

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

must be present in any licensed nursing home, as defined in Title 22, chapter 405; licensed boarding home, as defined in Title 22, chapter 1665; or certified congregate housing unit, as defined in Title 22, chapter 1665, facility specified in section 751, subsection 7 for the purpose of absentee balloting by the residents of these homes or units facilities. The clerk shall designate which areas in these facilities constitute the voting place, the voting booth and the guardrail enclosure. Sections 681 and 682 apply to voting in these facilities within the areas designated by the clerk.

Sec. 31. 21-A MRSA §1003, sub-§3, as enacted by PL 1985, c. 161, §6, is amended to read:

3. State Auditor. The State Auditor ~~and the Secretary of State~~ shall assist the commission in making investigations and in other phases of the commission's duties under this chapter, as requested by the commission, and ~~shall have~~ has all necessary powers to carry out these responsibilities.

Sec. 32. 21-A MRSA §1020-A, sub-§7, as corrected by RR 1995, c. 1, §10, is amended to read:

7. Final notice of penalty. After a commission meeting, notice of the commission's final determination and the penalty, if any, imposed pursuant to this subchapter must be sent to the candidate, and the treasurer and the Secretary of State.

If no determination is requested, the commission staff shall calculate the penalty as prescribed in subsection 4 and shall mail final notice of the penalty to the candidate and treasurer. A detailed summary of all notices must be provided to the commission ~~and to the Secretary of State.~~

Sec. 33. 21-A MRSA §1020-A, sub-§10, as enacted by PL 1995, c. 483, §15, is amended to read:

10. Enforcement. The ~~Secretary of State~~ commission staff has the ~~initial~~ responsibility for collecting the full amount of any penalty ~~within 30 days after receiving notice of the penalty from the commission.~~ ~~The Secretary of State~~ and has all necessary powers to carry out this responsibility. Failure to pay the full amount of any penalty levied under this subchapter is a civil violation by the candidate, treasurer, political party or other person whose campaign finance activities are required by this subchapter to be reported. Thirty days after ~~receiving~~ issuing the notice of the penalty, the ~~Secretary of State~~ commission shall report to the Attorney General the name of any person who has failed to pay the full amount of any penalty. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the penalty. This action must be brought in the Superior Court for Kennebec County

or the District Court, 7th District, Division of Southern Kennebec.

Sec. 34. 21-A MRSA §1062-A, sub-§§6 and 9, as enacted by PL 1995, c. 483, §21, are amended to read:

6. Final notice of penalty. After a commission meeting, notice of the final determination of the commission and the penalty, if any, imposed pursuant to this subchapter must be sent to the principal officer, and the treasurer of the political action committee ~~and the Secretary of State.~~

If no determination is requested, the commission staff shall calculate the penalty based on the provision of subsection 3 and shall mail final notice of the penalty to the principal officer and to the treasurer of the political action committee. A detailed summary of all notices must be provided to the commission ~~and to the Secretary of State.~~

9. Enforcement. The ~~Secretary of State~~ commission staff has the ~~initial~~ responsibility for collecting the full amount of any penalty ~~within 30 days after receiving notice of that penalty from the commission.~~ ~~The Secretary of State~~ and has all necessary powers to carry out this responsibility. Failure to pay the full amount of any penalty levied under this subchapter is a civil violation by the political action committee and its treasurer. Thirty days after ~~receiving~~ issuing the notice of penalty, the ~~Secretary of State~~ commission shall report to the Attorney General the name of any political action committee, along with the name of its treasurer, that has failed to pay the full amount of any penalty. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the penalty. This action must be brought in the Superior Court for Kennebec County or the District Court, 7th District, Division of Southern Kennebec.

See title page for effective date.

CHAPTER 427

H.P. 1063 - L.D. 1494

An Act to Ensure the Documentation of the Transfer of Ownership of Mobile and Modular Construction Homes

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

Sec. 1. 30-A MRSA §3009, sub-§1-A is enacted to read:

1-A. Transfer of mobile home or modular construction home. To ensure the fair and efficient administration of property taxation, municipal officers may enact an ordinance requiring the owner of a mobile home or modular construction home to notify the municipal assessor, according to such reasonable terms as the ordinance may establish, upon the transfer of a mobile home or modular construction home when that mobile home or modular construction home is situated on land that is not owned by the mobile home or modular home owner.

See title page for effective date.

CHAPTER 428

S.P. 665 - L.D. 1887

An Act to Provide Access to Information Services in All Communities of the State

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

Sec. 1. 5 MRSA c. 17 is enacted to read:

CHAPTER 17

MAINE GOVERNMENTAL INFORMATION NETWORK BOARD

§353. Maine Governmental Information Network Board established

The Maine Governmental Information Network Board, referred to in this chapter as the "board," is established to enhance electronic data exchange among state and local governments and other providers of governmental services. The board shall oversee the computer network that connects individual municipal governments and other governmental service providers.

§354. Board membership; term of office; organiza- tion; reimbursement

1. Membership. The board consists of 7 members. The Secretary of State and the Director of the Bureau of Information Services within the Department of Administrative and Financial Services, or their designees, shall serve on the board. The President of the Senate and the Speaker of the House of Representatives shall each appoint one public member. A statewide municipal government organization shall recommend and the Governor shall appoint 2 members representing municipalities. A statewide information services group shall recommend and the Governor shall appoint one member with technical expertise in electronic communications.

2. Terms of members. The Secretary of State and the Director of the Bureau of Information Services within the Department of Administrative and Financial Services, or their designees, shall serve as permanent members of the board. The members from municipalities, the member with technical expertise and the public members serve 3-year terms, except that initially one municipal member and the public member appointed by the Speaker of the House of Representatives serve 3-year terms, the member with technical expertise and one municipal member serve 2-year terms, and the public member appointed by the President of the Senate serves a one-year term. Each member may be appointed for another term upon the completion of a term on the board.

3. Chair. The board annually shall select a chair from among its members. The board shall meet at the call of the chair, but no less than once every 3 months.

4. Compensation. Members of the board serve without compensation, but are entitled to reimbursement for expenses.

§355. Powers and duties

The board may:

1. Oversight. Oversee the construction and operation of a computer network to connect state, local and regional governments and other providers of governmental services;

2. Access to data. Enable electronic access to the electronic data resources of any state agency whose data enhances the delivery by a municipal government or county government of state services, except the board may not enable access to any confidential information that is not necessary to the delivery of services by municipalities or counties;

3. Grants. Provide grants to municipalities and counties for the purchase of computer hardware, software and peripherals necessary to connect the municipalities and county governments with state data and information systems;

4. Technical support. Contract with public or private individuals or organizations to provide technical support to municipal and county information network participants;

5. Training. Contract with public or private individuals or organizations to provide basic computer training and instruction in the operation of the statewide computer network; and

6. Consultants; funding. Employ consultants and accept and use any funding available to the board to carry out its duties and responsibilities.