

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

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

§942. Workers' compensation and death benefits - Article VIII

Each party jurisdiction shall provide for the payment of workers' compensation and death benefits to injured members of the emergency forces of that party jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own party jurisdiction.

§943. Reimbursement - Article IX

Any party jurisdiction rendering aid in another party jurisdiction pursuant to this compact must, if requested, be reimbursed by the party jurisdiction receiving such aid for any loss or damage to or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding party jurisdiction may assume in whole or in part any such loss, damage, expense or other cost or may loan such equipment or donate such services to the receiving party jurisdiction without charge or cost. Any 2 or more party jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those party jurisdictions. Expenses under section 942 are not reimbursable under this section.

§944. Evacuation - Article X

Each party jurisdiction shall prepare and maintain plans to facilitate the movement and reception of evacuees into or across its territory. After the termination of the emergency or disaster, the party jurisdiction from which the evacuees came shall assume the responsibility for the ultimate support of repatriation of such evacuees.

§945. Implementation - Article XI

1. Enactment. This compact becomes operative immediately upon its adoption by any 2 of the states and provinces listed in section 935 and upon the approval or authorization of the United States Congress, if required. After it becomes operative, this compact becomes effective as to any other state or province upon its enactment by that state or province.

2. Withdrawal from compact. Any party jurisdiction may withdraw from this compact, but the withdrawal does not take effect until 30 days after the governor or premier of the withdrawing party jurisdiction has given notice in writing of such withdrawal to the governors or premiers of all other party jurisdictions. The action does not relieve the withdrawing party jurisdiction from obligations

assumed under this compact prior to the effective date of withdrawal.

3. Copy of compact. Duly authenticated copies of this compact in the French and English languages and of such supplementary agreements as may be entered into must, at the time of their approval, be deposited with each of the party jurisdictions and with appropriate federal authorities.

§946. Severability - Article XII

This chapter is construed to effectuate the purposes stated in section 935. If any provision of this compact is declared unconstitutional or the applicability of the compact to any person or circumstances is held invalid, the constitutionality of the remainder of this chapter and the applicability of the chapter to other persons and circumstances is not affected.

§947. Inconsistency of language - Article XIII

The validity of the arrangements and agreements consented to in this compact is not affected by any insubstantial difference in form or language as adapted by the various states and provinces.

Sec. 2. Legislative intent. This Act is the enactment of the International Emergency Management Assistance Compact. The text and numbering of the compact have been changed to conform to Maine statutory conventions. The changes are technical in nature and it is the intent of the Legislature that this Act be interpreted as substantively the same as the original compact.

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

Effective April 13, 2000.

CHAPTER 697

H.P. 1925 - L.D. 2671

An Act to Implement Municipal Recommendations Regarding Surface Water Use on Great Ponds

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

Whereas, the restrictions on surface water uses on great ponds contained in this legislation must take effect prior to the start of this year's boating season; 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. 12 MRSA §7801, sub-§20, ¶¶M and N, as enacted by PL 1997, c. 739, §5, are amended to read:

M. Operates a motorboat equipped with a motor greater than 10 horsepower on Upper Hadlock Pond or Lower Hadlock Pond on Mount Desert Island in Hancock County; ~~or~~

N. Operates a personal watercraft in violation of section 685-C, subsection 10 or any rule adopted by the commission to implement that subsection; ~~;~~

Sec. 2. 12 MRSA §7801, sub-§20, ¶¶O, P, Q and R are enacted to read:

O. Operates a watercraft at greater than headway speed on any area of Torsey Lake within 1/2 mile from the boat launch on Desert Pond Road in the Town of Mount Vernon;

P. Operates a watercraft at greater than headway speed on any area of Torsey Lake within 1/2 mile from the boat launch on Old Kents Hill Road in the Town of Readfield;

Q. Operates a watercraft equipped with a motor greater than 10 horsepower on Cold Rain Pond in the Town of Naples or on Holt Pond in the Town of Naples and the Town of Bridgton; or

R. Operates a watercraft equipped with a motor greater than 5 horsepower on Moose Pond in the Town of Otisfield.

Sec. 3. 12 MRSA §7801, sub-§35, as enacted by PL 1999, c. 400, §1, is amended to read:

35. Illegally operating personal watercraft in prohibited area. A person is guilty of operating a personal watercraft in a prohibited area if that person operates a personal watercraft on:

~~A. Operates a personal watercraft on Mud Pond, Oversett Pond, South Pond, Round Pond, Twitchell Pond, Hicks Pond or Furlong Pond in the Town of Greenwood in Oxford County;~~

~~B. Operates a personal watercraft on North Pond or Bryant Pond, also known as Christopher Lake, in the Town of Greenwood and the Town of Woodstock in Oxford County;~~

~~C. Operates a personal watercraft on Concord Pond, Little Concord Pond or Shagg Pond in the Town of Woodstock in Oxford County;~~

~~D. Operates a personal watercraft on Hamilton Pond in Bar Harbor in Hancock County; ~~or~~~~

~~E. Operates a personal watercraft on Bog Lake or Horseshoe Lake in the Town of Northfield in Washington County; ~~;~~~~

F. Megunticook Lake in the Town of Camden and the Town of Hope in Knox County and the Town of Lincolnville in Waldo County;

G. Hobbs Pond, Fish Pond or Alford Lake in the Town of Hope in Knox County;

H. Norton Pond or Coleman Pond in the Town of Lincolnville in Waldo County;

I. Pitcher Pond in the Town of Lincolnville and the Town of Northport in Waldo County;

J. Torsey Lake in the Town of Mount Vernon and the Town of Readfield in Kennebec County;

K. Trickey Pond in the Town of Naples in Cumberland County;

L. Brandy Pond in the Town of Naples in Cumberland County between sunset and 9:00 a.m.;

M. Fulton Lake in the Town of Northfield in Washington County;

N. Knight Pond in the Town of Northport in Waldo County;

O. Moose Pond or Saturday Pond in the Town of Otisfield in Oxford County;

P. Tripp Pond, Upper Range Pond or Middle Range Pond in the Town of Poland in Androscoggin County;

Q. Keewaydin Lake, Virginia Lake, Trout Pond, Weymouth Pond or Whitney Pond in the Town of Stoneham in Oxford County;

R. Lermond Pond in the Town of Union and the Town of Hope in Knox County;

S. Pocasset Lake or Pickerel Pond in the Town of Wayne in Kennebec County;

T. Androscoggin Lake in the Town of Wayne in Kennebec County and the Town of Leeds in Androscoggin County;

U. Little Cobbosseecontee Lake in the Town of Winthrop in Kennebec County;

V. Somes Pond in the Town of Mount Desert;

W. Long Pond in the Town of Mount Desert and the Town of Southwest Harbor; or

X. Little Long Pond in the Town of Mount Desert.

Sec. 4. 12 MRSA §7801, sub-§36 is enacted to read:

36. Operating rented or leased personal watercraft without identification decal. A person is guilty of operating a rented or leased personal watercraft without an identification decal if that person operates a rented or leased personal watercraft on Brandy Pond in the Town of Naples or on Long Lake in the Town of Naples, the Town of Bridgton and the Town of Harrison that does not have a clearly visible decal affixed to the personal watercraft that identifies the rental agent.

Sec. 5. Preparation of identification decals. The Naples Conservation Commission shall, in cooperation with businesses that rent or lease personal watercraft for use on Brandy Pond in the Town of Naples or on Long Lake in the Town of Naples, the Town of Bridgton and the Town of Harrison, design and provide to those businesses the identification decals required by the Maine Revised Statutes, Title 12, section 7801, subsection 36.

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

Effective April 13, 2000.

CHAPTER 698

I.B. 6 - L.D. 2602

**An Act to Repeal the Sales Tax on
Snack Food Except Candy and
Confections**

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

Sec. 1. 36 MRSA §1752, sub-§3-B, as amended by PL 1991, c. 846, §17, is further amended to read:

3-B. Grocery staples. "Grocery staples" means food products ordinarily consumed for human nourishment ~~and includes, but is not limited to, cereals and grain products, including bread, rolls and unflavored matzo; milk and milk products; oleomargarine; meat and meat products; fish and seafood products; poultry; eggs and egg products; vegetables~~

~~and vegetable products, including pickles; fruit and fruit products, including fruit juices and fruit sauces; naturally flavored powdered or liquid drink mixes or drinks; spices, condiments, including jams, jellies and peanut butter, salt and sugar; coffee and tea; and unroasted nuts.~~

"Grocery staples" does not include spirituous, malt or vinous liquors; soft drinks, iced tea, sodas or beverages such as are ordinarily dispensed at bars or soda fountains or in connection with bars or soda fountains; medicines, tonics, vitamins and preparations in liquid, powdered, granular, tablet, capsule, lozenge or pill form, sold as dietary supplements or adjuncts, except when sold on the prescription of a physician; water, including mineral bottled and carbonated waters and ice; dietary substitutes; ~~snack food~~ candy and confections; and prepared food.

Sec. 2. 36 MRSA §1752, sub-§14-C, as enacted by PL 1991, c. 591, Pt. WW, §2 and affected by §4, is repealed.

See title page for effective date.

CHAPTER 699

H.P. 1601 - L.D. 2245

**An Act to Adopt the Model Revised
Article 9 Secured Transactions**

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

PART A

Sec. A-1. 11 MRSA art. 9, as amended, is repealed.

Sec. A-2. 11 MRSA art. 9-A is enacted to read:

Article 9-A

TRANSACTIONS

PART 1

GENERAL PROVISIONS

SUBPART 1

**SHORT TITLE, DEFINITIONS AND GENERAL
CONCEPTS**

§9-1101. Short title

This Article may be cited as "Uniform Commercial Code-Secured Transactions."