

MAINE STATE LEGISLATURE

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R. O. S.

L.D. 274

DATE: 6/13/03

(Filing No. H-593)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 217, L.D. 274, Bill, "An Act to Correct Errors and Inconsistencies in the Laws of Maine"

Amend the bill by inserting after the enacting clause and before section 1 the following:

PART A

Further amend the bill by striking out all of sections 2 to 10.

Further amend the bill by striking out all of section 15.

Further amend the bill by striking out all of sections 23, 26, 30, 32, 37, 39, 47, 48, 50 and 51.

Further amend the bill by striking out all of sections 56 and 63 to 67.

Further amend the bill by inserting after section 68 the following:

PART B

Sec. B-1. 4 MRSA §153, sub-§9, as amended by PL 1969, c. 501, §1, is further amended to read:

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2 9. Northern Cumberland. Northern Cumberland consists of
all municipalities in the County of Cumberland not included
within the divisions of Eastern--and Southern Cumberland and
4 Bath-Brunswick, and consists of the municipalities of Brownfield,
Denmark, Hiram, Fryeburg, Lovell, Sweden, Stow and Porter in the
6 County of Oxford. The District Court for Northern Cumberland
shall must be held at Bridgton.

8
10 Sec. B-2. 5 MRSA §191, as amended by PL 1989, 'c. 410, §13, is
repealed and the following enacted in its place:

12 §191. Duties; salary; fees; full time

14 1. Attorney General; office; salary. The Attorney General
is the executive head of the Department of the Attorney General.
16 The Attorney General shall keep an office at the seat of
government and is entitled to receive an annual salary in full
18 for all services. The Attorney General is entitled to receive
actual expenses incurred in the performance of official duties.

20
22 2. Full time; prohibited activities. The Attorney General
shall devote full time to the duties of the office and may not
engage in the private practice of law during the Attorney
24 General's term of office, nor may the Attorney General during
that term be a partner or associate of any person in the practice
26 of law. During the term of service, the Attorney General may not
be an officer or director of any corporation engaged in business
28 for profit within the State.

30 3. Representation by Attorney General, deputies, assistants
and staff attorneys. The Attorney General or a deputy, assistant
32 or staff attorney shall appear for the State, the head of any
state department, the head of any state institution and agencies
34 of the State in all civil actions and proceedings in which the
State is a party or interested, or in which the official acts and
36 doings of the officers are called into question, in all the
courts of the State and in those actions and proceedings before
38 any other tribunal when requested by the Governor or by the
Legislature or either House of the Legislature. All such actions
40 and proceedings must be prosecuted or defended by the Attorney
General or under the Attorney General's direction.

42
44 A. Writs, summonses or other processes served upon those
officers must be transmitted by them to the Attorney General.

46 B. All legal services required by those officers, boards
and commissions in matters relating to their official duties
48 must be rendered by the Attorney General or under the
Attorney General's direction. The officers or agencies of
50 the State may not act at the expense of the State as

counsel, nor employ private counsel except upon prior written approval of the Attorney General. In all instances where the Legislature has authorized an office or an agency of the State to employ private counsel, the Attorney General's written approval is required as a condition precedent to the employment.

4. Fees. The Attorney General is entitled to receive the following fees:

A. For approval of certificate of organization of corporations under Title 9-B, section 313, subsection 3, \$10 in advance; and

B. For certificate that any corporation has ceased to transact business and is excused from filing annual returns, as authorized in Title 13-C, section 1621, subsection 4, \$5.

The Attorney General shall collect the legal and usual fees payable to the Attorney General by virtue of the Attorney General's office and shall pay them over to the Treasurer of State.

Sec. B-3. Effective date. That section of this Part that repeals and replaces the Maine Revised Statutes, Title 5, section 191 takes effect July 1, 2003.

Sec. B-4. 12 MRSA §6404-B, as amended by PL 2001, c. 327, §2, is further amended to read:

§6404-B. Suspension based on conviction of fishing on closed days for sea urchin fishing

The commissioner shall suspend the sea urchin fishing license of any license holder convicted in court of violating section 6749-W 6749 or any rule adopted under section 6749. The suspension must be for one year from the date of conviction.

Sec. B-5. 20-A MRSA §4706, sub-§2, as amended by PL 2001, c. 403, §1 and c. 454, §20, is repealed and the following enacted in its place:

2. Maine studies. Maine history, including the Constitution of Maine, Maine geography and environment and the natural, industrial and economic resources of Maine and Maine's cultural and ethnic heritage, must be taught. A required component of Maine studies is Maine Native American studies, which must be included in the review of content standards and performance indicators of the learning results conducted in accordance with

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2 section 6209, subsection 4. The Maine Native American studies
3 must address the following topics:

4 A. Maine tribal governments and political systems and their
5 relationship with local, state, national and international
6 governments;

7 B. Maine Native American cultural systems and the
8 experience of Maine tribal people throughout history;

9 C. Maine Native American territories; and

10 D. Maine Native American economic systems.

11 **Sec. B-6. 22 MRSA §330, sub-§5, as enacted by PL 2001, c. 664,**
12 **§2, is repealed.**

13 **Sec. B-7. 22 MRSA §3028, sub-§7, as amended by PL 2001, c.**
14 **291, §7 and c. 345, §2, is repealed and the following enacted in**
15 **its place:**

16 7. Written report. Upon completing an investigation, the
17 medical examiner or the person expressly authorized by the Chief
18 Medical Examiner shall submit a written report of the
19 investigator's findings to the Chief Medical Examiner on forms
20 provided for that purpose. The investigator shall retain one copy
21 of the report.

22 If an investigator reports suspected abuse, neglect or
23 exploitation to the Chief Medical Examiner, the Chief Medical
24 Examiner, by reporting that information to the department on
25 behalf of the investigator, fulfills the medical examiner's
26 mandatory reporting requirement under section 3477 or 4011-A.

27 **Sec. B-8. 22 MRSA §5118, sub-§4, ¶C, as enacted by PL 1981, c.**
28 **470, Pt. A, §117, is amended to read:**

29 C. In the administration of the plan, there is a failure to
30 comply substantially with any such provision of subsection
31 1, paragraphs A to I, the director shall notify the area
32 agency that no further payments from its allotments under
33 sections section 5115 and Section 306 and--5115 of the
34 federal Older Americans Act of 1965, 42 United States Code,
35 Section 3026 will be made to the agency or, in his the
36 director's discretion, that further payments to the agency
37 will be limited to projects under or portions of the area
38 plan not affected by the failure, until he the director is
39 satisfied that there will no longer be any failure to
40 comply. Until he the director is so satisfied, no further
41 payments may not be made to the agency from its allotments

2 under section 5115, or payments may be limited to projects
3 under or portions of the area plan not affected by the
4 failure. The director shall, in accordance with regulations
5 ~~he shall prescribe~~ rules adopted by the director, disburse
6 funds so withheld directly to any public or nonprofit
7 private organization or agency of the area, submitting an
8 approved plan in accordance with section 5116. Any payment
9 or payments shall must be matched in the proportions
10 specified in section 5116.

11 **Sec. B-9. 25 MRSA §1550**, as enacted by PL 1975, c. 763, §10,
12 is amended to read:

13 **§1550. Violations**

14 Any person who fails to comply with the provisions of
15 section ~~1542~~, subsections 1542-A, subsection 1 or 3, or with the
16 provisions of section ~~1542~~ 1542-A, subsection 4, imposing a duty
17 to transmit criminal fingerprint records to the State Bureau of
18 Identification, or with the provisions of sections 1544, 1547 or
19 1549 commits a civil violation for which a ~~forfeiture~~ fine of not
20 more than \$100 may be adjudged.

21 **Sec. B-10. 32 MRSA §2102, sub-§2-A**, as amended by PL 2003, c.
22 204, Pt. H, §1, is further amended to read:

23 **2-A. Advanced practice registered nursing.** "Advanced
24 practice registered nursing" means the delivery of expanded
25 professional health care by an advanced practice registered nurse
26 that is:

27 B. Within the advanced practice registered nurse's scope of
28 practice as specified by the board by rulemaking, taking
29 into consideration any national standards that exist; and

30 C. In accordance with the standards of practice for
31 advanced practice registered nurses as specified by the
32 board by rulemaking, taking into consideration any national
33 standards that may exist. Advanced practice registered
34 nursing includes consultation with or referral to medical
35 and other health care providers when required by client
36 health care needs.

37 A certified nurse practitioner or a certified nurse midwife who
38 qualifies as an advanced practice registered nurse may prescribe
39 and dispense drugs or devices, or both, in accordance with rules
40 adopted by the board. ~~In adopting such rules, the board shall~~
41 ~~invite and consider comment from the Joint Practice Council on~~
42 ~~Advanced Practice Registered Nursing.~~

43

2 A certified nurse practitioner who qualifies as an advanced
3 practice registered nurse must practice, for at least 24 months,
4 under the supervision of a licensed physician or must be employed
5 by a clinic or hospital that has a medical director who is a
6 licensed physician. The certified nurse practitioner must submit
7 written evidence to the board upon completion of the required
8 clinical experience.

9 The board shall adopt rules necessary to effectuate the purposes
10 of this chapter relating to advanced practice registered nursing.

12 **PART C**

13 **Sec. C-1. 11 MRSA §9-1207, sub-§(4)**, as enacted by PL 1999, c.
14 699, Pt. A, §2 and affected by §4, is amended to read:

15 (4) If the secured party is a buyer of accounts, chattel
16 paper, payment intangibles or promissory notes or a consignor:

17 (a) Subsection (1) does not apply unless the secured party
18 is entitled under an agreement:

19 (i) To charge back uncollected collateral; or

20 (ii) Otherwise to full or limited recourse against the
21 debtor or a secondary obligor based on the nonpayment
22 or other default of an account debtor or other obligor
23 on the collateral; and

24 (b) Subsections (2) and (3) do not apply.

25 **Sec. C-2. 11 MRSA §9-1207, sub-§(5)**, as enacted by PL 1999, c.
26 699, Pt. A, §2 and affected by §4, is repealed.

27 **Sec. C-3. 12 MRSA §6034, sub-§1**, as enacted by PL 2003, c. 90,
28 §2, is amended to read:

29 **1. Appointment; composition.** The Commercial Fishing Safety
30 Council, referred to in this section as "the council" and
31 established by Title 5, section 12004-I, subsection 57-E,
32 consists of 17 members, 15 of whom are appointed by the Governor
33 and-subject-to-confirmation-by-the-Legislature as follows:

34 A. One member who is a license holder under this Part and a
35 member of the Lobster Advisory Council, recommended by the
36 chair of the Lobster Advisory Council;

37 B. One member who is a license holder under this Part and a
38 member of the Marine Resources Advisory Council, recommended
39 by the chair of the Marine Resources Advisory Council;

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- 2 C. One member who is a license holder under this Part and a
4 member of the Sea Urchin Zone Council, recommended by the
6 chair of the Sea Urchin Zone Council;
- 8 D. Five members who are license holders under this Part and
10 who each represent a different commercial marine harvesting
12 activity than the other members of the council, recommended
14 by commercial marine harvesting and aquaculture interests;
- 16 E. An educator experienced in community-based adult
18 education and volunteer safety training;
- 20 F. An expert in fishing industry risk analysis and
22 occupational health;
- 24 G. An expert in marine safety equipment;
- 26 H. A representative of the marine insurance industry;
- 28 I. A marine surveyor;
- 30 J. A spouse or domestic partner of a license holder under
32 this Part; and
- 34 K. A member of the public.

36 The chair of the Marine Resources Advisory Council and the chair
38 of the Marine Recreational Fishing Advisory Council are ex
40 officio members of the council. The composition of the council
42 must reflect a geographic distribution along the coast of the
44 State. The council may invite to carry out the duties of the
46 council other participants on an ad hoc basis, including
48 representatives of private or governmental organizations or
50 individuals with expertise or interest in marine, education,
labor or health matters.

