

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.

J.S. McCarthy Company
Augusta, Maine
1999

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.

See title page for effective date.

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:

The department shall confer with the joint standing committee of the Legislature having jurisdiction over natural resource matters before it proposes any revisions to the state implementation plan, required in the federal Clean Air Act, Section 110, 42 United States Code, Section 7410, that would require the State to implement new emissions reduction strategies or programs or substantially revise or terminate existing emissions reduction strategies or programs. Notwithstanding any other parts of this section, rules adopted pursuant to this section relating to motor vehicle fuel standards are major substantive rules as defined in Title 5, chapter 375, subchapter II-A.

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

Effective April 30, 1999.

CHAPTER 108

H.P. 673 - L.D. 929

An Act to Require Reflective Material or Lamps on the Front of Utility Trailers

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

Sec. 1. 29-A MRSA §2385, sub-§4 is enacted to read:

4. Trailers. A trailer that is wider than the vehicle towing the trailer must be equipped with reflective material or a lamp on each front corner that is visible to oncoming traffic.

See title page for effective date.

CHAPTER 109

H.P. 977 - L.D. 1375

An Act to Provide Post-judgment Interest in Small Claims Actions

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

Sec. 1. 14 MRSA §7487 is enacted to read:

§7487. Interest

A person who is awarded a money judgment in a small claims action is entitled to post-judgment interest in accordance with section 1602-A.

See title page for effective date.

CHAPTER 110

H.P. 534 - L.D. 741

An Act to Assist the Department of Public Safety in Implementing the Requirements of Fingerprint-based Background Checks

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

Whereas, commencing July 1, 1999, certification, authorization, approval and renewal of teachers and educational personnel are subject to the provisions of the Maine Revised Statutes, Title 20-A, section 6103; and

Whereas, to aid in ensuing compliance with the July 1, 1999 beginning date, it is essential that certain changes be made in Title 20-A, section 6103 and Title 25, section 1542-A relating to the taking of the fingerprints of applicants; and

Whereas, the issue of certain expenses relating to obtaining the conviction data information required by Title 20-A, section 6103 needs to be expressly addressed; 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. 20-A MRSA §6103, sub-§6, as enacted by PL 1997, c. 452, §3, is repealed and the following enacted in its place:

6. Fingerprinting. The applicant shall submit to having fingerprints taken. The Maine State Police, upon payment by the applicant or any other entity required by law of the expenses specified in subsection 4, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the