

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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) If the initial managers have been selected, the name and the business, residence or mailing address of each initial manager.

Sec. 7. 31 MRSA §623, sub-§3, ¶¶C and D, as enacted by PL 1993, c. 718, Pt. A, §1, are amended to read:

C. A change in whether the management of the limited liability company is vested in managers or members; ~~or~~

D. A manager or, if there is no manager, a member becomes aware that the articles of organization contain a false or erroneous statement; ~~or~~

Sec. 8. 31 MRSA §623, sub-§3, ¶E is enacted to read:

E. A change either in the minimum or maximum number of managers.

Sec. 9. 31 MRSA §751, sub-§16, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

16. Certified copies. For providing certified copies of any paper on file as provided for by this chapter, a fee of \$5 for each copy certified in addition to any fee due under subsection ~~44~~ 15;

See title page for effective date.

CHAPTER 515

H.P. 1186 - L.D. 1627

An Act to Change the Name of the Maine Youth Apprenticeship Program to the Maine Career Advantage

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

Sec. 1. 20-A MRSA c. 432 is amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 432

MAINE CAREER ADVANTAGE

Sec. 2. 20-A MRSA §12731, first ¶, as enacted by PL 1993, c. 392, §2, is amended to read:

The Maine Technical College System in cooperation with the Department of Education and the Department of Labor is authorized to provide comprehensive administrative and financial services to the Maine ~~Youth Apprenticeship Program~~ Career Advantage, a nonprofit corporation organized under

the laws of the State of Maine to provide an additional education option, through a partnership between business and education, for high school students and young adults to obtain classroom instruction and on-the-job training that prepares them directly for career-related employment or continued education. The sole purpose of the Maine ~~Youth Apprenticeship Program~~ Career Advantage, referred to in this chapter as "the program," is to assist the Maine Technical College System, public secondary schools and other publicly supported educational institutions in the State in providing a combination of academic learning and structured work-based learning at businesses in the State to students enrolled at Maine Technical College System facilities, public secondary schools or other publicly supported educational institutions.

Sec. 3. 20-A MRSA §12734, sub-§4, as enacted by PL 1993, c. 392, §2, is amended to read:

4. Officers and staff. The officers of the board consist of a chair and vice-chair, elected by the board from the board membership for a term of one year. Officers may be elected for one additional term. The vice-chair serves as the chair in the absence of the chair. The board is staffed by the Maine ~~Youth Apprenticeship Program~~ Career Advantage staff.

See title page for effective date.

CHAPTER 516

H.P. 1213 - L.D. 1663

An Act to Clarify the Laws Regarding the Issuance of a Credit Card to Benefit the Land for Maine's Future Fund

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

Whereas, this Act addresses inadvertent limitations in legislation previously enacted to authorize a program beneficial to the Land for Maine's Future Fund; 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. 5 MRSA §6211, as enacted by PL 1995, c. 358, §1, is amended to read:

§6211. Land for Maine's Future Board-sponsored credit card

1. Land for Maine's Future Board-sponsored credit card. The Land for Maine's Future Board may enter into an agreement with a financial institution, as defined in Title 9-B, section 131, subsection 17, ~~or~~ a credit union, as defined in Title 9-B, section 131, subsection 12, or other credit card issuer to issue a credit card for the benefit of the Land for Maine's Future Board.

2. Agreement. If the Land for Maine's Future Board enters into an agreement with a financial institution ~~or~~, credit union or other credit card issuer in accordance with subsection 1, the Land for Maine's Future Board shall negotiate the most favorable agreement for the Land for Maine's Future Board, considering such factors as:

- A. The rate for the Land for Maine's Future Board's fee by a credit card issuer;
- B. The ability of the financial institution or other credit card issuer to market the card successfully; and
- C. Customer service offered by the financial institution or other credit card issuer.

3. Distribution of proceeds. Funds received by the Land for Maine's Future Board under the agreement with the financial institution ~~or~~, credit union or other credit card issuer must be deposited in the Land for Maine's Future Fund.

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

Effective March 5, 1996.

CHAPTER 517

H.P. 1227 - L.D. 1680

An Act Concerning Portable Scale Tolerances on the Interstate Highway System

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

Sec. 1. 29-A MRSA §2360, sub-§15 is enacted to read:

15. Portable scale allowance factor. For vehicles operating on the Interstate Highway System it is not a violation if the gross vehicle weight or axle weights measured by portable scales approved by the

Department of Transportation do not exceed 104% of the allowable weights provided by section 2355, subsections 1 and 2.

See title page for effective date.

CHAPTER 518

H.P. 1235 - L.D. 1695

An Act to Amend the Laws Regarding Drag Limits in South Bay

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

Sec. 1. 12 MRSA §6954-B, as enacted by PL 1995, c. 278, §1, is amended to read:

§6954-B. Drag limits in South Bay in Lubec

It is unlawful to fish in South Bay in ~~Eastport~~ Lubec, including all waters south and east of a line drawn from Gove Point westerly to Youngs Point, with any one combination of drags or drag in excess of 5 feet 6 inches in width by measuring from the extreme outside edge of the mouth of the drag or drags. In addition, any drag used for the taking of scallops is limited to no more than 8 rings deep. ~~The ring size must be the legal size in effect that applies to a holder of a license or federal permit.~~

See title page for effective date.

CHAPTER 519

H.P. 1241 - L.D. 1701

An Act to Reduce the Number of Legislative Confirmation Hearings

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

Sec. 1. 5 MRSA §13063-A, sub-§3, as enacted by PL 1993, c. 410, Pt. RRR, §1, is amended to read:

3. Board of directors. The Board of Directors of the Maine Education and Training Export Partnership consists of up to 15 members appointed by the Governor, ~~subject to review by the joint standing committee having jurisdiction over economic development matters and confirmation by the Legislature.~~ A majority of the directors must be from the private sector, which includes all organizations outside State Government and Federal Government. The directors must be appointed from the member organizations or must be involved in a related business field or possess