38 **Sec. C-4. 17-A MRSA §360, sub-§1**, as amended by PL 2001, c.
40 667, Pt. D, §11 and affected by §36, is further amended to read:

- 42 1. A person is guilty of theft if:
 - 44 A. Knowing that the person does not have the consent of the
46 owner, the person takes, operates or exercises control over
48 a vehicle, or, knowing that a vehicle has been so wrongfully
50 obtained, the person rides in the vehicle. Violation of
this paragraph is a Class D crime;
 - A-1. The person violates paragraph A and the person has 2
prior Maine convictions for any combination of the

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2 following: theft; any violation of section 401 in which the
3 crime intended to be committed inside the structure is
4 theft; any violation of section 405 in which the crime
5 intended to be committed inside the motor vehicle is theft;
6 any violation of section 651; any violation of section 702,
7 703 or 708; or attempts thereat. Section 9-A governs the
8 use of prior convictions when determining a sentence.
9 Violation of this paragraph is a Class C crime;

10 B. Having custody of a vehicle pursuant to an agreement
11 between the person and the owner of the vehicle whereby the
12 person or another is to perform for compensation a specific
13 service for the owner involving the maintenance, repair or
14 use of the vehicle, the person intentionally uses or
15 operates the vehicle, without the consent of the owner, for
16 the person's own purposes in a manner constituting a gross
17 deviation from the agreed purpose. Violation of this
18 paragraph is a Class D crime; or

19 B-1. The person violates paragraph B and the person has 2
20 prior Maine convictions for any combination of the
21 following: theft; any violation of section 401 in which the
22 crime intended to be committed inside the structure is
23 theft; any violation of section 405 in which the crime
24 intended to be committed inside the motor vehicle is theft;
25 any violation of section 651; any violation of section 702,
26 703 or 708; or attempts thereat. Section 9-A governs the
27 use of prior convictions when determining a sentence.
28 Violation of this paragraph is a Class C crime;

29 C. Having custody of property pursuant to a rental or lease
30 agreement with the owner of the property or a borrower's
31 agreement with a library or museum whereby the property is
32 to be returned to the owner at a specified time and place,
33 the person knowingly fails to comply with the agreed terms
34 concerning return of such property without the consent of
35 the owner, for so lengthy a period beyond the specified time
36 for return as to render the retention or possession or other
37 failure to return a gross deviation from the agreement. For
38 purposes of this paragraph, proof that the person fails to
39 return the property within 5 days of receiving a written
40 demand from the owner, mailed by certified or registered
41 mail or delivered by hand after the expiration of the rental
42 period to the most current address known to the owner, gives
43 rise to a permissible inference under the Maine Rules of
44 Evidence, Rule 303 of a gross deviation from the agreement.
45 Violation of this paragraph is a Class D crime; or

46 D. The person violates paragraph C and the person has 2
47 prior Maine convictions for any combination of the
48 following: theft; any violation of section 401 in which the
49 crime intended to be committed inside the structure is
50 theft; any violation of section 405 in which the crime

2 following: theft; any violation of section 401 in which the
3 crime intended to be committed inside the structure is
4 theft; any violation of section 405 in which the crime
5 intended to be committed inside the motor vehicle is theft;
6 any violation of section 651; any violation of section 702,
7 703 or 708; or attempts thereat. Section 9-A governs the
8 use of prior convictions when determining a sentence.
9 Violation of this paragraph is a Class C crime.

10 **Sec. C-5. 17-A MRSA §360, sub-§4,** as enacted by PL 2001, c.
11 383, §49 and affected by §156, is repealed.

12 **Sec. C-6. 22 MRSA §4301, sub-§7,** as amended by PL 2001, c.
13 571, §1, is further amended to read:

14 **7. Income.** "Income" means any form of income in cash or in
15 kind received by the household, including net remuneration for
16 services performed, cash received on either secured or unsecured
17 credit, any payments received as an annuity, retirement or
18 disability benefits, veterans' pensions, workers' compensation,
19 unemployment benefits, benefits under any state or federal
20 categorical assistance program, supplemental security income,
21 social security and any other payments from governmental sources,
22 unless specifically prohibited by any law or regulation, court
23 ordered support payments, income from pension or trust funds and
24 household income from any other source, including relatives or
25 unrelated household members.

26 The following items are not available within the meaning of this
27 subsection and subsection 10:

28 **A.** Real or personal income-producing property, tools of
29 trade, governmental entitlement specifically treated as
30 exempt assets by state or federal law;

31 **B.** Actual work-related expenses, whether itemized or by
32 standard deduction, such as taxes, retirement fund
33 contributions, union dues, transportation costs to and from
34 work, special equipment costs and child care expenses; or

35 **C.** Earned income of children below the age of 18 years who
36 are full-time students and who are not working full time.

37 In determining need, the period of time used as a basis for the
38 calculation is the 30-day period commencing on the date of the
39 application. This prospective calculation does not disqualify an
40 applicant who has exhausted income to purchase basic necessities
41 if that income does not exceed the income standards established
42 by the municipality. Notwithstanding this prospective
43 calculation, if any applicant or recipient receives a lump sum

payment prior or subsequent to applying for assistance, that payment must be prorated over future months. The period of proration is determined by disregarding any portion of the lump sum payment that the applicant or recipient has spent to purchase basic necessities, including but not limited to: all basic necessities provided by general assistance; reasonable payment of funeral or burial expenses for a family member; reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities; repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid. All income received by the household between the receipt of the lump sum payment and the application for assistance is added to the remainder of the lump sum. The period of proration is then determined by dividing the remainder of the lump sum payment by the greater of the verified actual monthly amounts for all of the household's basic necessities or by 150% of the applicable federal poverty guidelines. That dividend represents the period of proration determined by the administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

Sec. C-7. 25 MRSA §2809, first ¶, as enacted by PL 1989, c. 521, §§14 and 17, is amended to read:

Beginning January 1, 1991, the board shall report annually to the joint standing committee of the Legislature having jurisdiction over ~~legal--affairs~~ criminal justice and public safety matters on the implementation and effectiveness of this chapter. The purpose of the report is to provide the Legislature annual information on the law governing law enforcement training in order to ensure that appropriate and timely training is accomplished. The report must include the following:

Sec. C-8. 29-A MRSA §2054, sub-§2, ¶D, as amended by PL 2003, c. 78, §1, is repealed and the following enacted in its place:

D. Except as provided in this paragraph, a vehicle may not be equipped with or display a blue light.

(1) Emergency lights used on the following vehicles must emit a blue light or a combination of blue and white light: a police vehicle; a Department of Corrections vehicle as described in subsection 1,

2 paragraph B, subparagraph (6); a vehicle operated by a
4 chief of police, a sheriff or a deputy sheriff; and a
6 vehicle operated by a qualified deputy sheriff or other
8 qualified individual performing court security-related
10 functions and services.

12 (2) Emergency lights used on an ambulance, an
14 emergency medical service vehicle, a fire department
16 vehicle, a fire vehicle or a hazardous material
18 response vehicle may include one blue light mounted at
20 the rear of the vehicle so that the light is visible to
22 approaching traffic.

24 (3) The taillight of a vehicle, or replica of a
26 vehicle, manufactured prior to 1952 and registered
28 under section 457, may contain a blue or purple insert
30 of not more than one inch in diameter.

32 **Sec. C-9. 29-A MRSA §2054, sub-§2, ¶F,** as amended by PL 2003,
34 c. 78, §2, is further amended to read:

36 F. Only vehicles listed in this paragraph, rural mail
38 vehicles as provided in paragraph C, subparagraph (5) and
40 school buses may be equipped with, display or use a red
42 auxiliary or emergency light.

44 (1) Emergency lights used on an ambulance, an
46 emergency medical service vehicle, a fire department
48 vehicle, a fire vehicle or a hazardous material
50 response vehicle must emit a red light or a combination
of red and white light ~~and may be equipped with one
blue light mounted at the rear of the vehicle so that
the light is visible to approaching traffic.~~

(2) The municipal officers or a municipal official
designated by the municipal officers, with the approval
of the fire chief, may authorize an active member of a
municipal or volunteer fire department to use a
flashing red signal light not more than 5 inches in
diameter on a vehicle. The light may be displayed but
may be used only while the member is en route to or at
the scene of a fire or other emergency. The light must
be mounted as near as practicable above the
registration plate on the front of the vehicle or on
the dashboard. A light mounted on the dashboard must
be shielded so that the emitted light does not
interfere with the operator's vision.

(3) Members of an emergency medical service licensed
by Maine Emergency Medical Services may display and use

on a vehicle a flashing red signal light of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service.

Sec. C-10. Effective date. Those sections of this Part that repeal and replace the Maine Revised Statutes, Title 29-A, section 2054, subsection 2, paragraph D and amend Title 29-A, section 2054, subsection 2, paragraph F take effect 90 days after adjournment of the First Regular Session of the 121st Legislature.

Sec. C-11. 30-A MRSA §371-B, sub-§4, as repealed and replaced by PL 1997, c. 562, Pt. D, §6 and affected by §11, is amended to read:

4. Exception. Any person who is serving ~~or who has previously served~~ in the office of sheriff on the ~~effective date of this section~~ June 26, 1997 or who served prior to that date is deemed to meet the minimum qualifications of subsection 3.

Sec. C-12. 36 MRSA §1811, last ¶, as amended by PL 1999, c. 401, Pt. X, §3 and affected by §5 and amended by c. 414, §23, is repealed and the following enacted in its place:

Rental or lease of an automobile for one year or more must be taxed at the time of the lease or rental transaction at 5% of the following: the total monthly lease payment multiplied by the number of payments in the lease or rental, the amount of equity involved in any trade-in and the value of any cash down payment. Collection and remittance of the tax is the responsibility of the person that negotiates the lease transaction with the lessee.

Sec. C-13. Retroactivity. That section of this Part that repeals and replaces the Maine Revised Statutes, Title 36, section 1811, last paragraph applies retroactively to July 1, 2000.

Sec. C-14. 37-B MRSA §781, as amended by PL 2001, c. 614, §13 and c. 662, §82, is repealed and the following enacted in its place:

§781. Municipal, county and regional agencies

1. Municipal or interjurisdictional agencies. Each municipality of the State must be served by a municipal or interjurisdictional agency responsible for emergency management.

2. County or regional agencies. Each county shall maintain a county emergency management agency or create regional

1 emergency management agencies that serve the member counties.
2 Each county or regional agency is responsible for coordination of
3 the activities of municipal and interjurisdictional emergency
4 management agencies within the region or county and for emergency
5 management in the unorganized territories within its
6 jurisdiction. A county or regional emergency management agency
7 must receive support from the municipalities within its
8 jurisdiction.

10 3. Structure of county and regional agencies. The director
11 shall advise upon the organizational structure of county and
12 regional emergency management agencies, including the manner in
13 which the directors of those agencies are appointed by governing
14 bodies of the jurisdictions involved.

16 4. List of agencies. The agency shall publish and maintain
17 a current list of municipal, interjurisdictional, county and
18 regional emergency management agencies established pursuant to
19 this section.

20 **Sec. C-15. 37-B MRSA §822**, as amended by PL 2001, c. 614, §20
21 and c. 662, §88, is repealed and the following enacted in its
22 place:

24 **§822. Immunity**

26
27 Neither the State nor any of its agencies or political
28 subdivisions nor a person called out pursuant to section 784-A,
29 including a voluntary and uncompensated grantor of a permit for
30 the use of the grantor's premises as an emergency management
31 shelter, may, while engaged in any emergency management
32 activities and while complying with or attempting to comply with
33 this chapter or any rule adopted pursuant to this chapter, be
34 liable for the death of or injury to any person, or damage to
35 property, as a result of those activities. This section does not
36 affect the right of any person to receive benefits to which that
37 person would otherwise be entitled under this chapter, under the
38 Maine Workers' Compensation Act of 1992, under any pension law or
39 under any act of Congress.

40 **Sec. C-16. P&SL 2001, c. 62, §2** is amended to read:

42 **Sec. 2. Territory.** The territory affected by this Act,
43 referred to in this Act as the "territory," is as follows:

44
45 A certain lot or parcel of land situated in the Town of
46 Falmouth, County of Cumberland, and State of Maine bounded
47 and described as follows:

48
49 Beginning at a granite monument on the southerly bank of the
50

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2 Presumpscot River which monument marks the Falmouth-Portland
Town line;

4 Thence south 31 degrees, 28 feet minutes, 15 inches seconds
west along said Falmouth-Portland Town line, 1,409.32 feet
6 to a granite monument;

8 Thence north 58 degrees, 27 feet minutes, 10 inches seconds
west along said Falmouth-Portland Town line, 1,047.77 feet
10 to a granite monument;

12 Thence north 30 degrees, 42 feet minutes, 40 inches seconds
east along said Falmouth-Portland Town line, 290.49 feet to
14 a granite monument;

16 Thence north 59 degrees, 9 feet minutes, 11 inches seconds
west along said Falmouth-Portland Town line, 482.24 feet to
18 a granite monument and the Maine Turnpike spur;

20 Thence north 64 degrees, 31 feet minutes, 49 inches seconds
east along said Turnpike Spur, 1,690.60 feet to the
22 Presumpscot River;

24 Thence southeasterly along said Presumpscot River 700 feet
more or less to the point of beginning.

26 The territory described above includes all of the land,
28 buildings, intertidal land, submerged land, freshwater or
saltwater ponds and river beds, generally referred to as the
30 Adams/Wolfe property, containing 37.73 acres, more or less.

32 **Sec. C-17. Retroactivity.** That section of this Part that
amends Private and Special Law 2001, chapter 62, section 2
34 applies retroactively to April 2, 2002.

36 **PART D**

38 **Sec. D-1. 5 MRSA §17851-A, sub-§2**, as amended by PL 2001, c.
40 559, Pt. RR, §6 and affected by §17 and amended by c. 646, §§3
and 4, is repealed and the following enacted in its place:

42 **2. Qualification for benefits.** A member employed in any
44 one or a combination of the capacities specified in subsection 1
after June 30, 1998 and before September 1, 2002 for employees
46 identified in subsection 1, paragraphs A and B; after June 30,
1998 for employees identified in subsection 1, paragraphs C to H;
48 after December 31, 1999 for employees identified in subsection 1,
paragraphs I to K; after June 30, 2002 for employees identified
50 in subsection 1, paragraph M; and any employee identified in

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2 subsection 1, paragraph L, qualifies for a service retirement
3 benefit if that member either:

4 A. Is at least 55 years of age and has completed at least
5 10 years of creditable service under the 1998 Special Plan
6 in any one or a combination of the capacities; or

8 B. Has completed at least 25 years of creditable service in
9 any one or a combination of the capacities specified in
10 subsection 1, whether or not the creditable service included
11 in determining that the 25-year requirement has been met was
12 earned under the 1998 Special Plan or prior to its
13 establishment.

14 **Sec. D-2. 5 MRSA §17851-A, sub-§3, ¶A,** as amended by PL 2001,
15 c. 559, Pt. RR, §7 and affected by §17 and amended by c. 646, §§5
16 and 6, is repealed and the following enacted in its place:

18 A. For the purpose of meeting the qualification requirement
19 of subsection 2, paragraph A:

22 (1) Service credit purchased by repayment of an
23 earlier refund of accumulated contributions following
24 termination of service is included only to the extent
25 that time to which the refund relates was served after
26 June 30, 1998 and before September 1, 2002 for
27 employees identified in subsection 1, paragraphs A and
28 B; after June 30, 1998 for employees identified in
29 subsection 1, paragraphs C to H; after December 31,
30 1999 for employees identified in subsection 1,
31 paragraphs I to K; and after June 30, 2002 for
32 employees identified in subsection 1, paragraph M, in
33 any one or a combination of the capacities specified in
34 subsection 1. Service credit may be purchased for
35 service by an employee identified in subsection 1,
36 paragraph L regardless of when performed; and

38 (2) Service credit purchased other than as provided
39 under subparagraph (1), including but not limited to
40 service credit for military service, is not included.

42 **Sec. D-3. 5 MRSA §17851-A, sub-§4, ¶A,** as amended by PL 2001,
43 c. 559, Pt. RR, §8 and affected by §17 and amended by c. 646, §§7
44 and 8, is repealed and the following enacted in its place:

46 A. If all of the member's creditable service in any one or
47 a combination of the capacities specified in subsection 1
48 was earned after June 30, 1998 and before September 1, 2002

2 for employees identified in subsection 1, paragraphs A and
3 B; after June 30, 1998 for employees identified in
4 subsection 1, paragraphs C to H; after December 31, 1999 for
5 employees identified in subsection 1, paragraphs I to K;
6 after December 31, 2001 for employees identified in
7 subsection 1, paragraph L; and after June 30, 2002 for
8 employees identified in subsection 1, paragraph M; if
9 service credit was purchased by repayment of an earlier
10 refund of accumulated contributions for service in any one
11 or a combination of the capacities specified in subsection 1
12 after June 30, 1998 and before September 1, 2002 for
13 employees identified in subsection 1, paragraphs A and B;
14 after June 30, 1998 for employees identified in subsection
15 1, paragraphs C to H; after December 31, 1999 for employees
16 identified in subsection 1, paragraphs I to K; after
17 December 31, 2001 for employees identified in subsection 1,
18 paragraph L; and after June 30, 2002 for employees
19 identified in subsection 1, paragraph M; or if service
20 credit was purchased by other than the repayment of an
21 earlier refund and eligibility to make the purchase of the
22 service credit, including, but not limited to, service
23 credit for military service, was achieved after June 30,
24 1998 and before September 1, 2002 for employees identified
25 in subsection 1, paragraphs A and B; after June 30, 1998 for
26 employees identified in subsection 1, paragraphs C to H;
27 after December 31, 1999 for employees identified in
28 subsection 1, paragraphs I to K; after December 31, 2001 for
29 employees identified in subsection 1, paragraph L; and after
30 June 30, 2002 for employees identified in subsection 1,
31 paragraph M, the benefit must be computed as provided in
32 section 17852, subsection 1, paragraph A.

33
34 (1) If the member had 10 years of creditable service
35 on July 1, 1993, the benefit under subsection 2,
36 paragraph B must be reduced as provided in section
37 17852, subsection 3, paragraphs A and B.

38 (2) If the member had fewer than 10 years of
39 creditable service on July 1, 1993, the benefit under
40 subsection 2, paragraph B must be reduced by 6% for
41 each year that the member's age precedes 55 years of
42 age.

