

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 30

H.P. 30

House of Representatives, January 4, 2001

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

(EMERGENCY)

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

Reference to the Joint Standing Committee on Judiciary suggested and printing ordered under Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

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. 4 MRSA §152, sub-§4,** as amended by PL 1999, c. 731,
26 Pt. ZZZ, §4 and affected by §42 and amended by c. 778, §1, is
repealed and the following enacted in its place:

28 **4. Exclusive jurisdiction.** Original jurisdiction, not
30 concurrent with that of the Superior Court, of mental health
32 commitment hearings under Title 34-B, chapter 3, subchapter IV,
34 mental retardation certification hearings under Title 34-B,
chapter 5, habitual truancy actions under Title 20-A, chapters
119 and 211 under which equitable relief may be granted, youth in
need of services actions under Title 22, chapter 1071, subchapter
36 XIV and small claims actions under Title 14, chapter 738;

38 **Sec. 2. Retroactivity.** That section of this Act that repeals
and replaces the Maine Revised Statutes, Title 4, section 152,
40 subsection 4 applies retroactively to May 10, 2000.

42 **Sec. 3. 5 MRSA §3307-C, sub-§2,** as amended by PL 1999, c. 758,
§1, is further amended to read:

44 **2. Reporting.** Each owner or lessee of primary storage
46 facilities ~~or~~ for petroleum products in the State shall make an
accurate report on the first and 3rd Monday of each month to the
48 State Planning Office on a form provided by the director. This
form shall must contain a conspicuous statement of the penalties

provided in subsection 4 and shall must require the following information:

A. The total inventory of each petroleum product stored in the State, as measured within not more than 3 working days prior to the reporting date; and

B. The quantities of each petroleum product delivery expected into the State within 15 days of the reporting date or within any longer period established by the director.

Sec. 4. 5 MRSA c. 319 is amended by repealing the chapter headnote and enacting in its place the following:

PART 10-A
FIRE PROTECTION SERVICES

CHAPTER 319

MAINE FIRE PROTECTION SERVICES
COMMISSION

Sec. 5. 5 MRSA §3371, sub-§8, ¶D, as enacted by PL 1999, c. 731, Pt. AAAA, §1, is repealed.

Sec. 6. 5 MRSA c. 383, sub-c. II, art. 2-A, as enacted by PL 1999, c. 731, Pt. VVV, §1, is repealed.

Sec. 7. 5 MRSA c. 383, sub-c. II, art. 2-B is enacted to read:

Article 2-B

MAINE MICROENTERPRISE INITIATIVE

§13063-J. Definitions

As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

1. Community-based organization. "Community-based organization" means a nonprofit organization that has:

A. A viable plan for providing training and technical assistance to microenterprises;

B. Broad-based community support;

C. An adequate source of operating capital; and

2 D. A demonstrated need for funding to provide training and
3 technical assistance to microenterprises.

4
5 2. Fund. "Fund" means the Maine Microenterprise Initiative
6 Fund established in section 13063-K.

7 3. Microenterprise. "Microenterprise" means a business
8 located in the State that produces goods or provides services and
9 has fewer than 10 full-time equivalent employees.

11 **§13063-K. Maine Microenterprise Initiative Fund**

12 1. Fund established. The Maine Microenterprise Initiative
13 Fund is established as a nonlapsing fund administered by the
14 department. The fund consists of money appropriated to it by the
15 Legislature from the General Fund and eligible investment
16 earnings from fund assets. The fund must be held separate from
17 all other money, funds and accounts, and all eligible investment
18 earnings from fund assets must be credited to the fund.

19 2. Fund purposes. The department shall administer the fund
20 to provide grants to community-based organizations to aid them in
21 providing technical assistance and training to microenterprises.

22 **§13063-L. Application process**

23 1. Process established. The department shall adopt rules
24 establishing an application process for fund grants for the
25 purposes set forth in section 13063-K, subsection 2. In
26 establishing the application process, the department shall
27 consult with business experts involved with microenterprises in
28 the State.

