

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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

J.S. McCarthy Company
Augusta, Maine
1995

3. Form of license. The license must be issued in triplicate, the original copy of which is given to the applicant and the remaining 2 copies retained by the municipal clerk. A license covers a maximum of 10 dogs or wolf hybrids.

4. Kennel tags. Dogs or wolf hybrids covered by a kennel license must be furnished suitable kennel tags and stickers as prescribed by the department and are not required to be individually licensed.

§3923-D. Temporary licenses

An animal shelter may issue a temporary dog or wolf hybrid license when transferring ownership vested in the shelter under section 3913, subsection 4 to a person buying or otherwise accepting ownership. The department shall provide animal shelters with temporary license forms. The shelter shall complete all information prescribed on the form, provide the owner with the original temporary license and submit the copy for the municipal clerk and the animal control officer to the appropriate municipal clerk. The shelter may retain a copy of the temporary license to comply with section 3914. A temporary license is valid for a period of 10 days beginning on the date of issuance. An animal shelter may not charge a fee for issuing a temporary license.

Sec. 8. 7 MRSA §3924, sub-§2, as enacted by PL 1987, c. 383, §3, is amended to read:

2. Unlawful use of collar or tag. ~~Any~~ A person who removes a dog tag or rabies tag or who places either a collar or rabies tag on ~~any~~ a dog or wolf hybrid not described on it or for which the license was not issued commits a civil violation for which a forfeiture of not more than \$100 may be adjudged.

See title page for effective date.

CHAPTER 410

S.P. 139 - L.D. 325

An Act to Revise the Maine Turnpike Authority's Powers with Respect to Commuter Tolls

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

Whereas, traffic on the Maine Turnpike has increased 14% since 1991; and

Whereas, congestion pricing may have potential as a demand management strategy; and

Whereas, the Sensible Transportation Policy Act requires that alternatives be evaluated prior to increasing highway capacity through road building; and

Whereas, it is in the public's interest to begin a congestion pricing study in the summer of 1995; and

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

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

Sec. 1. 23 MRSA §1973, sub-§4, ¶A, as enacted by PL 1981, c. 595, §3, is amended to read:

A. The authority shall establish a system of commuter discounts to provide passenger vehicles with reduced rates ~~which rates shall that may not exceed 50% of the normal passenger vehicle toll in effect on June 1, 1981, except that after July 1, 1985, commuter fares may be adjusted generally proportionately to any other fare adjustments.~~

Sec. 2. 23 MRSA §1973, sub-§4, ¶A-1 is enacted to read:

A-1. The authority is prohibited from imposing variable surcharges based on the time of day. Notwithstanding any other provisions of law, the evaluation of congestion pricing as a reasonable transportation alternative to widening or expansion of the Maine Turnpike to 3 lanes in each direction from Exit 1 to Exit 6A on a projected basis without actual implementation of congestion pricing on a demonstration basis meets the criteria of section 73 and chapter 24.

Sec. 3. Reports on congestion pricing studies. The Maine Turnpike Authority shall submit an interim report on the congestion pricing studies to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 15, 1996. The interim report must describe the study design, including adjustments to fees, fares and tolls by class of vehicle, time of day, week or year, number of passengers or any other factor on which an adjustment is based. The interim report must describe the segments of the turnpike on which the study has been or will be implemented.

The Maine Turnpike Authority shall submit a final report to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 15, 1997 on congestion

pricing studies conducted in 1995 and 1996. The final report must include conclusions from the study.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective July 3, 1995.

CHAPTER 411

H.P. 1107 - L.D. 1555

An Act to Amend the Emergency Planning and Community Right to Know Laws

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

Sec. 1. 37-B MRSA §797, first ¶, as amended by PL 1993, c. 355, §1, is further amended to read:

A person required to submit a facility emergency response plan, material safety data sheet or list of hazardous chemicals and extremely hazardous substances must submit a Maine chemical inventory reporting form to the commission, ~~the Department of Environmental Protection,~~ the local emergency planning committee and the local fire department with jurisdiction over the facility. The inventory reporting form and fee must be submitted by March 1st annually for the previous calendar year, except that the inventory reporting form and fee may be submitted with the registration fee in the year of reporting if the reporting facility can project its inventory levels for the current year. Information on the inventory of extremely hazardous substances and hazardous chemicals for the previous calendar year is required on the form. These forms must state, at a minimum:

See title page for effective date.

CHAPTER 412

S.P. 515 - L.D. 1400

An Act to Amend the Adoption Laws

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

Whereas, many adoptions have been unnecessarily delayed because of differing interpretations of the effect of Public Law 1993, chapter 686; and

Whereas, some adoptions will not be finalized until the meaning of the law is clarified through legislation; and

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

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

Sec. 1. 19 MRSA §1102, sub-§4, as enacted by PL 1993, c. 686, §5 and affected by §13, is amended to read:

4. Birth parent; biological parent. "Birth parent" or "biological parent" means a person who is the biological parent of a child.

A. "Birth father" means the male birth parent of a child.

B. "Birth mother" means the female birth parent of a child.

Sec. 2. 19 MRSA §1102, sub-§8-A is enacted to read:

8-A. Parent. "Parent" means the legal parent or the legal guardian when no legal parent exists.

Sec. 3. 19 MRSA §1103, sub-§2, as enacted by PL 1993, c. 686, §5 and affected by §13, is amended to read:

2. District Court. The District Court has jurisdiction to conduct hearings pursuant to section ~~1104, subsection 4~~ 1115.

Sec. 4. 19 MRSA §1104, sub-§2, as enacted by PL 1993, c. 686, §5 and affected by §13, is amended to read:

2. Independent adoption. If the adoptee is not placed by a licensed child placing agency or the department, the petition for adoption must be filed in the county where the adoptee resides, where the petitioners reside or where the consent has been filed.

Sec. 5. 19 MRSA §1104, sub-§4, as enacted by PL 1993, c. 686, §5 and affected by §13, is repealed.

Sec. 6. 19 MRSA §§1107 and 1108 are enacted to read:

§1107. Indian Child Welfare Act

The Indian Child Welfare Act, United States Code, Title 25, Section 1901 et seq. governs all