or transporter registration plates under Title 29-A, chapter 9, subchapter III, such person is subject to the suspension or revocation of those plates, as provided for in Title 29-A, section 903, for the violation of this section.

**Sec. 20. 17-A MRSA §2, sub-§5-A**, as enacted by PL 1989, c. 18, §1, is amended to read:

**5-A.** "Corrections officer" has the same meaning as in Title 25, section 2805 2801-A, subsection 2, ~~paragraph~~-C.

**Sec. 21. 17-A MRSA §805, sub-§1, ¶¶A and B**, as amended by PL 1995, c. 224, §8 and c. 434, §1, are repealed and the following enacted in their place:

A. Damages or destroys property of another in an amount exceeding \$2,000 in value, having no reasonable ground to believe that the person has a right to do so;

2       B. Damages or destroys property in an amount exceeding  
3       \$2,000 in value, to enable any person to collect insurance  
4       proceeds for the loss caused;

5       **Sec. 22. 19 MRSA §770-B, sub-§1**, as enacted by PL 1989, c.  
6       862, §22, is amended to read:

7       **1. Composition.** The commission is composed of ~~12~~ 11  
8       members appointed by the Governor.

9       A. The Governor shall name the chair from among the  
10       following appointed members:

11       (1) Two members who are representatives of the  
12       statewide coalition of family crisis services;

13       (2) Two members who are representatives of the family  
14       counseling profession, one of whom has experience  
15       counseling abusers;

16       ~~(3) -- One member who is a representative of the Maine~~  
17       ~~Commission for Women;~~

18       (4) Two members who are attorneys with experience in  
19       domestic relations cases, one of whom has experience  
20       representing victims of domestic abuse;

21       (5) One person who was a victim of domestic abuse and  
22       used the court system;

23       (6) One member who is a district attorney or assistant  
24       district attorney;

25       (7) One member who is chief of a municipal police  
26       department;

27       (8) One member who is a county sheriff; and

28       (9) The Commissioner of Public Safety or the  
29       commissioner's designee.

30       B. In addition, the Chief Justice of the Supreme Judicial  
31       Court is requested to appoint one person to serve the  
32       commission in an advisory capacity.

33       **Sec. 23. 20-A MRSA §254, sub-§§8 and 9**, as enacted by PL 1989,  
34       c. 889, §3, are amended to read:

35       **8. Model hiring procedure.** By January 1, 1991, the  
36       commissioner, in collaboration with organizations representing

2 school boards, school administrators, teachers, ~~---the---Maine~~  
3 ~~Commission-for-Women~~ and other interested parties, shall develop  
4 a model hiring procedure for school administrators. The counsel  
5 for the Maine Human Rights Commission appointed under Title 5,  
6 section 4566, subsection 3, shall review the model hiring  
7 procedure.

8 **9. Statewide goal.** The commissioner, in cooperation with  
9 organizations representing school boards, school administrators,  
10 teachers, ~~the Maine Commission-for-Women~~ and other interested  
11 parties, shall set a statewide target goal for the 5 years  
12 following the effective date of this subsection for the  
13 employment of women in positions requiring administrator  
14 certification. The commissioner shall review and update the  
15 target goal after 2 years and 4 years.

16 **Sec. 24. 20-A MRSA §8205, sub-§16,** as amended by PL 1995, c.  
17 368, Pt. LL, §3 and c. 485, §2, is repealed and the following  
18 enacted in its place:

19 **16. Report.** To report biennially to the Governor and the  
20 joint standing committee of the Legislature having jurisdiction  
21 over education matters on the results of the assessment in  
22 subsection 15 by the board of trustees and the general status of  
23 the school and to provide annually to the Governor and the  
24 Legislature a financial audit of the school conducted by an  
25 independent auditor;

26 **Sec. 25. 21-A MRSA §1020-A, sub-§3,** as enacted by PL 1995, c.  
27 483, §15, is amended to read:

28 **3. Municipal campaign finance reports.** Municipal campaign  
29 finance reports must be filed, subject to all the provisions of  
30 this subchapter, with the municipal clerk on forms prescribed by  
31 the Commission on Governmental Ethics and Election Practices.  
32 The municipal clerk shall send any notice ~~of letters~~ required by  
33 ~~paragraph-D~~ subsection 6 and shall notify the commission of any  
34 late reports subject to a penalty.

35 **Sec. 26. 22 MRSA §2906, sub-§4,** as repealed by PL 1995, c. 32,  
36 §2 and amended by c. 65, Pt. A, §60 and affected by §153 and Pt.  
37 C, §15, is repealed.

38 **Sec. 27. 24 MRSA §2904,** as amended by PL 1995, c. 239, §1 and  
39 c. 385, §1, is repealed and the following enacted in its place:

40 **§2904. Immunity from civil liability for volunteer**  
41 **activities**

2        Notwithstanding any inconsistent provision of any public or  
3        private and special law, a licensed health care practitioner, as  
4        defined in section 2502, who voluntarily, without the expectation  
5        or receipt of monetary or other compensation either directly or  
6        indirectly, provides professional services within the scope of  
7        that health care practitioner's licensure to a nonprofit  
8        organization or to an agency of the State or any political  
9        subdivision of the State or to members or recipients of services  
10       of that organization or state or local agency is not liable for  
11       damages or injuries alleged to have been sustained by the person  
12       nor for damages for the death of the person when the injuries or  
13       death are alleged to have occurred by reason of an act or  
14       omission in the rendering of professional services, unless it is  
15       established that the injuries or the death were caused willfully,  
16       wantonly, recklessly or by gross negligence of the health care  
17       practitioner. A licensed health care practitioner who has  
18       retired from practice is not liable for damages unless it is  
19       established that the injuries or death were caused willfully,  
20       wantonly or recklessly. This extended immunity applies only if  
21       the licensed health care practitioner retired from practice  
22       possessed an unrestricted license in the relevant profession and  
23       had not been disciplined by the licensing board in the previous 5  
24       years at the time of the act or omission causing the injury. For  
25       the purpose of this section, a nonprofit organization does not  
26       include a hospital.

27       **Sec. 28. 24-A MRSA §1519, sub-§2.** as amended by PL 1995, c.  
28       329, §15 and repealed and replaced by c. 462, Pt. A, §46, is  
29       repealed and the following enacted in its place:

30       2. When an applicant is not licensed under this Title or  
31       licensed as an insurance agent, a broker or an adjuster in this  
32       State under laws now in force, the superintendent shall secure,  
33       as soon as is reasonably possible after filing of the  
34       application, appropriate background information with which to  
35       ascertain the applicant's character.

36       **Sec. 29. 24-A MRSA §2809-A, sub-§1-A,** as amended by PL 1995,  
37       c. 189, §2 and affected by §4 and amended by c. 332, Pt. A, §9,  
38       is repealed and the following enacted in its place:

39       **1-A. Notification of cancellation.** An insurer must provide  
40       by first class mail at least 10 days' prior notification of  
41       cancellation for nonpayment of premium for hospital, surgical or  
42       major medical expense insurance according to this section. The  
43       notice must include the date of cancellation of coverage and, if  
44       applicable, the time period for exercising policy conversion  
45       rights. Notification is not required when the insurer has  
46       received written notice from the group policyholder that  
47       replacement coverage has been obtained.

2        A. Notice must be mailed to the group policyholder or  
3        subgroup sponsor.

4        B. At the time of notification under paragraph A, notice  
5        must be mailed to the certificate holder at:

6                (1) The last address provided by the subgroup sponsor  
7                or the group policyholder to the insurer; or

8                (2) The office of the subgroup sponsor, if any, or the  
9                group policyholder.

10        C. Notice must be mailed to the bureau.

11        **Sec. 30. 24-A MRSA §4222, sub-§4,** as amended by PL 1995, c.  
12        332, Pt. L, §2 and repealed by Pt. O, §7, is repealed.

13        **Sec. 31. 24-A MRSA §6203, sub-§1, ¶B,** as amended by PL 1995,  
14        c. 452, §§8 to 10, is further amended by amending subparagraph  
15        (18) to read:

16                (18) An actuarial study, certified by an actuary,  
17                demonstrating that the anticipated revenues and other  
18                available financial resources will be sufficient to  
19                provide the services promised by the contract and  
20                indicating the method by which the reserve required by  
21                section 6215 6215-A will be calculated;

22        **Sec. 32. 24-A MRSA §6215,** as repealed and replaced by PL  
23        1995, c. 452, §30, is repealed.

24        **Sec. 33. 24-A MRSA §6215-A** is enacted to read:

25        **§6215-A. Reserves**

26                A provider shall establish and maintain the following  
27        reserves:

28                **1. Mortgage debt.** A liquid amount equal to the aggregate  
29        amount of all principal and interest payments due during the  
30        fiscal year on any mortgage loan or other long-term financing of  
31        the facility, which reserve may be held by a lender, mortgagee or  
32        trustee for bondholders in a debt service reserve fund or similar  
33        fund, including, without limitation, any reserve fund of the  
34        Maine Health and Higher Educational Facilities Authority  
35        established pursuant to Title 22, chapter 413;

36                **2. Operating reserve.** A liquid amount equal to 20% of the  
37        total cash operating expenses, other than principal and interest

1 payments on any mortgage loan or other long-term financing of the  
2 facility, projected for the forthcoming 12-month period, which  
3 reserve may be held by the provider in an operating fund;  
4 provided, however, that the percentage of the total cash  
5 operating expenses must be increased from 20% to 25% in the case  
6 of a provider who offers an extensive health care guarantee. For  
7 purposes of this section, "extensive health care guarantee" means  
8 a term in a continuing care agreement requiring the provision of  
9 health care to the subscriber on a prepaid basis for more than  
10 one year; and

11 **3. Reserve liabilities; actuarial value.** Each provider  
12 shall establish and maintain reserve liabilities that place a  
13 sound value on the provider's liabilities under its contracts  
14 with subscribers. The reserve must equal the excess of the  
15 present value of future benefits promised under the continuing  
16 care agreement over the present value of future revenues and any  
17 other available resources, based on conservative actuarial  
18 assumptions. The provider shall provide every 3 years to the  
19 superintendent an actuarial valuation or statement of actuarial  
20 opinion as to the adequacy of the reserve, signed by a qualified  
21 actuary, that, based on reasonable assumptions, the continuing  
22 care retirement community's assets, including the present value  
23 of estimated future maintenance fees and any other available  
24 resources, are at least equal to the present value of estimated  
25 future liabilities.

26 Unless otherwise approved by the superintendent, the actuarial  
27 opinion must be based on reasonable assumptions with the  
28 following provisions and margins.

