

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
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centers throughout the State. Approval of the contract requires the approval of at least 2 4 members of the commission;

2. Evaluate small business programs. Evaluate ~~the~~ and make recommendations to coordinate small business and entrepreneurial programs statewide, including those administered or overseen by the department;

3. Issue reports and recommendations. Issue reports and recommendations to the commissioner, the Governor and the Legislature in regard to programs that support or promote small business assistance programs and entrepreneurship; and

4. Hire professional staff. Hire professional staff who are not subject to the Civil Service Law and who serve at the pleasure of the commission.

A. Funding of professional staff must be provided by the department from resources made available to the Office of Business Development for personal services.

B. The department shall provide clerical support as required by the commission.

Sec. 4. 5 MRSA §13035, first ¶, as enacted by PL 1989, c. 875, Pt. L, §§2 and 4, is amended to read:

The commission is responsible for overseeing the Small Business Development Center Program, enforcing the contract between the ~~Finance Authority of Maine~~ department and the administrative unit, ~~and providing funds to the program, and advising the commissioner on strengthening the support infrastructure for entrepreneurship in the State.~~ The commission has the following duties.

Sec. 5. 5 MRSA §13035, sub-§§2 and 3, as enacted by PL 1989, c. 875, Pt. L, §§2 and 4, are amended to read:

2. Review, evaluate and make recommendations to coordinate programs. The commission shall review ~~and~~ evaluate ~~the~~ and make recommendations to coordinate small business assistance and entrepreneurial programs ~~of the department as provided in section 13058, subsection 5 statewide.~~ The commission shall issue a report that meets the standards defined in section 13058, subsection 5. The commission shall advise the commissioner to help develop and implement statewide strategies and policies as they relate to encouraging economic development by developing and growing entrepreneurial businesses around the State.

3. Advise and make recommendations. The commission shall advise the commissioner, the

Governor and the Legislature with respect to the results of its evaluation of small business and entrepreneurial programs and its oversight and enforcement of the contract with the administrative unit.

See title page for effective date.

CHAPTER 143

H.P. 206 - L.D. 241

An Act to Change the Fiscal Year of Sagadahoc County

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.

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

Sec. 1. 30-A MRSA §883, sub-§2, ¶A, as enacted by PL 1991, c. 513, is amended to read:

A. Before ~~September~~ February 15th of every year, the county commissioners shall notify all municipal officers in the county to caucus by county commissioner districts at a specified date, time and place for the purpose of electing the membership of the county budget advisory committee. Whenever a public member of the budget advisory committee will be elected, the county commissioners must issue a public notice of that fact that includes the date, time and place of the caucus. The county commissioner shall serve as nonvoting moderator for that commissioner's district caucus. Nominations must be received from the floor. The nominee receiving the most votes is approved as a budget advisory committee member and serves a term of 3 years, except as provided in paragraph B.

Sec. 2. 30-A MRSA §884, as enacted by PL 1991, c. 513, is amended to read:

§884. Budget estimate; submission to advisory committee

The Sagadahoc County commissioners shall submit a budget estimate to the advisory committee no later than ~~October~~ April 1st for the coming fiscal year. The advisory committee shall review the budget estimate, hold a public hearing on the budget estimate and make recommendations to the commissioners

before ~~November~~ May 15th. The county commissioners shall act on the budget in a timely fashion and, in any event, not later than ~~December~~ June 15th prior to the beginning of the budget year.

Sec. 3. Transition. The Sagadahoc County commissioners, in order to facilitate the change in fiscal year made by this Act, shall submit a budget for the period of January 1, 2002 to June 30, 2002 and for the period of July 1, 2002 to June 30, 2003.

Sec. 4. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 30-A, section 883, subsection 2, paragraph A and section 884 take effect January 1, 2002.

See title page for effective date, unless otherwise indicated.

CHAPTER 144

S.P. 293 - L.D. 1004

An Act to Amend the Covered Load Laws

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

Sec. 1. 29-A MRSA §2358, sub-§11 is enacted to read:

11. Unsecured load. If a state police officer requires a vehicle to stop and submit to weighing pursuant to this section and that vehicle is carrying a load, the officer shall check to ensure that the load is secure pursuant to section 2396, subsection 2.

Sec. 2. 29-A MRSA §2396, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Unsecured load. A person may not operate on a public way a vehicle with a load that is not fastened, secured, confined or loaded to reasonably prevent a portion from falling off.

For the purposes of this section, "load" includes, but is not limited to, firewood, pulpwood, logs, bolts or other material, but does not include loose hay, pea vines, straw, grain or cornstalks.

When the load consists of sawdust, shavings or wood chips, and a reasonable effort has been made to completely cover the load, minor amounts blown from the vehicle while in transit do not constitute a violation.

A violation of this section is a traffic infraction subject to a forfeiture of not less than \$150 nor more than \$500.

See title page for effective date.

CHAPTER 145

H.P. 643 - L.D. 843

An Act to Clarify when Reduced Speed Limits are in Effect in School Zones

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

Whereas, in order to assist motor vehicle operators in determining when school zone speed limits are in effect and thereby ensure the safety of children around school, it is necessary that this bill take effect prior to the beginning of the school year; 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. 29-A MRSA §101, sub-§28-B is enacted to read:

28-B. Improved school property. "Improved school property" means the developed portion of school property including driveways, parking lots, playgrounds, athletic fields or school buildings.

Sec. 2. 29-A MRSA §101, sub-§§64-A and 64-B are enacted to read:

64-A. School. "School" has the same meaning as in Title 20-A, section 6353, subsection 7.

64-B. School zone. "School zone" means the portion of the public highway abutting improved school property or 300 feet on either side of a school entrance, whichever is greater.

Sec. 3. 29-A MRSA §2074, sub-§1, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed and the following enacted in its place:

A. Fifteen miles per hour when traveling in a school zone: