

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND NINETEENTH LEGISLATURE
SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

of the Maine Revised Statutes, Title 5, chapter 375, the Public Utilities Commission may amend the following rules in the following manner to bring them into conformity with the provisions of this Act without holding hearings or conducting other formal proceedings.

1. The Public Utilities Commission shall amend Chapter 305: Licensing Requirements, Annual Reporting, Enforcement and Consumer Protection Provisions for Competitive Provision of Electricity to bring it into conformity with the provisions of this Act by amending section 4, subsection A, paragraph 1 to provide that the consumer protections established under section 4 of that rule apply to residential and small commercial consumers as defined in the Maine Revised Statutes, Title 35-A, section 3203, subsection 4. Nothing in this subsection may be interpreted as converting any portion of Chapter 305 into a major substantive rule pursuant to Title 5, chapter 375, subchapter II-A.

2. The Public Utilities Commission shall amend Chapter 306: Uniform Information Disclosure and Informational Filing Requirements to bring it into conformity with the provisions of this Act by amending section 2, subsection A, paragraph 3 to provide that the uniform information disclosure requirements established under section 2 of that rule apply to residential and small commercial consumers as defined in the Maine Revised Statutes, Title 35-A, section 3203, subsection 4. Modification of the rule consistent with this subsection does not require further legislative approval pursuant to 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 10, 2000.

CHAPTER 658

H.P. 1839 - L.D. 2577

An Act to Alter Eligibility for Lobster and Crab Fishing Licenses for Persons Who are 65 Years of Age or Older

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

Sec. 1. 12 MRSA §6421, sub-§5, ¶F, as amended by PL 1999, c. 397, §2, is repealed.

See title page for effective date.

CHAPTER 659

H.P. 1877 - L.D. 2613

An Act to Clarify Application of the Employment Leave Law for Victims of Violence

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

Sec. 1. 26 MRSA c. 7 is amended by inserting before §850 the following:

SUBCHAPTER VI-B

EMPLOYMENT LEAVE FOR VICTIMS OF VIOLENCE

Sec. 2. 26 MRSA §850, sub-§4 is enacted to read:

4. Application. This subchapter applies to all public and private employers, including the State and its political subdivisions.

See title page for effective date.

CHAPTER 660

H.P. 1904 - L.D. 2649

An Act to Allow Registration of Low- speed Vehicles on Certain Islands

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

Sec. 1. 29-A MRSA §101, sub-§32-A is enacted to read:

32-A. Low-speed vehicle. "Low-speed vehicle" means a 4-wheeled automobile that is able to attain a speed of at least 20 miles per hour but not more than 25 miles per hour and does not exceed 1800 pounds in unloaded weight. "Low-speed vehicle" does not include an ATV as defined in Title 12, section 7851. A low-speed vehicle must be originally manufactured and maintained in accordance with the Federal Motor Vehicle Safety Standards as a low-speed vehicle pursuant to 49 Code of Federal Regulations, Section 571.500 (1998).

Sec. 2. 29-A MRSA §501, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 3. 29-A MRSA §501, sub-§2-A is enacted to read:

2-A. Island vehicles and low-speed vehicles.

The following provisions apply to vehicles operating on islands that have no public ways maintained or supported by the State.

A. Notwithstanding subsection 1, an automobile may be registered for an annual fee of \$2. A low-speed vehicle may be registered for an annual fee of \$4. The registrant must show evidence of payment of the excise tax required by Title 36, section 1482. The municipality may collect an additional \$4 fee annually to defray the cost of removing abandoned vehicles.

B. A low-speed vehicle may be operated on an island if the governing body of the municipality allows. A low-speed vehicle may be operated only on a road or street where the posted speed limit is 35 miles per hour or less. A low-speed vehicle may cross, at an intersection, a road or street with a posted speed limit of more than 35 miles per hour.

C. Any person operating a low-speed vehicle on an island must possess a valid driving license in any class.

Sec. 4. Low-speed vehicle issues. The Department of the Secretary of State and the Maine State Police shall review the potential issues that may arise from the use of low-speed vehicles in the State. This review must include an examination of the potential safety issues involved with low-speed vehicle use, the experience of the 24 other states that allow the use of these vehicles and the experience of any Maine islands that allow low-speed vehicles. The departments shall submit a report to the joint standing committee of the Legislature with jurisdiction over transportation matters by January 16, 2001. The joint standing committee of the Legislature with jurisdiction over transportation matters may report out a bill to implement any recommendations after discussion of the report.

See title page for effective date.

CHAPTER 661

H.P. 1899 - L.D. 2640

An Act to Amend the Program Evaluation Report Contents of the State Government Evaluation Act

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

**Sec. 1. 3 MRSA §956, sub-§2, ¶¶G, J and
K,** as enacted by PL 1995, c. 488, §2, are amended to
read:

G. Identification of those areas where an agency has coordinated its efforts with other state and federal agencies in achieving program objectives and other areas in which an agency could establish cooperative arrangements, including, but not limited to, cooperative arrangements to coordinate services and eliminate redundant requirements;

J. Identification of emerging issues for the agency or program in the coming years; ~~and~~

K. Any other information specifically requested by the committee of jurisdiction; and

Sec. 2. 3 MRSA §956, sub-§2, ¶L is enacted to read:

L. A comparison of any related federal laws and regulations to the state laws governing the agency or program and the rules implemented by the agency or program.

See title page for effective date.

CHAPTER 662

H.P. 1933 - L.D. 2677

An Act to Revise the Salaries of Certain Kennebec County Officers

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, it has become necessary to revise the salaries of certain county officers of Kennebec County; and

Whereas, it is desired to have these revisions retroactive to January 1, 2000; 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,