

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

permit to the junior hunter or person 65 years of age or older. A valid permit must be in the possession of the transferee to hunt turkey. If the adult transfers the permit to the junior hunter or person 65 years of age or older, that adult is prohibited from hunting turkey.

See title page for effective date.

CHAPTER 7

H.P. 108 - L.D. 112

An Act to Designate the First Saturday in September as Colonel Freeman McGilvery Day

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

Sec. 1. 1 MRSA §139 is enacted to read:

§139. Colonel Freeman McGilvery Day

The first Saturday of September of each year is designated as Colonel Freeman McGilvery Day. The Governor shall annually issue a proclamation urging the people of the State to observe the day with appropriate celebration and activity.

See title page for effective date.

CHAPTER 8

H.P. 1022 - L.D. 1371

An Act to Establish the Dairy Industry Fund

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

Whereas, this legislation must take effect immediately in order that the fund established in this measure can begin to accrue money for distribution by the Maine Milk Commission; 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. 7 MRSA §2956-A is enacted to read:

§2956-A. Dairy Industry Fund

1. Fund established; source. The Dairy Industry Fund, referred to in this section as the "fund," is established. In addition to payments to the commission pursuant to section 2956, a dealer shall deduct 1¢ per hundredweight from amounts paid by the dealer to each Maine milk producer and pay that amount into the fund as a monthly payment.

2. Distributions from fund. Notwithstanding section 2957, the commission shall make distributions from the fund to a statewide association that has been approved by the majority of dairy farmers in the State in amounts allocated from the fund for that purpose.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	2001-02	2002-03
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Maine Milk Commission		
All Other	\$70,000	\$70,000
Provides funds for payments to a statewide association representing dairy farmers.		

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

Effective March 28, 2001.

CHAPTER 9

S.P. 74 - L.D. 294

An Act to Clarify the Laws Prohibiting Consumption or Possession of Alcohol by a Minor

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

Sec. 1. 28-A MRSA §2051, sub-§1, ¶B, as amended by PL 1993, c. 266, §24, is further amended to read:

B. Consume any liquor or imitation liquor, except in a home in the presence of ~~a~~ the minor's parent, legal guardian or custodian, as defined in Title 22, section 4002;

Sec. 2. 28-A MRSA §2051, sub-§1, ¶E, as amended by PL 1999, c. 103, §2, is further amended to read:

E. Have any liquor or imitation liquor in the minor's possession except:

- (1) In the scope of the minor's employment; or
- (2) In ~~the minor's own~~ a home in the presence of the minor's parent, legal guardian or custodian, as defined in Title 22, section 4002; or

See title page for effective date.

CHAPTER 10

H.P. 37 - L.D. 46

An Act to Allow Funeral Escort Vehicles in a Funeral Procession to be Equipped with Flashing Yellow Lights

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶H is enacted to read:

H. A vehicle in a funeral procession may be equipped with a flashing light. The light must emit a yellow beam of light. The light may not be more than 5 inches in diameter and must be placed on the dashboard. The light must be shielded so that the emitted light does not interfere with the operator's vision. The flashing light may be used only when the vehicle is used in a funeral procession.

See title page for effective date.

CHAPTER 11

H.P. 27 - L.D. 27

An Act to Implement the Recommendations of the Commission on Child Abuse

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

Sec. 1. 22 MRSA §3884, as amended by PL 1999, c. 529, §2 to 4, is repealed.

Sec. 2. 22 MRSA §3884-A is enacted to read:

§3884-A. Duties of board; powers of board

1. Duties. The board shall:

A. Develop a biennial working plan for trust activities that sets overall statewide goals and objectives for child abuse prevention activities, establishes priorities for distribution of money in the fund and provides a working plan for the trust for the biennium. In developing the plan, the board may:

- (1) Review and evaluate existing prevention programs, including high-quality child care options;
- (2) Ensure that equal opportunity exists for the establishment of prevention programs and receipt of money from the fund among all geographic areas in the State; and
- (3) Review and evaluate public and private funding sources;

B. Develop, initiate, propose or recommend ideas for innovations in rules, laws, policies and programs concerning child abuse and neglect to the Governor, the Legislature, state executive agencies, the business community and other entities. The board may also assist in the coordination and exchange of information and the maintenance of prevention programs;

C. Publicize criteria and review applications for grants and award those grants to recipients that best address the purposes of this chapter and submit to the Legislature the list of both successful and unsuccessful applicants who have allowed their names to be placed on the list along with reasons for and against the application;

D. Establish a process for monitoring and review of grants awarded pursuant to this chapter;

E. As a primary prevention activity of the trust, develop and implement a campaign to provide statewide education and public information to enhance public awareness concerning child abuse and neglect;

F. Enter into contracts with public or private agencies and accept gifts or grants from federal, state or private sources to carry out this chapter;

G. Employ staff as the board determines necessary to implement its responsibilities;

H. Cooperate with and avail itself of the services of governmental agencies and the University of Maine System and cooperate with, assist and otherwise encourage local or regional, private or public organizations in the various communities of the State in the prevention of abuse and neglect among children in the community and the State; and