29 A. The liabilities of a continuing care retirement  
30 community must include, but not be limited to:

31 (1) An amount equal to the present value of future  
32 health care expenses guaranteed pursuant to the  
33 continuing care contract; and

34 (2) The liabilities under this section must be  
35 calculated for the continuing care retirement community  
36 population existing on the valuation date under  
37 assumptions that, in the actuary's opinion, fairly  
38 represent the expected value of future costs and  
39 population decrements adjusted by the margins specified  
40 in paragraph B.

41 B. Margins required to be included in the valuation  
42 assumptions to be added to the actuary's best estimate  
43 assumptions are as follows.

2           (1) Health care costs per resident or per health care  
3           facility bed must be assumed to increase at a rate at  
4           least one percentage point higher than the general  
5           inflation rate.

6           (2) A mortality margin of 5% must be subtracted from  
7           that assumed for active residents and 10% subtracted  
8           from those in the health care facilities.

10           (3) A health care utilization margin of 5% must be  
11           added to the assumed rates at which residents require  
12           permanent transfer to a health care facility.

14           (4) The discount rate used to calculate present values  
15           may not be more than 2 1/2 percentage points higher  
16           than the rate used in the valuation of long-term life  
17           insurance contracts to be issued in the year of  
18           valuation in this State.

20           (5) All other assumptions must include margins that are  
21           adequate in the opinion of the actuary.

22           The superintendent may adopt reasonable rules further  
23           defining the standards contained in this section.

26           **Sec. 34. 25 MRSA §3504**, as amended by PL 1979, c. 641, §7, is  
27           further amended to read:

28           **§3504. Deposit of proceeds**

30           Proceeds of the sale of the property at public auction, less  
31           reimbursement to the law enforcement agency and others authorized  
32           of the reasonable expenses of custody, shall must be disposed of  
33           according to Title 33, chapter 27 37.

36           **Sec. 35. 29-A MRSA §252, sub-§1**, as amended by PL 1995, c. 65,  
37           Pt. A, §85 and affected by §153 and Pt. C, §15 and amended by c.  
38           482, Pt. A, §2, is repealed and the following enacted in its  
39           place:

40           **1. Reports furnished to commercial users; fee.** The  
41           Secretary of State shall furnish reports of records pertaining to  
42           convictions, adjudications, accidents, suspensions, revocations  
43           and other information required by commercial users for a fee of  
44           \$5 each. Certified copies are an additional \$1. A person  
45           receiving a report by electronic transmittal shall pay the fee  
46           associated with that transmittal.

48           **Sec. 36. 29-A MRSA §558, sub-§1**, as amended by PL 1995, c.  
49           376, §2; c. 401, §1; and c. 482, Pt. A, §5, is repealed and the  
50           following enacted in its place:



2        1. Violation. A person commits a Class E crime if that  
3        person violates or knowingly permits a violation of this  
4        subchapter or a rule adopted pursuant to this subchapter. The  
5        violation is a Class C crime if:

6                A. The violation is knowing or intentional;

7                B. The violation in fact causes either death or serious  
8        bodily injury, as defined in Title 17-A, section 2, to a  
9        person whose health or safety is protected by the provision  
10       violated; and

11               C. The death or injury is a reasonably foreseeable  
12       consequence of the violation.

13        **Sec. 37. 29-A MRSA §588, sub-§1-A is enacted to read:**

14               1-A. Minimum fine. Notwithstanding Title 17-A, section  
15       1301, the minimum fine for a violation of a state rule that  
16       adopts by reference the federal regulations found in 49 Code of  
17       Federal Regulations, Parts 395.3, 395.8e and 395.8k is \$250. If  
18       a minimum fine is provided by any rule adopted pursuant to this  
19       subchapter, the court shall impose at least the minimum fine,  
20       which may not be suspended by the court.

21        **Sec. 38. 29-A MRSA §2412, sub-§1, ¶D, as affected by PL 1995,**  
22       **c. 65, Pt. A, §153 and amended by Pt. C, §11 and affected by Pt.**  
23       **C, §15 and repealed by c. 368, Pt. AAA, §11, is repealed.**

24        **Sec. 39. 30-A MRSA §1557, as repealed and replaced by PL**  
25       **1995, c. 368, Pt. R, §6, is repealed.**

26        **Sec. 40. 30-A MRSA §1557-A is enacted to read:**

27        **§1557-A. Transfer from jails**

28               1. Transfer. A sheriff may transfer a prisoner serving a  
29       sentence in a county jail from one jail to another to serve any  
30       part of that sentence, upon the request of the sheriff of the  
31       sending jail and the approval of the sheriff of the receiving  
32       jail. A sheriff may transfer a prisoner serving a sentence in a  
33       county jail to the Department of Corrections to serve any part of  
34       that sentence, upon the request of the sheriff and the approval  
35       of the Commissioner of Corrections.

36               2. Transfer cost. The county of the sending jail shall pay  
37       the cost of the transfer or return of the prisoner.

2        **3. Reimbursement.** The county responsible for the support  
3 of a prisoner transferred under this section while the prisoner  
4 was incarcerated in the county jail shall pay directly to the  
5 receiving county jail or the Department of Corrections, upon the  
6 request of the sheriff of the receiving jail or the department,  
7 an amount computed at a per diem per capita rate established by  
8 the receiving county jail or the department. The county also  
9 shall reimburse the receiving county jail or the department for  
10 any costs incurred in the provision of extraordinary medical or  
11 surgical treatment to the person transferred. The payment amount  
12 provided for in this section may be adjusted or dispensed with  
13 upon terms mutually agreeable to the sheriff of the sending jail  
14 and the sheriff of the receiving jail or the department if the  
15 sending jail houses any prisoners for the receiving jail or the  
16 department.

17        **4. Transferee subject to rules.** A person transferred under  
18 this section is subject to the general rules of the facility to  
19 which the person is transferred, except that:

20            A. The term of the original sentence remains the same  
21 unless altered by the court;

22            B. The person becomes eligible for meritorious good time as  
23 provided in Title 17-A, section 1253 for a person sentenced  
24 to imprisonment in a county jail;

25            C. The person becomes eligible for release and discharge as  
26 provided in Title 17-A, section 1254 for a person sentenced  
27 to imprisonment in a county jail;

28            D. The person is entitled to have the time served in the  
29 facility under this section deducted from the sentence; and

30            E. A person transferred under this section becomes eligible  
31 for furloughs, work or other release programs, participation  
32 in public works and charitable projects and home-release  
33 monitoring as authorized by sections 1556, 1605, 1606 and  
34 1659 and may apply pursuant to the rules governing the  
35 sending jail.

36        **5. Return of prisoner.** A prisoner transferred pursuant to  
37 this section must be returned to the sending jail upon the  
38 request of the sheriff of the sending jail, the sheriff of the  
39 receiving jail or the Commissioner of Corrections.

40        **Sec. 41. 30-A MRSA §4358, sub-§1, ¶A,** as enacted by PL 1989,  
41 c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

2 A. "Manufactured housing" means a structural unit or units  
4 designed for occupancy and constructed in a manufacturing  
6 facility and transported, by the use of its own chassis or  
8 an independent chassis, to a building site. The term  
10 includes any type of building which that is constructed at a  
manufacturing facility and transported to a building site  
where it is used for housing and may be purchased or sold by  
a dealer in the interim. For purposes of this section, 2  
types of manufactured housing are included. Those 2 types  
are:

12 (1) Those units constructed after June 15, 1976,  
14 commonly called "newer mobile homes," which that the  
16 manufacturer certifies are constructed in compliance  
18 with the United States Department of Housing and Urban  
20 Development standards, meaning structures transportable  
22 in one or more sections, which that in the traveling  
24 mode are 14 body feet or more in width and are 750 or  
more square feet, and which that are built on a  
permanent chassis and designed to be used as dwellings,  
with or without permanent foundations, when connected  
to the required utilities including the plumbing,  
heating, air conditioning or electrical systems  
contained in the unit.

26 (a) This term also includes any structure which  
28 that meets all the requirements of this  
subparagraph, except the size requirements and  
30 with respect to which the manufacturer voluntarily  
files a certification required by the Secretary of  
32 the United States Department of Housing and Urban  
Development and complies with the standards  
34 established under the National Manufactured  
Housing Construction and Safety Standards Act of  
36 1974, United States Code, Title 42, Section 5401,  
et seq.; and

38 (2) Those units commonly called "modular homes," which  
40 that the manufacturer certifies are constructed in  
42 compliance with Title 10, chapter 957 951, and rules  
adopted under that chapter, meaning structures,  
44 transportable in one or more sections, which that are  
not constructed on a permanent chassis and are designed  
46 to be used as dwellings on foundations when connected  
to required utilities, including the plumbing, heating,  
air-conditioning or electrical systems contained in the  
unit.

48 **Sec. 42. 32 MRSA §271-A**, as repealed by PL 1995, c. 397, §25  
50 and amended by c. 402, Pt. A, §11, is repealed.

2           **Sec. 43. 32 MRSA §2153-A, sub-§11**, as amended by PL 1995, c.  
397, §41 and c. 462, Pt. A, §56, is repealed and the following  
4 enacted in its place:

6           **11. Budget.** Shall submit to the Commissioner of  
7 Professional and Financial Regulation its budgetary requirements  
8 in the same manner as is provided in Title 5, section 1665, and  
9 the commissioner shall in turn transmit these requirements to the  
10 Bureau of the Budget without any revision, alteration or change  
11 unless alterations are mutually agreed upon by the Department of  
12 Professional and Financial Regulation and the board or the  
13 board's designee. The budget submitted by the board to the  
14 commissioner must be sufficient to enable the board to comply  
15 with this subchapter;

16           **Sec. 44. 32 MRSA §2153-A, last ¶**, as repealed and replaced by  
17 PL 1995, c. 397, §42 and amended by c. 462, Pt. A, §57, is  
18 repealed and the following enacted in its place:

19           The Commissioner of Professional and Financial Regulation  
20 shall act as a liaison between the board and the Governor. The  
21 commissioner may not exercise or interfere with the exercise of  
22 discretionary, regulatory or licensing authority granted by  
23 statute to the board. The commissioner may require the board to  
24 be accessible to the public for complaints and questions during  
25 regular business hours and to provide any information the  
26 commissioner requires in order to ensure that the board is  
27 operating administratively within the requirements of this  
28 chapter.

29           **Sec. 45. 32 MRSA §6214-A, sub-§2-A**, as enacted by PL 1995, c.  
30 394, §15, is amended to read:

31           **2-A. Registered alcohol and drug counselor.** The board may  
32 issue a certificate of registration as a registered alcohol and  
33 drug counselor, upon the affirmative vote of 5 members of the  
34 board, to any applicant who has met the following minimal  
35 requirements:

36           A. Met the eligibility requirements set forth in section  
37 6213;

38           B. Obtained a passing grade on the written exam and a  
39 provisionally passing grade on the oral exam, as established  
40 by the board and prescribed by its rules; and

41           C. Met any other criteria the board may prescribe by its  
42 rules.

43           This subsection is repealed October 1, 1966.

2       **Sec. 46. 32 MRSA §9903, sub-§4**, as repealed by PL 1995, c.  
397, §97 and amended by c. 402, Pt. A, §29, is repealed.

4       **Sec. 47. 32 MRSA §9911, sub-§2**, as repealed by PL 1995, c.  
6       397, §100 and amended by c. 402, Pt. A, §34, is repealed.

8       **Sec. 48. 32 MRSA §12406, sub-§5**, as repealed by PL 1995, c.  
10       397, §103 and amended by c. 402, Pt. A, §37, is repealed.

12       **Sec. 49. 32 MRSA §12407, sub-§6**, as repealed by PL 1995, c.  
1397, §104 and amended by c. 402, Pt. A, §38, is repealed.

14       **Sec. 50. 32 MRSA §12410, sub-§3**, as repealed by PL 1995, c.  
16       397, §105 and amended by c. 402, Pt. A, §41, is repealed.

18       **Sec. 51. 32 MRSA §14816**, as enacted by PL 1995, c. 389, §4,  
is repealed and the following enacted in its place:

20       **§14816. Exemption**

22       Nothing in this Act prohibits any person who is licensed to  
24       practice in this State under any other law from engaging in the  
25       practice for which that person is licensed.

26       **Sec. 52. 32 MRSA §14817** is enacted to read:

28       **§14817. Repeal**

30       This Act is repealed July 1, 2000.

32       **Sec. 53. 34-A MRSA §3063-A**, as enacted by PL 1995, c. 368,  
34       Pt. R, §12, is amended to read:

36       **§3063-A. Transfer from jails**

38       The commissioner may accept custody of prisoners transferred  
to the department from county jails under Title 30-A, section  
1557 1557-A.

40       **Sec. 54. 36 MRSA §191, sub-§2, ¶Q**, as amended by PL 1995, c.  
42       395, Pt. S, §1 and c. 419, §31, is repealed and the following  
enacted in its place:

44       Q. The listing of special fuel suppliers possessing  
46       certificates under section 3204;

48       **Sec. 55. 36 MRSA §191, sub-§2, ¶R**, as amended by PL 1995, c.  
50       395, Pt. S, §2 and enacted by c. 419, §32, is repealed and the  
following enacted in its place:

2       R. The disclosure to the Department of Human Services,  
4       Bureau of Medical Services of information relating to the  
      administration and collection of the tax imposed by chapter  
6       369;

8       **Sec. 56. 36 MRSA §191, sub-§2, ¶S,** as enacted by PL 1995, c.  
      395, Pt. S, §3, is amended to read:

10       S. The disclosure to an authorized representative of the  
12       Department of Human Services of the names and social  
14       security numbers of applicants for the Maine Residents  
16       Property Tax Relief Program for the purpose of identifying  
18       those who are not eligible for that program pursuant to  
20       section 6207, subsection 3. The Department of Human  
      Services may not disclose names or social security numbers  
      to any person, agency or organization, other than the Bureau  
      of Taxation, nor may those names and social security numbers  
      be used for any purpose other than the purpose stated in  
      this paragraph. ; and

22       **Sec. 57. 36 MRSA §191, sub-§2, ¶T** is enacted to read:

24       T. The disclosure to an authorized representative of the  
26       Department of Human Services of information in the  
      possession of the bureau identifying the location of an  
28       interest-bearing account in the name and social security  
      number of a delinquent payor of child support as requested  
30       by the Department of Human Services.

32       **Sec. 58. 36 MRSA §1952-A,** as amended by PL 1995, c. 467, §18,  
      is further amended to read:

34       **§1952-A. Payment of tax on vehicles and watercraft**

36       The tax imposed by chapters 211 to 225 on the sale or use of  
38       any vehicle or watercraft must, except where the dealer of the  
40       vehicle or watercraft has collected the tax in full, be paid by  
42       the purchaser or other person seeking registration of the vehicle  
44       or watercraft at the time and place of registration of the  
      vehicle or watercraft. In the case of vehicles except snowmobiles  
      and all-terrain vehicles, the tax must be collected by the  
      Secretary of State and transmitted to the Treasurer of State as  
      provided by Title 29-A, section 409. In the case of watercraft,  
46       snowmobiles and all-terrain vehicles, the tax must be collected  
      by the Commissioner of Inland Fisheries and Wildlife and  
      transmitted to the Treasurer of State as provided by Title 12,  
48       sections 7793-A to 7793-E, 7824-A to ~~7824-E~~ 7824-F or 7854-A,  
50       ~~7824-B, -7824-E and -7824-F~~ to 7854-E.

2       **Sec. 59. 38 MRSA §480-B, sub-§10**, as amended by PL 1995, c.  
406, §13 and c. 460, §3 and affected by §12, is repealed and the  
following enacted in its place:

4       **10. Significant wildlife habitat.** "Significant wildlife  
6 habitat" means the following areas to the extent that they have  
7 been mapped by the Department of Inland Fisheries and Wildlife or  
8 are within any other protected natural resource: habitat, as  
9 defined by the Department of Inland Fisheries and Wildlife, for  
10 species appearing on the official state or federal lists of  
11 endangered or threatened animal species; high and moderate value  
12 deer wintering areas and travel corridors as defined by the  
13 Department of Inland Fisheries and Wildlife; high and moderate  
14 value waterfowl and wading bird habitats, including nesting and  
15 feeding areas as defined by the Department of Inland Fisheries  
16 and Wildlife; critical spawning and nursery areas for Atlantic  
17 sea run salmon as defined by the Atlantic Salmon Authority;  
18 shorebird nesting, feeding and staging areas and seabird nesting  
19 islands as defined by the Department of Inland Fisheries and  
20 Wildlife; and significant vernal pools as defined and identified  
21 by the Department of Inland Fisheries and Wildlife. For purposes  
22 of this subsection, "identified" means identified in a specific  
23 location by the Department of Inland Fisheries and Wildlife.

24       **Sec. 60. 38 MRSA §480-U**, as enacted by PL 1995, c. 287, §18,  
26 is repealed.

28       **Sec. 61. 38 MRSA §488, sub-§16**, as enacted by PL 1995, c. 287,  
§5 and c. 493, §7 and affected by §21, is repealed and the  
30 following enacted in its place:

32       **16. Small road quarry.** A quarry regulated by the  
33 department under article 8 is exempt from review under this  
34 article.

36       **Sec. 62. 38 MRSA §488, sub-§19** is enacted to read:

38       **19. Waste facilities.** Waste facilities regulated by the  
39 department under section 1310-N, 1319-R or 1319-X are exempt from  
40 review under this article. This exemption applies to new  
41 facilities, modifications of facilities, transfers of facilities  
42 and relicensing of facilities.

44       **Sec. 63. PL 1993, c. 600, Pt. A, §198, first 2 lines** are repealed and  
the following enacted in their place:

46       **Sec. A-198. 32 MRSA §3263, first ¶**, as repealed and replaced by  
48 PL 1989, c. 878, Pt. A, §95, is amended to read:

50       **Sec. 64. PL 1993, c. 737, §5, sub-§1, ¶C** is amended to read:

2 C. One member of the ~~Joint-Select-Committee-on-Corrections~~  
3 ~~joint standing committee having jurisdiction over~~  
4 ~~corrections matters~~ appointed jointly by the President of  
5 the Senate and the Speaker of the House of Representatives;  
6 and

8 **Sec. 65.** PL 1995, c. 7, §2 is repealed.

10 **Sec. 66.** PL 1995, c. 65, Pt. A, §8, first 2 lines are amended to read:

12 **Sec. A-8.** 5 MRSA §3360, ~~sub-§2~~ sub-§3, ¶E, as enacted by PL  
13 1991, c. 806, §3, is amended to read:

14 **Sec. 67.** PL 1995, c. 397, §126, first line is repealed and the  
15 following enacted in its place:

18 **Sec. 126.** 38 MRSA §90-C, as enacted by PL 1983, c. 758, §16,  
19 is repealed and the following enacted in its place:

20 **Sec. 68.** PL 1995, c. 450, §6, first 2 lines are amended to read:

22 **Sec. 6.** 17 MRSA ~~§9564~~ §2859, sub-§7, as enacted by PL 1981, c.  
23 43, is amended to read:

26 **Sec. 69.** PL 1995, c. 466, Pt. D, §1 is amended to read:

28 **Sec. D-1. Maine State Retirement System methodology.** The Maine  
29 State Retirement System shall develop a methodology for  
30 calculating the full actuarial cost, reasonable administrative  
31 cost, and interest, if applicable, to be applied when a person  
32 elects to retire under the Maine Revised Statutes, Title 5,  
33 section ~~17581~~ 17851, subsections 5-A, 6-A or 12. The retirement  
34 system shall also establish the procedure for election under  
35 those subsections.

36 **Emergency clause.** In view of the emergency cited in the  
37 preamble, this Act takes effect when approved, except as  
38 otherwise indicated.

## 42 **STATEMENT OF FACT**

44 Section 1 eliminates a reference to the Maine Commission for  
45 Women, which was repealed by Public Law 1991, chapter 622, Part  
46 S, section 5.



2           Section 2 corrects a conflict created by Public Law 1995,  
3 chapters 225 and 327, which amended the same section of law.  
4 Chapter 225 made technical changes and cross-reference changes.  
5 Chapter 327 repealed and reorganized the entire section. This  
6 section corrects the conflict by incorporating the changes made  
7 by both laws.

8           Sections 3 and 4 remove a reference to the Maine Commission  
9 for Women, which was repealed by Public Law 1991, chapter 622,  
10 Part S, section 5.

12           Section 5 corrects a conflict created by Public Law 1995,  
13 chapters 42 and 119, which amended the same provision of law.  
14 Chapter 42 added the Maine Technical College System as an entity  
15 that may have the competitive bidding process waived by the  
16 Director of the Bureau of General Services if the purchase is a  
17 cooperative project. Chapter 119 made a technical change. This  
18 section corrects that conflict by incorporating the changes made  
19 by both laws.

20           Section 6 resolves a conflict created by Public Law 1995,  
21 chapters 345 and 465, which both made minor grammatical changes  
22 to the same provision.

24           Section 7 resolves a conflict created by Public Law 1995,  
25 chapters 395 and 465, which both made grammatical and punctuation  
26 changes to the same provision, by incorporating changes made by  
27 both public laws.

30           Sections 8 to 10 correct a conflict created by Public Law  
31 1995, chapters 395 and 465, which enacted substantively different  
32 provisions using the same paragraph designation.

34           Section 11 corrects a conflict created by Public Law 1995,  
35 chapters 131 and 162, which added different licensing boards to  
36 the list of licensing agencies that may consider certain  
37 convictions in determining whether to issue a license. This  
38 section incorporates the changes made by both laws.

40           Section 12 corrects a conflict created by Public Law 1995,  
41 chapters 131 and 162. Chapter 131 added the Board of Trustees of  
42 the Maine Criminal Justice Academy to the 10-year limit list for  
43 consideration of prior criminal conviction when applying for  
44 membership to a board. Chapter 162 adds the Emergency Medical  
45 Services' Board to that list. This section incorporates the  
46 changes made by both laws.

48           Section 13 corrects a cite to federal law.

2       Section 14 corrects a conflict created by Public Law 1995,  
3 chapters 353 and 394, which amended the same provision of law.  
4 Chapter 353 amended Title 5, section 12004-A, subsection 41 by  
5 allowing compensation and expenses for board members and chapter  
6 394 amended subsection 41 by changing the name of the board.  
7 This section incorporates the changes made by both laws.

8       Section 15 corrects a conflict created by Public Law 1995,  
9 chapters 319 and 404, which amended the same section of law.  
10 Chapter 319 corrected a cross-reference and chapter 404 added a  
11 new sentence. This section incorporates the changes made by both  
12 laws.

14       Section 16 corrects a conflict created by Public Law 1995,  
15 chapters 65 and 188. Chapter 65 corrected a cross-reference and  
16 chapter 188 added language regarding the written statement a  
17 dealer must obtain from the seller of a used motor vehicle. This  
18 section incorporates changes from both laws and corrects  
19 cross-references.

20       Section 17 corrects a conflict created by Public Law 1995,  
21 chapters 389 and 397. Chapter 389 made technical changes to 2  
22 subsections and chapter 397 repealed them and enacted them  
23 elsewhere.

26       Section 18 corrects a clerical error by replacing the word  
27 "or" with the word "of" and corrects punctuation errors.

28       Section 19 corrects a conflict created by Public Law 1995,  
29 chapters 65 and 87 by incorporating the changes made by both laws.

32       Section 20 corrects a cross-reference.

34       Section 21 corrects a conflict created by Public Law 1995,  
35 chapters 224 and 434, which amended the same provision of law by  
36 incorporating the changes made by both laws.

38       Section 22 eliminates from the Maine Commission on Domestic  
39 Abuse a representative of the Maine Commission for Women, which  
40 was repealed by Public Law 1991, chapter 622, Pt. S, section 5,  
41 and corrects the member count.

42       Section 23 removes references to the Maine Commission for  
43 Women, which was repealed by Public Law 1991, chapter 622, Pt. S,  
44 section 5.

46       Section 24 corrects a conflict created by Public Law 1995,  
47 chapters 368 and 485 by incorporating the changes made by both  
48 laws.

2           Section 25 corrects a cross-reference and deletes  
unnecessary language.

4           Section 26 corrects a conflict created by Public Law 1995,  
6 chapters 32 and 65, which affected the same provision of law.  
Chapter 32 repealed the provision and chapter 65 corrected a  
8 cross-reference. This section corrects that conflict by  
repealing the provision.

10          Section 27 corrects a conflict created by Public Law 1995,  
12 chapters 239 and 385, which both substantively amended the same  
section of law. This section corrects the conflict by  
14 incorporating the changes made by both laws.

16          Section 28 corrects a conflict created by Public Law 1995,  
18 chapters 329 and 462, which affected the same provision of law.  
Chapter 462 made only technical changes and chapter 329 made  
substantive changes. This section corrects that conflict by  
20 repealing the subsection and replacing it with the chapter 329  
version. This section also makes grammatical changes.

22          Section 29 corrects a conflict created by Public Law 1995,  
24 chapters 189 and 332, which affected the same provision of law.  
Chapter 189 added language requiring 10 days' notice and chapter  
332 added language concerning the content of the notice. This  
26 section incorporates the changes made by both laws and makes a  
technical change.

28          Section 30 corrects a conflict created when Public Law 1995,  
30 chapter 332, Part L, section 2 added a cross-reference within a  
provision and the same public law, in Part O, section 7, repealed  
32 the provision. This section resolves the conflict by repealing  
subsection 4.

34          Section 31 corrects a cross-reference.

36          Sections 32 and 33 effectuate the intent of Public Law 1995,  
38 chapter 452 by repealing Title 24-A, section 6215 and enacting  
Title 24-A, section 6215-A, using the language contained in  
40 chapter 452. Chapter 452 repealed and replaced section 6215 with  
language that did not fit substantively within the former  
42 structure.

44          Section 34 corrects a cross-reference.

46          Section 35 corrects a conflict created by Public Law 1995,  
48 chapters 65 and 482, which amended the same provision of law.  
Chapter 65 made substantive changes concerning reports and  
chapter 482 increased the fee for the reports. This section

2 corrects that conflict by incorporating the changes made by both  
laws.