43 **Sec. D-4. 5 MRSA §17851-A, sub-§4, ¶B,** as amended by PL 2001,
44 c. 559, Pt. RR, §8 and affected by §17 and amended by c. 646, §§9
45 and 10, is repealed and the following enacted in its place:

46
47 B. Except as provided in paragraphs D and E, if some part
48 of the member's creditable service in any one or a

2 combination of the capacities specified in subsection 1 was
3 earned before July 1, 1998 for employees identified in
4 subsection 1, paragraphs A to H; before January 1, 2000 for
5 employees identified in subsection 1, paragraphs I to K;
6 before January 1, 2002 for employees identified in
7 subsection 1, paragraph L; and before July 1, 2002 for
8 employees identified in subsection 1, paragraph M and some
9 part of the member's creditable service in any one or a
10 combination of the capacities specified in subsection 1 was
11 earned after June 30, 1998 and before September 1, 2002 for
12 employees identified in subsection 1, paragraphs A and B;
13 after June 30, 1998 for employees identified in subsection
14 1, paragraphs C to H; after December 31, 1999 for employees
15 identified in subsection 1, paragraphs I to K; after
16 December 31, 2001 for employees identified in subsection 1,
17 paragraph L; and after June 30, 2002 for employees
18 identified in subsection 1, paragraph M, then the member's
19 service retirement benefit must be computed in segments and
20 the amount of the member's service retirement benefit is the
21 sum of the segments. The segments must be computed as
22 follows:

23
24 (1) The segment or, if the member served in more than
25 one of the capacities specified in subsection 1 and the
26 benefits related to the capacities are not
27 interchangeable under section 17856, segments that
28 reflect creditable service earned before July 1, 1998
29 for employees identified in subsection 1, paragraphs A
30 to H; before January 1, 2000 for employees identified
31 in subsection 1, paragraphs I to K; before January 1,
32 2002 for employees identified in subsection 1,
33 paragraph L; and before July 1, 2002 for employees
34 identified in subsection 1, paragraph M or purchased by
35 repayment of an earlier refund of accumulated
36 contributions for service before July 1, 1998, for
37 employees identified in subsection 1, paragraphs A to
38 H; before January 1, 2000 for employees identified in
39 subsection 1, paragraphs I to K; before January 1, 2002
40 for employees identified in subsection 1, paragraph L;
41 and before July 1, 2002 for employees identified in
42 subsection 1, paragraph M in a capacity or capacities
43 specified in subsection 1 or purchased by other than
44 the repayment of a refund and eligibility to make the
45 purchase of the service credit, including, but not
46 limited to, service credit for military service, was
47 achieved before July 1, 1998 for employees identified
48 in subsection 1, paragraphs A to H; before January 1,
49 2000 for employees identified in subsection 1,
50 paragraphs I to K; before January 1, 2002 for employees
identified in subsection 1, paragraph L; and before

2 July 1, 2002 for employees identified in subsection 1,
3 paragraph M, must be computed under section 17852,
4 subsection 1, paragraph A. If the member is qualified
5 under subsection 2, paragraph B and:

6 (a) Had 10 years of creditable service on July 1,
7 1993, the amount of the segment or segments must
8 be reduced as provided in section 17852,
9 subsection 3, paragraphs A and B; or

10 (b) Had fewer than 10 years of creditable service
11 on July 1, 1993, the amount of the segment or
12 segments must be reduced as provided in section
13 17852, subsection 3-A; and

14
15
16 (2) The segment that reflects creditable service
17 earned after June 30, 1998 and before September 1, 2002
18 for employees identified in subsection 1, paragraphs A
19 and B; after June 30, 1998 for employees identified in
20 subsection 1, paragraphs C to H; after December 31,
21 1999 for employees identified in subsection 1,
22 paragraphs I to K; after December 31, 2001 for
23 employees identified in subsection 1, paragraph L; and
24 after June 30, 2002 for employees identified in
25 subsection 1, paragraph M or purchased by repayment of
26 an earlier refund of accumulated contributions for
27 service after June 30, 1998 and before September 1,
28 2002 for employees identified in subsection 1,
29 paragraphs A and B; after June 30, 1998 for employees
30 identified in subsection 1, paragraphs C to H; after
31 December 31, 1999 for employees identified in
32 subsection 1, paragraphs I to K; after December 31,
33 2001 for employees identified in subsection 1,
34 paragraph L; and after June 30, 2002 for employees
35 identified in subsection 1, paragraph M in any one or a
36 combination of the capacities specified in subsection
37 1, or purchased by other than the repayment of a refund
38 and eligibility to make the purchase of the service
39 credit, including, but not limited to, service credit
40 for military service, was achieved after June 30, 1998
41 and before September 1, 2002 for employees identified
42 in subsection 1, paragraphs A and B; after June 30,
43 1998 for employees identified in subsection 1,
44 paragraphs C to H; after December 31, 1999 for
45 employees identified in subsection 1, paragraphs I to
46 K; after December 31, 2001 for employees identified in
47 subsection 1, paragraph L; and after June 30, 2002 for
48 employees identified in subsection 1, paragraph M must
49 be computed under section 17852, subsection 1,
50 paragraph A. If the member is qualified under
51 subsection 2, paragraph B and:

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(a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the segment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. D-5. 5 MRSA §17851-A, sub-§5, as amended by PL 2001, c. 559, Pt. RR, §9 and affected by §17 and amended by c. 646, §§11 and 12, is repealed and the following enacted in its place:

5. Contributions. Notwithstanding any other provision of subchapter 3, after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for employees identified in subsection 1, paragraph M, a member in the capacities specified in subsection 1 must contribute to the retirement system or have pick-up contributions made at the rate of 8.65% of earnable compensation until the member has completed 25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

Sec. D-6. PL 2001, c. 646, §§4, 6, 8, 10 and 12 are repealed.

Sec. D-7. Retroactivity. That section of this Part that repeals Public Law 2001, chapter 646, sections 4, 6, 8, 10 and 12 applies retroactively to March 25, 2002.

Sec. D-8. Existing contingency continues to apply. Nothing in this Part affects the requirement that the full actuarial cost of the total liability for the increased value of all of the service rendered between August 31, 1984 and September 1, 2002 for all employees to whom Public Law 2001, chapter 559, Part RR applies must be paid before that retirement service credit is due to or may be given to any employee, as provided in Public Law 2001, chapter 559, Part RR.

PART E

E. OR.

2 **Sec. E-1. 20-A MRSA §12302, sub-§1**, as enacted by PL 1999, c.
401, Pt. NN, §2 and affected by §4 and enacted by c. 496, §2, is
repealed and the following enacted in its place:

4 1. Establishment. The Maine Dental Education Loan Program,
6 referred to in this chapter as "the program," is established.
8 The authority shall administer the program. Under this program,
10 beginning in fiscal year 2000-01, the chief executive officer
shall award up to 3 loans or loan repayment agreements annually
up to an aggregate of 12. As provided in subsection 3:

12 A. Loans are available to Maine residents enrolled in a
14 dental school; or

16 B. A loan repayment agreement is available to a person who
18 is eligible for licensure as a doctor of dental medicine in
Maine and who has outstanding dental education loans.

