

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

erate the electric utility, not including purchased power supply costs, if any; and

See title page for effective date.

## CHAPTER 103

S.P. 376 - L.D. 1077

### An Act to Prevent Minors from Acquiring Beer-making or Wine-making Equipment

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

**Sec. 1. 28-A MRSA §2051, sub-§1, ¶D-2**, as enacted by PL 1987, c. 342, §119, is amended to read:

D-2. Sell, furnish or give a false identification card to a minor; ~~or~~

**Sec. 2. 28-A MRSA §2051, sub-§1, ¶E**, as amended by PL 1993, c. 266, §24, is further amended to read:

E. Have any liquor or imitation liquor in the minor's possession except:

(1) In the scope of the minor's employment; or

(2) In the minor's own home in the presence of the minor's parent, legal guardian or custodian, as defined in Title 22, section 4002; or

**Sec. 3. 28-A MRSA §2051, sub-§1, ¶F** is enacted to read:

F. Have in the minor's possession equipment specifically constructed, manufactured or marketed for the purpose of brewing malt liquor or fermenting or making wine except:

(1) In the scope of the minor's employment; or

(2) In the minor's own home under the supervision of the minor's parent, legal guardian or custodian, as defined in Title 22, section 4002.

**Sec. 4. 28-A MRSA §2086** is enacted to read:

**§2086. Sale or furnishing of brewing or wine-making equipment prohibited**

**1. Violation.** A person who knowingly sells, furnishes, gives away or offers to sell, furnish or give away to a minor equipment that is specifically constructed, manufactured or marketed for the purpose of brewing malt liquor or fermenting or making wine is guilty of a civil violation.

**2. Exception.** This section does not apply to a minor's parent, legal guardian or custodian, as defined in Title 22, section 4002, who furnishes the equipment to the minor for use in a supervised manner.

See title page for effective date.

## CHAPTER 104

S.P. 512 - L.D. 1513

### An Act to Clarify the Definition of "Area of Operation" for Municipal Housing Authorities

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

**Sec. 1. 30-A MRSA §4702, sub-§1**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended by amending the first paragraph to read:

**1. Area of operation.** "Area of operation" of a housing authority of a town includes all of the town municipality for which it is created. ~~Except and, except as provided in paragraphs A and B, the "area of operation" of a housing authority of a city includes the city and~~ the area within 10 miles outside its territorial boundaries. The "area of operation" of the Maine State Housing Authority is the entire State.

See title page for effective date.

## CHAPTER 105

H.P. 641 - L.D. 891

### An Act to Establish Thresholds for Delegated Purchasing Authorities and Requirements for Competitive Bidding

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

**Sec. 1. 5 MRSA §1825-B, sub-§2, ¶A**, as amended by PL 1993, c. 640, §1, is further amended to read:

A. The procurement of goods or services by the State, for county commissioners pursuant to Title

30-A, section 124, involves the expenditure of ~~\$1,000~~ \$2,500 or less, and the interests of the State would best be served;

**Sec. 2. 5 MRSA §1825-B, sub-§2, ¶F**, as amended by PL 1995, c. 119, §3, is further amended to read:

F. The procurement of goods or services involves expenditures of ~~\$2,500~~ \$10,000 or less, in which case the Director of the Bureau of General Services may accept oral proposals or ~~invitations to bid~~ bids; or

**Sec. 3. 5 MRSA §1825-B, sub-§2, ¶G**, as enacted by PL 1995, c. 119, §4, is amended to read:

G. The procurement of goods or services involves expenditures of ~~\$5,000~~ \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.

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**CHAPTER 106**

**H.P. 108 - L.D. 139**

**An Act Authorizing County Commissioners to Enact Animal Control Ordinances in Unorganized Territories**

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

**Sec. 1. 30-A MRSA §7501, sub-§7**, as amended by PL 1995, c. 607, §1, is further amended to read:

**7. Law enforcement.** Law enforcement; ~~and~~

**Sec. 2. 30-A MRSA §7501, sub-§8**, as enacted by PL 1995, c. 607, §2, is amended to read:

**8. Enhanced 9-1-1 service.** Assigning and maintaining physical addresses specifically for the purpose of statewide enhanced 9-1-1 service. The county commissioners may enact an ordinance to establish the addressing standards and, pursuant to that ordinance, may assign road names to existing and proposed roads and property numbers to existing and proposed year-round and seasonal dwellings or structures and may install signs designating road names; ~~and~~

**Sec. 3. 30-A MRSA §7501, sub-§9** is enacted to read:

**9. Animal control.** Animal control services. The county commissioners may enact an ordinance for the purpose of animal control. The county commissioners shall give 14 days notice of the meeting at which the ordinance is to be proposed in the manner provided for town meetings.

See title page for effective date.

**CHAPTER 107**

**H.P. 929 - L.D. 1306**

**An Act to Require Legislative Review of Motor Vehicle Fuel Standards**

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

**Whereas**, on October 13, 1998, the Governor submitted a request to opt out of the federal reformulated gasoline program to the United States Environmental Protection Agency; and

**Whereas**, the request to opt out was a result of a groundwater study done by the Department of Human Services and the Maine Geological Survey showing a significant concern about methyl tertiary butyl ether, or MTBE, in groundwater; and

**Whereas**, the United States Environmental Protection Agency granted the Governor's proposal contingent upon the State identifying a replacement fuel; and

**Whereas**, due to the potential widespread public health concerns associated with reformulated gasoline, it is imperative that the Legislature be given oversight of the selection of any alternative fuels; and

**Whereas**, the ozone season for Maine begins on May 1, 1999; and

**Whereas**, fuel distributors need sufficient time to prepare for the distribution of any alternative fuel to be supplied in Maine; 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. 38 MRSA §585-A, last ¶**, as enacted by PL 1997, c. 531, §1, is amended to read: