

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
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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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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
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Sheriffs, deputy sheriffs, police officers, constables, marine patrol officers, Baxter Park rangers, wardens of the Penobscot Indian Nation within the Penobscot Indian Territory, as defined by Title 30, section 6205, subsection 2, wardens of the Passamaquoddy Tribe within the Passamaquoddy Indian Territory, as defined by Title 30, section 6205, subsection 1, and law enforcement personnel employed by the United States Department of the Interior ~~shall~~ have the powers of game wardens.

The commissioner shall grant the powers of game wardens outside the Penobscot Indian Territory to wardens of the Penobscot Indian Nation and game wardens outside the Passamaquoddy Indian Territory to wardens of the Passamaquoddy Tribe who have qualified under the written code prepared by the commissioner and approved by the ~~Commissioner of Personnel~~ Director of Human Resources within the Department of Administrative and Financial Services, as specified in section 7051. The commissioner may revoke these powers for good cause shown and shall provide a subsequent hearing on the revocation under Title 5, chapter 375, subchapter IV, if requested.

See title page for effective date.

CHAPTER 31

H.P. 237 - L.D. 274

An Act Concerning the Requirements for Exits for Boardinghouses and Lodging Houses

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

Sec. 1. 25 MRSA §2453, first ¶, as amended by PL 1999, c. 384, §19, is further amended to read:

Each story above the first story of a building used as a schoolhouse, orphan asylum, hospital for the mentally ill, reformatory, opera house, hall for public assemblies, hotel, ~~boardinghouse or lodginghouse accommodating more than 6 persons,~~ or tenement house occupied by more than 2 families, or store in which more than 10 persons are employed above the first story, must be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such building. Such stairways and fire escapes must be so constructed, in such a number, or such size and in such location as to give reasonably safe, adequate and convenient means of exit, in view of the number of persons who may need to use such stairway or fire escape, must at all times be kept free

from obstruction and must be accessible from each room in each story above the first story.

See title page for effective date.

CHAPTER 32

S.P. 99 - L.D. 325

An Act to Enhance Collectibility of the Penalty for Failure to File the Municipal Valuation Tax Return

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

Sec. 1. 36 MRSA §383, sub-§4, as enacted by PL 1999, c. 487, §1, is repealed and the following enacted in its place:

4. Penalty for late filing. If the complete return and lists required by this section are not filed on time, the State Tax Assessor shall impose a penalty to be deducted from state reimbursement due to the municipality or primary assessing area pursuant to the following programs in the following order of priority:

- A. Maine Tree Growth Tax Law, section 578;
- B. Veterans' property tax exemptions, section 653; and
- C. Maine resident homestead property tax exemption, section 685.

For a municipality or primary assessing area with a population of 2,000 or less, the penalty is \$50 for the first late day plus \$10 for each late day thereafter. For a municipality or primary assessing area with a population of more than 2,000, the penalty is \$100 for the first late day plus \$20 for each late day thereafter.

See title page for effective date.

CHAPTER 33

H.P. 458 - L.D. 579

An Act to Allow Sheriffs to Use Modern Record-keeping Technologies in the Maintenance of Jail Records

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

Sec. 1. 30-A MRSA §1505, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

§1505. Record of persons committed

Every sheriff shall keep ~~in a suitable bound book~~ a true and exact calendar containing the names of all prisoners committed to the jail under the sheriff's charge, their residences, additions, time of their commitments, for what cause and by what authority, and a particular description of the persons of those committed for offenses. The sheriff shall register ~~in that book~~ the name and description, the time when and the authority by which any prisoner was discharged, and the time and manner of any prisoner's escape. The information required by this section must be kept in a suitable, permanent record at the office of the sheriff.

See title page for effective date.

CHAPTER 34**H.P. 109 - L.D. 113****An Act to Remove the Weight Limit Restrictions on Vanity Registration Plates**

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

Sec. 1. 29-A MRSA §453, sub-§1, as amended by PL 1997, c. 776, §9, is further amended to read:

1. Vanity registration plates. The Secretary of State may issue registration plates that contain letters or a combination of letters and numbers for automobiles, taxi cabs, limousines, pickup trucks, trucks ~~that are registered up to 9,000 pounds gross vehicle weight~~, motorcycles, motor homes or semitrailers ~~that do not exceed 2,000 pounds~~ and camp trailers. The number of characters appearing on a plate issued under this section may not exceed 7. The Secretary of State may not issue vanity plates for vehicles registered pursuant to section 504, subsection 2, or section 512, 531 or 532.

See title page for effective date.

CHAPTER 35**H.P. 563 - L.D. 718****An Act Concerning Disability Registration Plates and Placards**

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

Sec. 1. 29-A MRSA §521, sub-§1, as repealed and replaced by PL 1995, c. 482, Pt. A, §4, is amended to read:

1. Definition. "Person with a disability" means a person whose disability limits or impairs the ability to walk, as determined and certified by a licensed physician, physician assistant or nurse practitioner, to the extent that the person:

- A. Can not walk 200 feet without stopping to rest;
- B. Can not walk without assistance from another person or the use of a brace, cane, crutch, prosthetic device, wheelchair or other assistive device;
- C. Is restricted by lung disease to such an extent that the person's forced expiratory volume for one second when measured by spirometry is less than 1 liter or when the arterial oxygen tension is less than 60mm/hg on room air at rest;
- D. Uses portable oxygen;
- E. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class 3 or Class 4 according to standards set by the American Heart Association; or
- F. Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.

Sec. 2. 29-A MRSA §521, sub-§5, as amended by PL 1999, c. 544, §1, is further amended to read:

5. Application; issuance. An application for a disability plate or placard must be accompanied by the certificate of a physician, physician assistant or nurse practitioner attesting to that person's physical disability as defined in subsection 1. The Secretary of State shall issue to an eligible applicant disability plates and windshield placards upon request. Proof of a disability must be submitted every 4 years on a form prescribed by the Secretary of State, except, when the Secretary of State determines the disability to be permanent, the time may be extended. When the applicant's need for the disability placard terminates or the applicant dies, the plate or placard must be immediately returned to the Secretary of State.

Sec. 3. 29-A MRSA §521, sub-§6, ¶A, as repealed and replaced by PL 1995, c. 482, Pt. A, §4, is amended to read:

- A. An application for a temporary placard must be accompanied by the certificate of a physician, physician assistant or nurse practitioner attesting