20 **Sec. E-2. 22 MRSA §3477, sub-§1, ¶A**, as amended by PL 2003, c.
145, §1 and c. 210, §1, is repealed and the following enacted in
its place:

22 A. While acting in a professional capacity:

24 (1) An allopathic or osteopathic physician;

26 (2) A medical intern;

28 (3) A medical examiner;

30 (4) A physician's assistant;

32 (5) A dentist;

34 (6) A chiropractor;

36 (7) A podiatrist;

38 (8) A registered or licensed practical nurse;

40 (9) A certified nursing assistant;

42 (10) A social worker;

44 (11) A psychologist;

46 (12) A pharmacist;

48 (13) A physical therapist;

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- (14) A speech therapist;
- (15) An occupational therapist;
- (16) A mental health professional;
- (17) A law enforcement official;
- (18) A coroner;
- (19) Emergency room personnel;
- (20) An ambulance attendant;
- (21) An emergency medical technician;
- (22) Unlicensed assistive personnel;
- (23) A human agent employed by the Department of Agriculture, Food and Rural Resources; and
- (24) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications;

Sec. E-3. 22 MRSA §4011-A, sub-§1, ¶A, as amended by PL 2003, c. 145, §2 and c. 210, §3, is repealed and the following enacted in its place:

A. When acting in a professional capacity:

- (1) An allopathic or osteopathic physician, resident or intern;
- (2) An emergency medical services person;
- (3) A medical examiner;
- (4) A physician's assistant;
- (5) A dentist;
- (6) A dental hygienist;
- (7) A dental assistant;
- (8) A chiropractor;
- (9) A podiatrist;

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- 2 (10) A registered or licensed practical nurse;
- 4 (11) A teacher;
- 6 (12) A guidance counselor;
- 8 (13) A school official;
- 10 (14) A children's summer camp administrator or counselor;
- 12 (15) A social worker;
- 14 (16) A court-appointed special advocate or guardian ad
litem for the child;
- 16 (17) A homemaker;
- 18 (18) A home health aide;
- 20 (19) A medical or social service worker;
- 22 (20) A psychologist;
- 24 (21) Child care personnel;
- 26 (22) A mental health professional;
- 28 (23) A law enforcement official;
- 30 (24) A state or municipal fire inspector;
- 32 (25) A municipal code enforcement official;
- 34 (26) A commercial film and photographic print processor;
- 36 (27) A clergy member acquiring the information as a result
of clerical professional work except for information
38 received during confidential communications;
- 40 (28) A chair of a professional licensing board that has
jurisdiction over mandated reporters; and
- 42 (29) A human agent employed by the Department of
44 Agriculture, Food and Rural Resources;

46 **Sec. E-4. Effective date.** Those sections of this Part that
48 repeal and replace the Maine Revised Statutes, Title 22, section
 3477, subsection 1, paragraph A and section 4011-A, subsection 1,
 paragraph A take effect 90 days after adjournment of the First
50 Regular Session of the 121st Legislature.

COMMITTEE AMENDMENT

bold print, Times New Roman font, the words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

Sec. F-2. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 21-A, section 1014, subsection 2 takes effect 90 days after adjournment of the First Regular Session of the 121st Legislature.

Sec. F-3. Resolve 2003, c. 70, §3 is repealed.

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

Part A, Part B and Part E make technical changes. Parts C and Part F consists of changes that are or could be interpreted as substantive changes. Part D consists of technical corrections of conflicts in the retirement benefit laws.

PART A

This amendment labels the bill Part A.

Sections 2, 3, 5, 6, 32, 37, 48, 56 and 57 are deleted from the bill because the errors are addressed in other bills.

Sections 7, 8, 50, 51, 63 and 64 are deleted from the bill because these sections are not necessary.

Sections 4, 9, 10, 15, 23, 26, 30, 39 and 47 are deleted from the bill and are added in Part B with technical amendments. Sections 65, 66 and 67 are deleted from the bill and added in Part D with related corrections in the retirement benefits laws.

PART B

Section 1 corrects the description of the Northern Cumberland District Court division. That division consists of all of Cumberland County except the municipalities contained in 2 other divisions, Southern Cumberland and Bath-Brunswick. It is correct to delete reference to the Eastern Cumberland division, but the municipalities from that division were moved into the Bath-Brunswick division and they are therefore not to be included in the Southern Cumberland division.

Section 2 replaces Part A, section 9 of the bill. The original section corrected a cross-reference and deleted

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2 reference to a fee for services that are not provided by the
Attorney General. The original section repealed and replaced the
4 Maine Revised Statutes, Title 5, section 191, but did so in a way
that will make future amendment of the section difficult. This
6 section corrects the cross-reference and removes reference to the
fee for services that are not provided, but it also restructures
8 the section in a more comprehensive way, without changing the
content. Section 3 adds an effective date of July 1, 2003.

10 Section 4 corrects a cross-reference.

12 Section 5 further corrects Part A, section 23 of the bill by
providing the correct name for Maine Native American studies.

14 Section 6 strikes reference to assisted living programs and
16 services since those terms are now included in the definition of
"assisted housing."

18 Section 7 corrects a conflict in the medical examiner law
20 when 2 bills amended the same subsection without reference to
each other. Public Law 2001, chapter 291 amended the law to
22 allow expressly authorized persons to conduct investigations for
the Chief Medical Examiner. Public Law 2001, chapter 345 amended
24 the laws concerning the mandated reporting to protect children
and incapacitated or dependent adults. Chapter 345 updated a
26 cross-reference in the medical examiner laws. This section
repeals and replaces Title 22, section 3028, subsection 7 and
28 reenacts it with language incorporating both chapters.

30 Section 8 clarifies that the cross-reference to allotments
is to a section of federal law.

32 Section 9, in addition to the cross-reference corrections
34 made in the bill, also changes a reference to reflect a
recommendation made by the MCJUSTICE Policy Board.

