

# 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 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**

**Sec. 2. 23 MRSA §1967, sub-§1**, as amended by PL 1993, c. 612, §6, is further amended to read:

**1. Property of the authority.** All property of the authority and all property held in the name of the State pursuant to the provisions of this chapter ~~is~~ are exempt from levy and sale by virtue of any execution, and an execution or other judicial process is not a valid lien upon ~~its~~ of the authority held pursuant to the provisions of this chapter. The authority may not lease, sell or otherwise convey, or allow to be used, any of its real or personal property or easements in that property, franchises, buildings or structures, with access to any part of the turnpike or its approaches, for commercial purposes, with the exception of such intermodal transportation facilities, kiosks at rest areas, gasoline filling stations, service and repair stations, state and tri-state lottery ticket agencies, automatic teller machines and restaurants as it determines necessary to service the needs of the traveling public while using the turnpike, except that the authority may erect or install or permit the erection or installation of electric power, telegraph, telephone, communications, water, sewer or pipeline facilities; and provided also that the leasehold interests in such intermodal transportation facilities, kiosks, gasoline filling stations, service and repair stations, state and tri-state lottery ticket agencies, automatic teller machines and restaurants are subject to taxation as provided in section 1971. In accordance with rules adopted pursuant to section 1965, subsection 1, paragraph U, the authority may erect and maintain or allow to be erected and maintained signs that contain names, symbols, trademarks, logos or other identifiers of specific commercial enterprises.

See title page for effective date.

---

## CHAPTER 42

S.P. 33 - L.D. 131

### **An Act to Extend and Amend the Requirement for Giving Prior Notice of Acquisitions of Solid Waste Businesses**

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

**Whereas**, this legislation needs to take effect before the expiration of the 90-day period in order to delay the repeal of the laws governing the acquisition of solid waste and residue hauling assets; 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. 38 MRSA §2111, sub-§3**, as enacted by PL 1999, c. 773, §1, is repealed.

**Sec. 2. 38 MRSA §2111, sub-§6**, as enacted by PL 1999, c. 773, §1, is amended to read:

**6. Repeal.** This section is repealed 90 days after adjournment of the ~~First~~ Second Regular Session of the 120th Legislature.

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

Effective April 10, 2001.

---

## CHAPTER 43

H.P. 390 - L.D. 511

### **An Act to Provide an Opportunity for Minors Under 16 Years of Age to Work in Nonprofit Moving Image Archives**

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

**Sec. 1. 26 MRSA §773, first ¶**, as amended by PL 1997, c. 353, §1, is further amended to read:

A minor under 16 years of age may not be employed, permitted or suffered to work in, about or in connection with any manufacturing or mechanical establishment, hotel, rooming house, laundry, except those commonly known as automatic laundries, dry cleaning establishments, bakery, bowling alley, poolroom, commercial places of amusement, including traveling shows and circuses, or in any theater or moving picture house or in conjunction with an amusement, game or show that allows or conducts betting. The provisions of this section pertaining to theaters do not apply to minors under 16 years of age who are employed or in training as theatrical actors or film actors. This section does not prohibit a minor under 16 years of age from performing work for a nonprofit organization that preserves film and other moving images and provides education and research opportunities for the public or for a theater that is

operated by such an organization as an integral part of its mission.

See title page for effective date.

---



---

## CHAPTER 44

### H.P. 339 - L.D. 429

#### **An Act to Change the Name of the Bureau of Banking in Order to Accurately Reflect the Scope and Variety of Entities Regulated by the Bureau**

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

**Sec. 1. 9-A MRSA §1-301, sub-§2,** as amended by PL 1995, c. 309, §5 and affected by §29, is further amended to read:

2. "Administrator" means, except in cases in which a supervised financial organization is the creditor, the administrator designated in Article VI, section 6-103. In cases in which a supervised financial organization is the creditor, "administrator" means the Superintendent of Banking Financial Institutions.

**Sec. 2. 9-B MRSA §111,** as amended by PL 1995, c. 309, §14 and affected by §29, is further amended to read:

#### **§111. Declaration of policy**

By enactment of this Title, it is declared to be the policy of the State of ~~Maine~~ that the business of all financial institutions ~~shall~~ must be supervised by the Bureau of Banking Financial Institutions in a manner to ~~assure~~ ensure the strength, stability and efficiency of all financial institutions; to ~~assure~~ ensure reasonable and orderly competition, thereby encouraging the development and expansion of financial services advantageous to the public welfare; and to maintain close cooperation with other supervisory authorities.

In addition, with respect to the Bureau of ~~Banking's~~ Banking Financial Institutions' authority pursuant to Title 9-A, section 1-301, subsection 2, all financial institutions must be supervised in such a way as to protect consumers against unfair practices by financial institutions that provide consumer credit, to provide consumer education and to encourage the development of economically sound credit practices.

**Sec. 3. 9-B MRSA §121,** as amended by PL 1995, c. 309, §15 and affected by §29, is further amended to read:

#### **§121. Bureau of Financial Institutions**

There is created under this Title a Bureau of Banking Financial Institutions, which has the responsibility of administering the provisions of this Title. In addition, in cases in which a financial institution is the creditor, the Bureau of Banking Financial Institutions has the responsibility of administering the provisions of the Maine Consumer Credit Code pursuant to Title 9-A, section 1-301, subsection 2.

**Sec. 4. 9-B MRSA §131, sub-§4,** as enacted by PL 1975, c. 500, §1, is amended to read:

4. **Bureau.** "Bureau" means the Bureau of Banking Financial Institutions.

**Sec. 5. 9-B MRSA §131, sub-§40,** as enacted by PL 1975, c. 500, §1, is amended to read:

40. **Superintendent.** "Superintendent" means the Superintendent of ~~the Bureau of~~ Banking Financial Institutions.

**Sec. 6. 9-B MRSA §161, sub-§1, ¶C,** as enacted by PL 1977, c. 416, is amended to read:

C. "Supervisory agency" means:

- (1) The Federal Deposit Insurance Corporation;
- (2) The Federal Savings and Loan Insurance Corporation;
- (3) The Federal Home Loan Bank Board;
- (4) The National Credit Union Administration;
- (5) The Federal Reserve Board;
- (6) The United States Comptroller of the Currency;
- (7) The Maine Bureau of Banking Financial Institutions; and
- (8) The Maine Bureau of Consumer Protection.

**Sec. 7. 9-B MRSA §211, sub-§1,** as repealed and replaced by PL 1987, c. 769, Pt. A, §40, is amended to read:

1. **Appointment; term; qualifications.** The activities of the bureau ~~shall be~~ are directed by a superintendent who ~~shall be~~ is appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over ~~banking and insurance~~ financial institutions and to confirmation by the Legislature. The superintendent shall hold office for a term of 5 years, or until ~~his~~ the