

# 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**

that requires filing of information by businesses or the public:

**1. Forms.** Shall have the filing forms available for downloading from the Internet. This subsection takes effect June 1, 2000;

**2. Inventory.** Shall maintain an inventory of the forms available on the Internet.

**Sec. 2. Plan for electronic filing.** By December 1, 2000, as required by Title 5, section 54, subsection 2, every state agency, department, board, commission, institution, authority and public instrumentality that requires the filing of information by businesses or the public shall provide to the joint standing committee of the Legislature having jurisdiction over state government matters, the Governor and the Information Services Policy Board an inventory of the forms available on the Internet. The inventory must include the number of forms required to be filed with the state agency, department, board, commission, institution, authority or public instrumentality and a schedule of when each form is required to be filed by a business or a member of the public. Each state agency, department, board, commission, institution, authority and public instrumentality also shall submit a plan indicating when the forms will be accepted electronically by that entity.

See title page for effective date.

**CHAPTER 447**

**S.P. 138 - L.D. 374**

**An Act to Enhance the Marketing and Promotion Capabilities of the Department of Inland Fisheries and Wildlife**

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

**Sec. 1. 12 MRSA §7035, sub-§11,** as amended by PL 1987, c. 534, Pt. B, §§10 and 23, is further amended to read:

**11. Promotion of hunting, fishing and camping.** The commissioner may implement a program designed to promote fisheries and wildlife resources and attract hunters and fishermen to the State. As part of this program, the commissioner may reduce the price of certain types of licenses for specified periods of time to promote license sales for hunting and fishing in the State. This program may include coordination of activities between the public and private sectors and utilization of promotional missions, exhibits, brochures, technical assistance and expertise as necessary to develop and promote

hunting, fishing and camping activities within the State. The commissioner shall coordinate this program with the activities of the Department of Economic and Community Development. Any purchases made as a result of that coordination ~~shall~~ must be by competitive bid.

**Sec. 2. 12 MRSA §7035, sub-§16-A** is enacted to read:

**16-A. Funds; dedicated account.** Funds received by the commissioner for the sale of general merchandise products pursuant to subsection 16 must be deposited in a dedicated account to be used only for the purposes described in subsection 11. This subsection is repealed April 1, 2001.

**Sec. 3. 12 MRSA §7035, sub-§19** is enacted to read:

**19. Dedicated accounts for accepting donations.** The commissioner may create dedicated accounts to deposit money received from the sale of general merchandise pursuant to subsection 16 and may accept money, goods and services donated to the department to support specific programs carried out by the department. Any money donated to the department in support of a specific program must be deposited into a dedicated account for the purpose of funding activities carried out by that program. This subsection is repealed April 1, 2001.

**Sec. 4. Report to the Legislature.** By January 15, 2001, the Department of Inland Fisheries and Wildlife shall submit a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters that provides an accounting of all funds deposited into a dedicated account created by the Commissioner of Inland Fisheries and Wildlife pursuant to the Maine Revised Statutes, Title 12, section 7035, subsection 19 and the impact this account has had on the promotion of activities described in Title 12, section 7035, subsection 11.

**Sec. 5. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>		
<b>Administrative Services - Inland Fisheries and Wildlife</b>		
All Other	\$500	\$500
Provides initial allocations for a new dedicated account		

established to support  
specific programs  
administered by the  
department.

See title page for effective date.

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## CHAPTER 448

H.P. 1546 - L.D. 2202

### An Act to Improve the Effectiveness of the Driver Education and Evaluation Programs

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

**Sec. 1. 5 MRSA §20071, sub-§1**, as amended by PL 1995, c. 65, Pt. A, §11 and affected by §153 and Pt. C, §15, is further amended to read:

**1. Alcohol-related or other drug-related motor vehicle incident.** "Alcohol-related or other drug-related motor vehicle incident" means a conviction or administrative action resulting in the suspension of a motor vehicle operator's license for a violation under former Title 29, section 1311-A; Title 29, section 1312, subsection 10-A; Title 29, section 1312-C; Title 29, section 1312-B; Title 29, section 1313-B; Title 29, section 2241, subsection 1, paragraph N; Title 29, section 2241-G, subsection 2, paragraph B, subparagraph (2); Title 29, section 2241-J; Title 29-A, section 1253; Title 29-A, sections section 2411; Title 29-A, section 2453; Title 29-A, section 2454, subsection 2; Title 29-A, section 2456 and; Title 29-A, section 2457; Title 29-A, section 2472, subsection 3, paragraph B and subsection 4; or Title 29-A, section 247; section 2503; Title 29-A, sections 2521 to 2523; or Title 29-A, section 2525 or the rules adopted by the Department of the Secretary of State for the suspension of commercial drivers' licenses.

**Sec. 2. 5 MRSA §20071, sub-§4-A**, as enacted by PL 1991, c. 622, Pt. Y, §2, is amended to read:

**4-A. First offender.** "First offender" means a client who has no previous alcohol-related or drug-related motor vehicle incident within a ~~6-year~~ 10-year period.

**Sec. 3. 5 MRSA §20071, sub-§5**, as enacted by PL 1991, c. 601, §28, is amended to read:

**5. Multiple offender.** "Multiple offender" means a client who has more than one alcohol-related or drug-related motor vehicle incident within a ~~6-year~~ 10-year period or has a previous incident prior to the 10-year period for which the client has not completed

a Driver Education and Evaluation Program as established in section 20072.

**Sec. 4. 5 MRSA §20072, sub-§§1 and 2**, as amended by PL 1991, c. 850, §6, are further amended to read:

**1. Completion of Driver Education and Evaluation Programs.** Those individuals who have satisfactorily completed a program ~~prescribed by~~ pursuant to section 20073-A 20073-B; and

**2. Completion of treatment other than Driver Education and Evaluation Programs.** Those individuals who have satisfied the requirement for completion of treatment as defined in section 20071 by means other than a program ~~prescribed by~~ pursuant to section 20073-A 20073-B. ~~The Office of Substance Abuse may charge an administrative fee, not to exceed \$50, to clients under this subsection. This fee must be transferred to the General Fund.~~

**Sec. 5. 5 MRSA §20073-A**, as amended by PL 1993, c. 631, §§5 and 6, is repealed.

**Sec. 6. 5 MRSA §20073-B** is enacted to read:

#### **§20073-B. Programs and components; rules**

The office shall design programs and components that are age-appropriate and therapeutically appropriate. The office shall adopt rules regarding requirements for these programs and components and any other rules necessary to implement this subchapter. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter II-A.

**Sec. 7. 5 MRSA §20075**, as amended by PL 1991, c. 850, §10, is further amended to read:

#### **§20075. Certification; recertification**

All providers of the evaluation, intervention and treatment components of the Driver Education and Evaluation Programs must be certified by the office pursuant to section 20005, section 20024 and this subchapter. The certification period for individual providers and agencies is 2 years. The office shall adopt rules requiring continuing education for recertification.

**Sec. 8. 5 MRSA §20076-A**, as enacted by PL 1991, c. 622, Pt. Y, §8, is repealed.

**Sec. 9. 5 MRSA §20076-B** is enacted to read:

#### **§20076-B. Fees**

The office shall set fees in accordance with the cost of each program. All fees must be transferred to the General Fund. The office may waive all or part of