36 Section 10 makes changes to reflect changes made by Public
38 Law 2003, chapter 204, Part H, section 1.

40 **PART C**

42 Sections 1 and 2 correct an error in the Uniform Commercial
Code in which a paragraph was printed as a separate subsection.

44 Section 3 removes the requirement that the 15 gubernatorial
46 appointments to the newly established Commercial Fishing Safety
Council be confirmed by the Legislature.

48 Sections 4 and 5 correct the law regarding the crime of
50 theft by unauthorized use. Committing any crime of theft when

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2 the person has 2 or more prior convictions raises the class of
3 the crime to Class C. This higher classification because of
4 prior convictions was inadvertently omitted from Public Law 2001,
5 chapter 383.

6 Section 6 removes an extraneous word to clarify the intent
7 of the section of law.

8
9 Section 7 updates the statutes concerning the legislative
10 jurisdiction over the Maine Criminal Justice Academy. It directs
11 the Board of Trustees of the Maine Criminal Justice Academy to
12 report annually on law enforcement training to the joint standing
13 committee of the Legislature having jurisdiction over criminal
14 justice and public safety matters, instead of the committee
15 having jurisdiction over legal affairs. This change is
16 consistent with the amendment of the committee oversight
17 jurisdiction pursuant to the Joint Rules of the 117th Legislature
18 and every Legislature since then.

19
20 Sections 8, 9 and 10 clarify that only an ambulance, an
21 emergency medical services vehicle, a fire department vehicle, a
22 fire vehicle and a hazardous material response vehicle may be
23 equipped with and display a blue light. These sections take
24 effect at the same time that the underlying Act, Public Law 2003,
25 chapter 78, takes effect.

26
27 Section 11 supplies the appropriate calendar date for a
28 reference to the effective date of a provision of law. Public
29 Law 1997, chapter 37, section 1 and chapter 87, section 1 enacted
30 the same section of law with different provisions. The effective
31 date of Public Law 1997, chapter 37, dealing with qualifications
32 for sheriffs, had an effective date of June 26, 1997. The
33 conflicting sections were repealed and replaced by Public Law
34 1997, chapter 562, which combined both versions into a new Title
35 30-A, section 371-B. The effective date for Public Law 1997,
36 chapter 562 was September 19, 1997. This section specifies that,
37 for minimum qualification purposes, the effective date of that
38 subsection is June 26, 1997, the original effective date.

39
40 Section 12 resolves a conflict created by Public Law 1999,
41 chapters 401 and 414, which both amended the same provision of
42 law. Public Law 1999, chapter 401 provided a 5% tax rate for the
43 rental or lease of an automobile and had an effective date of
44 July 1, 2000. Public law 1999, chapter 414 provided a 5 1/2% tax
45 rate for the rental or lease of an automobile. This section
46 resolves the conflict by repealing the provision of law and
47 replacing it with the Public Law 1999, chapter 401 version.
48 Section 13 makes that provision retroactive to July 1, 2000.

49
50 Section 14 corrects a conflict that was created by Public

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2 Law 2001, chapter 614, section 13 and chapter 662, section 82,
which both amended the same provision of law. Chapter 614,
4 section 13 changed the term "civil emergency preparedness" to
"emergency management." Chapter 662, section 82 made substantive
6 changes in addition to the term change. This section corrects
the conflict by repealing the provision of law and replacing it
with the chapter 662, section 82 version.

8
10 Section 15 corrects a conflict created by Public Law 2001,
chapter 614, section 20 and chapter 662, section 88, which both
12 amended the same provision of law, by repealing and replacing it
with the Public Law 2001, chapter 614, section 20 version.

14 Section 16 corrects references in the legal description of
land annexed to Portland from Falmouth. The bearings adopted by
16 the Legislature describing the directions of the new town lines
are expressed in the form of degrees, feet and inches. This is
18 incorrect as bearings are measured in the form of degrees,
minutes and seconds. This section restates the bearings in the
20 form of degrees, minutes and seconds. Section 17 applies those
changes retroactively to April 2, 2002, which is the effective
22 date of the annexation legislation.

24
26 **PART D**

28 Section 1 to 5 correct conflicts created by Public Law 2001,
chapter 559, Part RR and Public Law 2001, chapter 646.

30 Section 6 repeals Public Law 2001, chapter 646, sections 4,
6, 8, 10 and 12. Section 7 makes the repeal retroactive to March
32 25, 2002.

34 Public Law 2001, chapter 559, Part RR increased retirement
benefits for Inland Fisheries and Wildlife wardens and Department
36 of Marine Resources marine patrol officers serving between August
31, 1984 and September 1, 2002, but those increases were
38 contingent on the accumulation of funding in the Warden Benefit
Reserve Account to cover the additional costs. Section 8 ensures
40 that the funding contingency remains in effect when the sections
of statutes that provide those benefits are repealed and replaced
42 in this amendment for the purpose of correcting statutory
conflicts.

44
46 **PART E**

48 Section 1 corrects a conflict in the Maine Dental Education
Loan Program created when 2 Public Law 1999 chapters enacted the
50 same subsection with almost identical language. This section

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2 repeals the subsection as enacted by both laws and reenacts the
subsection incorporating the language from both.

4 Sections 2 and 3 correct conflicts created when 2 laws
6 enacted this year amended the mandated reporting requirements
under the adult protective and child protective laws. Section 4
8 makes the sections take effect 90 days after adjournment of the
First Regular Session of the 121st Legislature.

10 Section 5 corrects a conflict between L.D. 1614, Public Law
12 2003, chapter 451 and L.D. 1567, Public Law 2003, c. 452.
Chapter 451 eliminated a reference to liquor enforcement officers
14 in the first paragraph, and chapter 452 added paragraph C. This
section repeals Title 28-A, section 161, subsection 7 and
reenacts it incorporating the changes made by both chapters.

16

18

PART F

20 Section 1 amends the new law concerning the required
22 disclaimer on political communications not authorized by a
candidate. This section provides that the disclaimer must be in
24 point no smaller in size than 10-point bold, Times New Roman
font, rather than requiring that the disclaimer be in 10-point
26 bold print, Times New Roman font. Section 2 makes that change
effective at the same time that the underlying law takes effect.

28

30

Section 3 repeals a General Fund appropriation section that
was erroneously retained in a committee amendment when the intent
of a floor amendment was to strike that section.