29 2. Process requirements. The application process must be
30 competitive. An applicant shall specify whether a grant is
31 sought for microenterprise technical assistance or training or a
32 combination thereof. In making grants, the department shall give
33 priority to applications that:

34 A. Are joint applications by 2 or more community-based
35 organizations or otherwise provide for cooperation among
36 community-based organizations;

37 B. Target aid to low-income individuals; or

38 C. Target aid to areas of high unemployment or to
39 underserved areas of the State.

2 The department may establish additional criteria for assessing
3 applications for fund grants.

4 **§13063-M. Rules**

6 The department shall adopt rules necessary to carry out this
7 article. Rules adopted pursuant to this article are routine
8 technical rules as defined in chapter 375, subchapter II-A.

10 **§13063-N. Report**

12 The department shall submit to the joint standing committee
13 of the Legislature having jurisdiction over business and economic
14 development matters an update on the fund by January 1, 2001 and
15 every year thereafter.

16 **Sec. 8. 5 MRSA §15321, sub-§2, ¶D,** as enacted by PL 1999, c.
18 731, Pt. UUU, §3, is amended to read:

20 D. The Department of Economic and Community Development
21 shall determine where the applied technology development
22 centers are to be located. The Center for Environmental
23 Enterprise in South Portland, the Target Technology Center
24 in Orono, the Thomas M. Teague Biotechnology Park in
25 Fairfield and the Loring Biotechnology Incubator in
26 Limestone are exempt from a determination made under this
27 paragraph.

28 **Sec. 9. 5 MRSA §15321, sub-§4, ¶B,** as enacted by PL 1999, c.
30 731, Pt. UUU, §3, is amended to read:

32 B. An entity that requests initial funding for an applied
33 technology development center shall obtain or must have
34 obtained at least 25% of the funding from nonstate sources.
35 These sources may include in-kind donations, federal grants,
36 federal funding, local funding initiatives and private
37 foundation grants. The Applied Technology Development
38 Center System Coordinating Board shall determine whether the
39 matching funds meet this requirement. The Center for
40 Environmental Enterprise in South Portland, the Target
41 Technology Center in Orono, the Thomas M. Teague
42 Biotechnology Park in Fairfield and the Loring Biotechnology
43 Incubator in Limestone must meet this requirement in order
44 to receive funding under this subsection.

46 **Sec. 10. 7 MRSA §3152, sub-§4-A,** as amended by PL 1999, c.
47 547, Pt. B, §22 and affected by §80 and amended by c. 679, Pt. B,
48 §10 and affected by §14, is repealed and the following enacted in
49 its place:

2 4-A. Eligible marketing cooperative. "Eligible marketing
3 cooperative" means an association of milk producers organized to
4 negotiate producer prices higher than the minimum producer prices
5 established pursuant to the northeast marketing area milk
6 marketing order and which the commissioner has determined will
7 not, through its operation, evade, impair or undermine the
8 purposes of this chapter. Notwithstanding Title 4, section 152,
9 subsection 9 and Title 5, section 10051, subsection 1, the
10 commissioner may revoke the eligible status of a marketing
11 cooperative upon a determination that it has through its
12 operation evaded, impaired or undermined the purposes of this
13 chapter.

14 **Sec. 11. Effective date.** That section of this Act that repeals
15 and replaces the Maine Revised Statutes, Title 7, section 3152,
16 subsection 4-A takes effect March 15, 2001.

17 **Sec. 12. 10 MRSA §1023-J, first ¶,** as amended by PL 1999, c.
18 593, §2 and c. 769, §7, is repealed and the following enacted in
19 its place:
20

21 The Agricultural Marketing Loan Fund, referred to in this
22 section as the "fund," is created. The fund must be deposited
23 with and maintained by the Finance Authority of Maine. The fund
24 must be administered by the Commissioner of Agriculture, Food and
25 Rural Resources in accordance with Title 7, chapter 101,
26 subchapter I-D. All money received by the Finance Authority of
27 Maine from any source for the development and implementation of
28 an improved agricultural marketing loan program must be credited
29 to the fund. Any money credited to the fund from the issuance of
30 bonds on behalf of the State for financing loans for agricultural
31 enterprises may be used only for the following purposes: to
32 provide assistance to agricultural enterprises in this State for
33 the design, construction or improvement of commodity and storage
34 buildings and packing and marketing facilities; for the purchase,
35 construction or renovation of buildings, equipment, docks,
36 wharves, piers or vessels used in connection with a commercial
37 agricultural enterprise; for the purchase of land in connection
38 with development of new cranberry acreage; for the purchase of
39 land for irrigation reservoirs or to provide direct access to
40 water for irrigation; for the purchase of land necessary for the
41 start-up of a new agricultural enterprise; for the expansion of
42 an existing agricultural enterprise when the land acquisition is
43 necessary to comply with land use regulations; or for the
44 development of a business plan in accordance with the provisions
45 of Title 7, section 436-A. Repayment of these loans and interest
46 on these loans must be credited to the fund and must be available
47 for making additional loans for the same purposes, except that
48 interest may be used for the purposes stated in Title 7, section
49 436. Interest earned on money in the fund and interest earned on
50 interest earned on money in the fund and interest earned on

2 loans made from the fund may be used to pay the administrative
3 costs of processing loan applications, to the extent that these
4 costs exceed the fee for administrative costs established by
5 Title 7, section 435, subsection 4.

6 **Sec. 13. 10 MRSA §1114, sub-§2**, as enacted by PL 1993, c. 461,
7 §1, is amended to read:

8
9 **2. Disclosure.** Notwithstanding any contrary agreement, a
10 contractor or subcontractor shall disclose to a subcontractor or
11 material supplier the due date for receipt of payments from the
12 owner before a contract between those parties is entered.
13 Notwithstanding any other provision of this chapter, if a
14 contractor or subcontractor fails to accurately disclose the due
15 date to a subcontractor or material supplier, the contractor or
16 subcontractor is obligated to pay the subcontractor or material
17 supplier as though the 20-day due dates in section 2 1113,
18 subsection 3 were met.

19 **Sec. 14. 11 MRSA §2-210, sub-§(2-A)**, as enacted by PL 1999, c.
20 699, Pt. B, §7 and affected by §28, is repealed and the following
21 enacted in its place:

22
23 (2-A) The creation, attachment, perfection or enforcement
24 of a security interest in the seller's interest under a contract
25 is not a transfer that materially changes the duty of or
26 increases materially the burden or risk imposed on the buyer or
27 impairs materially the buyer's chance of obtaining return
28 performance within the purview of subsection (2) unless, and then
29 only to the extent that, enforcement actually results in a
30 delegation of material performance of the seller. Even in that
31 event, the creation, attachment, perfection and enforcement of
32 the security interest remain effective, but:

33
34 (a) The seller is liable to the buyer for damages caused by
35 the delegation to the extent that the damages could not
36 reasonably be prevented by the buyer; and

37
38 (b) A court having jurisdiction may grant other appropriate
39 relief, including cancellation of the contract for sale or
40 an injunction against enforcement of the security interest
41 or consummation of the enforcement.

42
43 **Sec. 15. Effective date.** That section of this Act that repeals
44 and replaces the Maine Revised Statutes, Title 11, section 2-210,
45 subsection (2-A) takes effect July 1, 2001.

46
47 **Sec. 16. 11 MRSA §9-1408, sub-§(1), ¶(b)**, as enacted by PL 1999,
48 c. 699, Pt. A, §2 and affected by §4, is amended to read:

49
50

2 (b) Provides that the assignment or transfer or the
creation, attachment or perfection of the security interest
4 may give rise to a default, breach, right of recoupment,
claim, defense, termination, right of termination, or remedy
6 under the promissory note, health-care-insurance receivable
or general intangible.

8 **Sec. 17. 11 MRSA §9-1408, sub-§(3), ¶(b)**, as enacted by PL 1999,
c. 699, Pt. A, §2 and affected by §4, is amended to read:

10 (b) Provides that the assignment or transfer or the
12 creation, attachment or perfection of the security interest
may give rise to a default, breach, right of recoupment,
14 claim, defense, termination, right of termination or remedy
under the promissory note, health-care-insurance receivable
16 or general intangible.

18 **Sec. 18. Effective date.** Those sections of this Act that amend
the Maine Revised Statutes, Title 11, section 9-1408, subsection
20 (1), paragraph (b) and subsection (3), paragraph (b) take effect
July 1, 2001.

22 **Sec. 19. 11 MRSA §9-1523, sub-§(7)**, as enacted by PL 1999, c.
24 699, Pt. A, §2 and affected by §4, is amended to read:

26 (7) The requirements of this section do not apply to
information obtained from the registry ~~to~~ of deeds.

28 **Sec. 20. Effective date.** That section of this Act that amends
30 the Maine Revised Statutes, Title 11, section 9-1523, subsection
(7) takes effect July 1, 2001.

32 **Sec. 21. 14 MRSA §3142, sub-§1, ¶C**, as enacted by PL 1999, c.
34 743, §4, is amended to read:

36 C. The suspension of any license, certification,
38 registration, permit, approval or other similar document
evidencing the granting of authority to hunt, fish or trap
40 or to engage in a profession, occupation, business or
industry, not including a registration, permit, approval or
42 similar document evidencing the granting of authority to
engage in the business of banking pursuant to Title 9-B.
Licenses and registration subject to suspension include, but
44 are not limited to:

46 (1) Licenses issued by the Commissioner of Marine
48 Resources, as provided in Title 12, section 6408 ~~6409~~;

2 (2) Licenses issued by the Commissioner of Inland
Fisheries and Wildlife, as provided in Title 12,
4 section 7077, subsection 1-C;

6 (3) Watercraft, snowmobile and all-terrain vehicle
registrations, as provided in Title 12, section 7077,
8 subsection 1-C; and

10 (4) Motor vehicle licenses or permits issued by the
Secretary of State, the right to operate a motor
12 vehicle in this State and the right to apply for or
obtain a license or permit, as provided in Title 29-A,
14 section 2605.

16 **Sec. 22. 15 MRSA §3203-A, sub-§4, ¶E**, as amended by PL 1999,
c. 624, Pt. A, §2 and Pt. B, §5, is repealed and the following
18 enacted in its place:

20 E. If a juvenile community corrections officer or an
attorney for the State orders a juvenile detained, the
juvenile community corrections officer who ordered the
detention or the attorney for the State who ordered the
detention shall petition the Juvenile Court for a review of
the detention in time for the detention hearing to take
place within the time required by subsection 5, unless the
juvenile community corrections officer who ordered the
detention or the attorney for the State who ordered the
detention has ordered the release of the juvenile. The
juvenile community corrections officer who ordered the
detention or the attorney for the State who ordered the
detention may order the release of the juvenile anytime
prior to the detention hearing. If the juvenile is so
released, a detention hearing may not be held.

34 **Sec. 23. 17-A MRSA §602, sub-§3**, as enacted by PL 1975, c.
36 499, §1, is amended to read:

38 **3. ~~Bribing~~ Bribery** in official and political matters is a
40 Class C crime.

42 **Sec. 24. 19-A MRSA §1556**, as amended by PL 1999, c. 704, §1
and c. 731, Pt. ZZZ, §32 and affected by §42 is repealed and the
44 following enacted in its place:

46 **§1556. Remedies**

48 The District Court has jurisdiction over an action to
determine parentage. There is no right to demand a jury trial in
an action to determine parentage. The District Court has
50 jurisdiction for the enforcement of judgments for expenses of

2 pregnancy and confinement for a wife or for education, support or
3 funeral expenses for legitimate children and all remedies for the
4 enforcement of these judgments apply. The court has continuing
5 jurisdiction to modify or revoke a judgment for future education
6 and support. All remedies under the Uniform Interstate Family
7 Support Act are available for enforcement of duties of support
8 under this subchapter.

9
10 **Sec. 25. 20-A MRSA §13032, sub-§4**, as enacted by PL 1999, c.
11 569, §1 and affected by §6, is amended to read:

12 **4. Basic skills.** Basic skills, which ~~includes~~ include
13 reading, writing and mathematics.

14
15 **Sec. 26. 20-A MRSA §15618-A**, as amended by PL 1999, c. 710,
16 §§13 and 14, is repealed.

17 **Sec. 27. 22 MRSA §2602**, as enacted by PL 1975, c. 751, §4, is
18 amended to read:

19 **§2602. Fees for testing**

20
21 The department shall charge the average cost of the analysis
22 for any examination, testing or analysis required under this
23 chapter and performed in the departmental diagnostic laboratory.
24 ~~Such~~ The fees shall must be recalculated and deposited according
25 to section ~~562~~ 565, subsection 3 and section 568.

26
27 **Sec. 28. 24-A MRSA §1156, sub-§2, ¶H**, as amended by PL 1993,
28 c. 313, §27, is further amended to read:

29 H. Investments that do not qualify or are not permitted
30 under any other paragraph of this subsection; as long as:

31
32 (1) After giving effect to any investment made under
33 this paragraph, the aggregate amount of those
34 investments does not exceed 14% of total admitted
35 assets, except that investments made under this
36 paragraph in institutions or property not located
37 within the State may not exceed 10% of total admitted
38 assets; and, if the insurer makes investments described
39 in paragraphs A to G and elects to charge those
40 investments against the quantitative limits in this
41 paragraph instead of the quantitative limits in
42 paragraphs A to G, then the aggregate amount invested
43 under this paragraph in those types of investments may
44 not exceed 5% of total admitted assets for any one of
45 those types of investments;
46
47
48

2 (2) Investments that are neither interest bearing nor
income entitled, including the cost of outstanding bona
4 fide hedging transactions made under section 1153,
subsection 2 4, paragraph D, are subject to all of the
6 provisions of this paragraph; and the aggregate amount
of those investments held at any one time may not
8 exceed 3% of total admitted assets;

10 (3) The investment limitations contained in this
chapter, qualitative or otherwise, may not apply to
12 loans or investments made or acquired under this
paragraph, provided that no loan or investment made or
14 acquired under this paragraph may be represented by any
item described in section 902; any loan or investment
16 expressly prohibited under section 1160; or agents'
balances, or amounts advanced to or owing by agents,
18 except as to policy loans, mortgage loans and
collateral loans to those agents otherwise authorized
under this chapter; or

20 (4) The insurer shall keep a separate record of all
22 loans and investments made or acquired under this
paragraph. Any such loan or investment that,
24 subsequent to the date of making or acquisition, has
attained the standard of eligibility and qualifies
26 under any other provision of this chapter may be
considered to have been made or acquired under and in
28 compliance with that provision and may no longer be
considered to have been made or acquired under this
30 paragraph.

32 **Sec. 29. 24-A MRSA §4301**, as amended by PL 1999, c. 609, §19
and repealed by c. 742, §2, is repealed.

34 **Sec. 30. 29-A MRSA §460, sub-§1**, as amended by PL 1997, c. 58,
36 §1, is further amended to read:

38 **1. State official registration plates authorized.** The
Secretary of State, on payment of taxes required in section 409,
40 fees required in section 501, subsections 1 and 2 2-A and an
additional fee equal to the cost of producing the plates, rounded
42 to the nearest dollar, and upon application, shall issue one pair
of specially designed number plates for one designated motor
44 vehicle owned or controlled by each member of the United States
Senate or the United States House of Representatives from this
46 State, or members of the Legislature, Representatives of the
Indian Tribes at the Legislature, the President of the Senate,
48 the Speaker of the House of Representatives, the Secretary of the
Senate and the Clerk of the House of Representatives. The cost
50 of producing the special plates is determined by the bureau. A

2 specially designed plate and its registration certificate may be
used in place of the regular plate and registration. The named
4 official may attach to such a motor vehicle one of the valid
registration plates issued under section 451 and one of the
6 special registration plates issued under this section.

8 **Sec. 31. 29-A MRSA §1752, sub-§5, ¶B,** as enacted by PL 1993,
c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

10 B. Registered for a fee of \$2 under section 501, subsection
2 2-A; and

12 **Sec. 32. 29-A MRSA §2101, ¶¶A and B,** as enacted by PL 1999,
14 c. 771, Pt. C, §15 and affected by Pt. D, §§1 and 2, are repealed.