4 Sections 36 and 37 correct a conflict created by Public Law  
1995, chapters 376, 401 and 482, which amended the same provision  
6 of law. Chapter 376 added language that set a minimum fine.  
Chapter 401 added language describing what constitutes a Class C  
8 crime. Chapter 482 added language that directs that a minimum  
fine may not be suspended. This section corrects that conflict  
10 by repealing Title 29-A, section 558, subsection 1 and replacing  
it with a new version of subsection 1 and a new subsection 1-A to  
12 incorporate changes made by all 3 public laws.

14 Section 38 corrects a conflict created by Public Law 1995,  
chapter 65, which corrected an internal cross-reference, and  
16 chapter 368, which repealed the provision. This section corrects  
the conflict by repealing the provision.

18 Sections 39 and 40 correct an error that was created when  
20 Public Law 1995, chapter 368, Pt. R, section 6 repealed Title  
30-A, section 1557 and replaced the section with new language  
22 that did not fit substantively within the former structure. This  
section corrects that error by repealing section 1557 and  
24 enacting a new section 1557-A.

26 Section 41 corrects a cross-reference and makes grammatical  
changes.

28 Section 42 corrects a conflict created by Public Law 1995,  
30 chapters 397 and 402. Chapter 402 made technical changes to the  
provision. Chapter 397 repealed the provision and created a new  
32 section, Title 32, section 60-C, which incorporated the language  
of section 271-A. This section corrects that conflict by  
34 repealing the provision.

36 Section 43 corrects a conflict created by Public Law 1995,  
chapters 397 and 462 by incorporating the changes made by both  
38 public laws.

40 Section 44 corrects a conflict created by Public Law 1995,  
chapters 397 and 462. This section replaces the provision,  
42 incorporating changes made by both public laws.

44 Section 45 repeals a provision to provide consistency with  
Public Law 1987, chapter 395, Part A, section 206, which repeals  
46 the entire statute section effective October 1, 1996.

48 Section 46 corrects a conflict created by Public Law 1995,  
chapters 397 and 402. Chapter 402 made technical changes to the  
50 provision. Chapter 397 repealed the provision and enacted a new

2 Title 32, section 60-B, which incorporated the language of  
subsubsection 4. This section corrects that conflict by repealing  
the provision.

4

6 Section 47 corrects a conflict created by Public Law 1995,  
chapters 397 and 402. Chapter 402 made technical changes to the  
provision. Chapter 397 repealed the provision and enacted a new  
8 Title 32, section 60-C, which incorporated the language of  
subsubsection 2. This section corrects that conflict by repealing  
10 the provision.

12 Section 48 corrects a conflict created by Public Law 1995,  
chapters 397 and 402. Chapter 402 made technical changes to the  
14 provision. Chapter 397 repealed the provision and enacted Title  
32, section 60-B, which incorporated the language of subsection  
16 5. This section corrects that conflict by repealing the  
provision.

18

20 Section 49 corrects a conflict created by Public Law 1995,  
chapters 397 and 402. Chapter 402 made technical changes to the  
provision. Chapter 397 repealed the provision and enacted a new  
22 Title 32, section 60-E, which incorporates the language of  
subsubsection 6. This section corrects that conflict by repealing  
24 the provision.

26 Section 50 corrects a conflict created by Public Law 1995,  
chapters 397 and 402. Chapter 402 made technical changes to the  
28 provision. Chapter 397 repealed the provision and enacted Title  
32, section 60-C, which incorporated the substance of subsection  
30 3. This section corrects that conflict by repealing the  
provision.

32

34 Sections 51 and 52 correct a conflict created when Public  
Law 1995, chapter 389, section 4 enacted 2 substantively  
different provisions with the same section number.

36

38 Section 53 corrects a cross-reference to reflect action in  
this bill concerning Title 30-A, sections 1557 and 1557-A.

40

42 Sections 54 to 57 correct conflicts created by Public Law  
1995, chapters 395 and 419, in which duplicative paragraph  
designations were enacted.

44

46 Section 58 corrects cross-references.

48

50 Section 59 corrects a conflict created by Public Law 1995,  
chapters 406 and 460, which amended the same provision of law.  
Chapter 406 changed the name of a commission and chapter 460 made  
substantive changes to definitions. This section corrects the  
conflict by incorporating the changes made by both laws.

2           Section 60 corrects an error that was created when Public  
4 Law 1995, c. 287 enacted an improperly numbered section in an  
6 article. The rest of that article was repealed on December 31,  
8 1995. This section repeals the improperly numbered section.  
10  
12           Sections 61 and 62 correct a numbering conflict created by  
14 Public Law 1995, chapters 287 and 493, which enacted  
16 substantively different provisions with the same subsection  
18 number.  
20  
22           Section 63 corrects an amending clause.  
24  
26           Section 64 corrects an obsolete committee reference.  
28  
30           Section 65 corrects an error that was created when 2 public  
32 laws amended the reporting date of the Commission on Governmental  
Ethics and Election Practices. Public Law 1995, chapter 7,  
section 2 changed the date to March 30, 1995, and Public Law  
1995, chapter 483, section 23 changed the date to March 30, 1996  
without reference to the earlier chapter. This section repeals  
the change that was made by Public Law 1995, chapter 7, section 2.  
  
Section 66 corrects an amending clause.  
  
Section 67 corrects an error in an amending clause.  
  
Section 68 corrects an amending clause.  
  
Section 69 corrects a reference to a section in the Maine  
Revised Statutes.