

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

1. Agricultural enterprise. "Agricultural enterprise" means a person or business located in this State and engaged in the commercial growing or harvesting of plants; raising of animals; growing or obtaining plant or animal by-products; aquaculture, as defined in Title 12, section 6001, subsection 1; or further processing, storing, packaging or marketing a raw product derived from plants, animals, plant or animal by-products or aquaculture, as defined in Title 12, section 6001, subsection 1, with the intent that the product be sold or otherwise disposed of to generate income. "Agricultural enterprise" includes a business or activity that attracts visitors to a farm for the purpose of supplementing income from the primary crop or livestock operation. "Agricultural enterprise" does not include a business engaged primarily in the growing, harvesting or further processing of forest species of trees for the purpose of producing pulp or other materials used in the paper manufacturing or wood manufacturing process.

Sec. 2. 7 MRSA §435, sub-§3, as enacted by PL 1995, c. 658, §1, is amended to read:

3. Interest rate. ~~The commissioner, by rule, may establish an interest rate for a loan, except that this rate may not be less than loans is 5% per year. If the commissioner does not establish an interest rate, the rate on a loan is a rate that is 2% less than the prime rate of interest as is determined by the commissioner.~~

Sec. 3. 7 MRSA §435, sub-§5 is enacted to read:

5. Report. The commissioner shall submit an annual report on or before March 1st of each year to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The report must include a summary of loans made during the previous calendar year and loans outstanding categorized by the types of agricultural enterprises receiving the loans.

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

Effective May 14, 2001.

CHAPTER 153

H.P. 502 - L.D. 642

An Act Concerning the Administration of Medications in County Jails

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

Sec. 1. 30-A MRSA §1559, sub-§§1 and 2, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

1. Administration of medication by sheriff or deputy. The sheriff of any county may administer to any prisoner in custody any oral or topical medication as prescribed by a licensed physician, nurse practitioner, physician assistant or dentist and approved by the facility health care provider or, if requested by a prisoner, any nonprescription medication in accordance with the directions on its container. The sheriff may delegate this authority to administer medication to the ~~deputy who is in charge of the county jail or to the master or keeper of the county jail administrator or the jail administrator's designee or the facility health care provider.~~

2. Limitations on administration of medication. The sheriff or the sheriff's delegate may not administer any prescription or nonprescription medication to any prisoner who has been incarcerated in the county jail for less than 24 hours, unless the sheriff or the delegate has consulted with and received permission to administer that medication from a licensed physician, nurse practitioner, physician assistant or dentist or the facility health care provider.

See title page for effective date.

CHAPTER 154

S.P. 417 - L.D. 1361

An Act to Allow the Maine Turnpike Authority to Levy an Administrative Fee against Toll Evaders

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

Sec. 1. 23 MRSA §1980, sub-§2-A, ¶A, as enacted by PL 1993, c. 698, §2, is amended to read:

A. If an operator of a vehicle fails to pay a toll, the registered owner of that vehicle is liable for payment of the toll and an administrative fee. If the registered owner fails to pay the toll, the registered owner is subject to a civil penalty as follows:

- (1) Fifty dollars, except as provided in subparagraph (2) or (3);
- (2) One hundred dollars, if a failure to pay occurs within 18 months of a prior failure to pay; or