16 **Sec. 33. 29-A MRSA §2101, sub-§§1 and 2** are enacted to read:

18 1. Infraction. A traffic infraction if the violation the
driver commits is a traffic infraction; or

20 2. Class E crime. A Class E crime if the violation the
22 driver commits is a crime.

24 **Sec. 34. Effective date.** Those sections of this Act that repeal
the Maine Revised Statutes, Title 29-A, section 2101, paragraphs
26 A and B and enact subsections 1 and 2 take effect July 1, 2001.

28 **Sec. 35. 30-A MRSA §4322,** as enacted by PL 1989, c. 104, Pt.
A, §45 and Pt. C, §10, is amended to read:

30 **§4322. Exception**

32 This article ~~and section 4343, subsection 1, do~~ does not
34 apply to municipalities within the jurisdiction of the Maine Land
Use Regulation Commission.

36 **Sec. 36. 34-B MRSA §1803,** as amended by PL 1999, c. 668, §123
38 and as repealed by c. 731, Pt. L, §3, is repealed.

40 **Sec. 37. 36 MRSA §5122, sub-§2, ¶L,** as amended by PL 1999, c.
708, §35 and c. 731, Pt. S, §2 and affected by §4 and amended by
42 c. 790, Pt. A, §49, is repealed and the following enacted in its
place:

44 L. For income tax years beginning on or after January 1,
46 2000, an amount equal to the total premiums spent for
qualified long-term care insurance contracts as defined in
48 the Code, Section 7702B(b), as long as the amount subtracted

2 is reduced by the long-term care premiums claimed as an
3 itemized deduction pursuant to section 5125;

4 **Sec. 38. 36 MRSA §5122, sub-§2, ¶M,** as enacted by PL 1999, c.
5 731, Pt. S, §3 and affected by §4, is amended to read:

6 M. An amount, for each recipient of benefits under an
7 employee retirement plan, that is the lesser of:

10 (1) Six thousand dollars reduced by the total amount
11 of social security benefits and railroad retirement
12 benefits paid by the United States, but not less than
13 \$0; or

14 (2) The aggregate of benefits received under employee
15 retirement plans and included in federal adjusted gross
16 income. For purposes of this paragraph, "employee
17 retirement plan" means a state, federal or military
18 retirement plan or any other retirement benefit plan
19 established and maintained by an employer for the
20 benefit of its employees under Section 401(a), Section
21 403 or Section 457(b) of the Code. "Employee
22 retirement plan" does not include an individual
23 retirement account under Section 408 of the Code, a
24 Roth IRA under Section 408A of the Code, a rollover
25 individual retirement account, a simplified employee
26 pension under Section 408(k) of the Code or an
27 ineligible deferred compensation plan under Section
28 457(f) of the Code; and

30 **Sec. 39. 36 MRSA §5122, sub-§2, ¶M,** as enacted by PL 1999, c.
31 708, §36, is reallocated to 36 MRSA §5122, sub-§2, ¶N.

34 **Sec. 40. PL 1999, c. 556, §37, amending clause** is amended to read:

36 **Sec. 37. 38 MRSA ~~§1310-E~~ §1310-E-1, sub-§2, ¶A,** as enacted by
37 PL 1993, c. 732, Pt. C, §12, is amended to read:

38 **Sec. 41. PL 1999, c. 556, §38, amending clause** is amended to read:

40 **Sec. 38. 38 MRSA ~~§1310-E~~ §1310-E-1, sub-§2, ¶B,** as enacted by
41 PL 1993, c. 732, Pt. C, §12 and amended by PL 1995, c. 502, Pt.
42 E, §32, is further amended to read:

44 **Sec. 42. Retroactivity.** Any effective date for a section of
45 this Act that is earlier than the actual effective date of this
46 Act is deemed to apply retroactively to the effective date for
47 that section.
48

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

6
8 **SUMMARY**

10 Sections 1 and 2 correct a conflict created by Public Law
1999, chapters 731 and 778, which affected the same provision of
12 law, by incorporating the changes made by both public laws. This
correction is retroactive to May 10, 2000, the effective date of
Public Law 1999, chapter 778.

14 Section 3 corrects a typographical error and makes
16 grammatical changes.

18 Section 4 enacts the Maine Revised Statutes, Title 5, Part
10-A, Fire Protection Services. This new Part designation places
20 chapter 319, Maine Fire Protection Services Commission, under an
appropriate Part heading.

22 Section 5 repeals a reference to the Maine Firefighter
24 Training Fund. The fund failed enactment during the Second
Regular Session of the 119th Legislature.

26 Sections 6 and 7 correct an error that was created when
28 Public Law 1999, chapter 731 enacted a new Title 5, section
13063-D in Part MMM, section 1 and a new Title 5, chapter 383,
30 subchapter II, article 2-A, which included new sections 13063-D
through 13063-H, in Part VVV, section 1. These sections correct
32 that error by repealing article 2-A and enacting article 2-B with
new section numbers.

34 Sections 8 and 9 correct an error when Public Law 1999,
36 chapter 731 enacted the Applied Technology Development Center
System consisting of the Center for Environmental Enterprise in
38 South Portland, the Thomas M. Teague Biotechnology Park in
Fairfield, the Target Technology Center in Orono and the Loring
40 Biotechnology Incubator in Limestone but inadvertantly omitted
the Target Technology Center in Orono in 2 places that should
42 have listed the center.

44 Sections 10 and 11 correct a conflict created when Public
Law 1999, chapters 547 and 679 both affected the same subsection
46 of law. Chapter 547 made a cross-reference change based on the
future repeal of Title 4, chapter 25 and chapter 679 changed the
48 name of the New England Milk Marketing Order. These sections
make the name change to the version of Title 7, section 3152,
50 subsection 4-A that is effective March 15, 2001.

2 Section 12 corrects a conflict created by Public Law 1999,
3 chapters 593 and 769, which affected the same provision of law,
4 by incorporating the changes made by both laws.

6 Section 13 corrects a cross-reference.

8 Sections 14 and 15 correct a formatting error and provide an
9 effective date of July 1, 2001.

10 Sections 16 to 18 correct a punctuation error and provide an
11 effective date of July 1, 2001.

12 Sections 19 and 20 correct a clerical error by replacing the
13 word "to" with the word "of" and provide an effective date of
14 July 1, 2001.

16 Section 21 corrects a cross-reference.

18 Section 22 corrects a conflict created by Public Law 1999,
19 chapter 624, Part A, section 2 and Part B, section 5, which
20 affected the same provision of law, by using the Part B, section
21 5 version.

24 Section 23 corrects a clerical error by replacing the word
25 "bribing" with the word "bribery" to make the section consistent.

26 Section 24 corrects a conflict created by Public Law 1999,
27 chapters 704 and 731, which affected the same provision of law,
28 by incorporating the changes made by both laws.

30 Section 25 corrects a clerical error by replacing the word
31 "includes" with the word "include."

34 Section 26 repeals the headnote to Title 20-A, section
35 15618-A, which is all that remains of that section following the
36 repeal of subsections 1 and 2 by Public Law 1999, chapter 710,
37 sections 13 and 14.

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

42 Section 28 corrects a cross-reference.

44 Section 29 corrects a conflict created by Public Law 1999,
45 chapter 609, which amended Title 24-A, section 4301, subsection
46 1, and chapter 742, which repealed that section of law and
47 enacted section 4301-A, subsection 3, which contains the
48 substance of the repealed section.

50 Section 30 corrects a cross-reference.

2 Section 31 corrects a cross-reference.

4 Sections 32 to 34 correct a format error by adding
subsections and provide an effective date of July 1, 2001.

6

8 Section 35 removes a cross-reference to a subsection of law
that has been repealed.

10 Section 36 corrects a conflict created by PL 1999, chapter
12 668, which corrected cross-references in Title 34-B, section
14 1803, first paragraph, and Public Law 1999, chapter 731, which
repealed the entire section. This section corrects that conflict
by repealing the section.

16 Sections 37 to 39 correct a lettering conflict created by
Public Law 1999, chapters 731 and 708, which enacted 2
18 substantively different provisions with the same paragraph
letter. These sections also incorporate a technical change made
20 by Public Law 1999, chapter 790.

22 Sections 40 and 41 correct 2 amending clauses.