

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

Sec. 1. 30 MRSA §6212, sub-§3, as amended by PL 1993, c. 600, Pt. A, §24 and affected by §25, is further amended to read:

3. Responsibilities. In addition to the responsibilities set forth in this Act, the commission shall continually review the effectiveness of this Act and the social, economic and legal relationship between the Passamaquoddy Tribe and the Penobscot Nation and the State and shall make such reports and recommendations to the Legislature, the Passamaquoddy Tribe and the Penobscot Nation as it determines appropriate.

On an annual basis, the commission shall organize an assembly of governors and chiefs to discuss issues relating to this Act and the relationship between the State and the Indian tribes. The commission shall invite the Governor, the governors and chiefs of all tribal governments in the State and the tribal legislative Representatives to participate in the assembly.

On a biennial basis, during each first regular session of the Legislature, the commission shall organize a tribal-state legislative assembly to discuss issues relating to this Act and the relationship between the State and the Indian tribes. In consultation with the tribal legislative Representatives, the commission shall invite representatives of the Legislature and tribal council members from all tribal governments in the State to participate in the assembly.

Seven members constitute a quorum of the commission and a decision or action of the commission is not valid unless 5 members vote in favor of the action or decision.

Sec. 2. Effective date; certification. This Act does not take effect unless, within 60 days after adjournment of the First Regular Session of the 120th Legislature, the Secretary of State receives written notification by the Joint Tribal Council of the Passamaquoddy Tribe and by the Tribal Chief and Council of the Penobscot Nation that the tribe and the nation, respectively, have agreed to the provisions of this Act pursuant to 25 United States Code, Section 1725(e)(1), copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes. In no event may this Act become effective until 90 days after the adjournment of the First Regular Session of the 120th Legislature.

See title page for effective date, unless otherwise indicated.



CHAPTER 174

S.P. 410 - L.D. 1354

An Act to Restrict the Use of the Term "Maine Water" to Water From Maine

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

Sec. 1. 7 MRSA c. 103, sub-c. I-A, as amended, is further amended by repealing the subchapter headnote and enacting the following in its place:

SUBCHAPTER I-A

FOODS LABELED AS NATURAL, ORGANIC OR FROM MAINE

Sec. 2. 7 MRSA §563 is enacted to read:

§563. Water labeled or advertised as from Maine

Water may not be labeled or advertised as "Maine water" or "from Maine" if the water is not from a natural source in the State.

See title page for effective date.



CHAPTER 175

S.P. 284 - L.D. 995

An Act to Change the Dates for Licensing of Agricultural Fairs and Exhibitions

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

Sec. 1. 7 MRSA §65, as amended by PL 1983, c. 180, §3, is further amended to read:

§65. Licensing of exhibitions

~~No~~ A person, agricultural society, association or corporation may not hold, conduct or operate agricultural fairs or agricultural exhibitions for competition for premiums or purses within the State without a license for those purposes and only on dates assigned by the commissioner. The application for the license ~~shall~~ must be signed and sworn to by the person or executive officer of a society, association or corporation and ~~shall~~ must contain such information as the commissioner may require. ~~All fair licenses shall be for a period of 3 calendar years following the date of the application. Applications for licenses under this section shall be received by the commissioner not later than November 15th prior to the period during which~~

~~the fair is to be held and shall be accompanied by a \$10 license fee. Assignment of fair dates by the Department of Agriculture, Food and Rural Resources shall be announced by December 15th for the 3-year period. A person applying for a license under this section must submit the completed application and a \$10 license fee to the commissioner no later than March 31st in the calendar year preceding the first year of the license. All fair licenses are issued for 3 calendar years. The commissioner shall announce the assignment of fair dates and issuance of licenses no later than May 15th for each 3-year period. If the commissioner is satisfied that the requirements of this chapter and the rules prescribed by the commissioner have been and will be complied with by the applicant, he the commissioner may issue a license for that purpose and, in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, set the dates for which the license is effective.~~

Sec. 2. Effective date. This Act takes effect July 1, 2003.

Effective July 1, 2003.

CHAPTER 176

H.P. 533 - L.D. 688

An Act to Eliminate the Requirement that Workers' Compensation Insurers Disclose Certain Cost Breakdowns When Issuing Workers' Compensation Policies

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

Sec. 1. 24-A MRSA §2385-B, as enacted by PL 1991, c. 885, Pt. B, §12 and affected by §13, is amended to read:

§2385-B. Disclosure of premium information

All policies issued to employers for workers' compensation insurance must disclose clearly to the employer as separate figures the base rate, ~~and~~ the employer's experience modification factor ~~for each year included in the formula pursuant to section 2382 D, the medical, indemnity and administrative portions of the premium and the portion of the premium attributable to the workplace health and safety consultation services.~~

~~When~~ Upon request from an employer, when a policy is issued to employers an employer for workers' compensation insurance, it must be accompanied by a statement disclosing the percentages of premium expended during the previous year by the insurer for claims paid, loss control and other administrative

costs, medical provider expenses, insurer and employee attorney's fees and private investigation costs.

See title page for effective date.

CHAPTER 177

S.P. 234 - L.D. 803

An Act to Implement the Recommendations of the Joint Standing Committee on Taxation Resulting from Its Review of Income Tax Expenditures Pursuant to the Maine Revised Statutes, Title 36, chapter 9

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

Sec. 1. 36 MRSA §5122, sub-§2, ¶A, as repealed and replaced by PL 1985, c. 737, Pt. A, §102, is amended to read:

A. Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States ~~or on a seller sponsored loan, as defined by Title 10, chapter 110,~~ to the extent includable in gross income for federal income tax purposes, but exempt from state income taxes under the laws of the United States, provided that the amount subtracted ~~shall be~~ is decreased by any expenses incurred in the production of the interest or dividend income to the extent that these expenses, including amortizable bond premiums, are deductible in determining federal adjusted gross income;

Sec. 2. 36 MRSA §5122, sub-§2, ¶D, as amended by PL 1989, c. 508, §16 and c. 556, Pt. B, §8, is repealed.

Sec. 3. 36 MRSA §5200-A, sub-§2, ¶C, as amended by PL 1983, c. 855, §21, is further amended to read:

C. An amount equal to the taxpayer's federal new jobs credit or work opportunity credit as determined under the laws of the United States;

Sec. 4. 36 MRSA §5200-A, sub-§2, ¶E, as amended by PL 1987, c. 841, §4, is repealed.

Sec. 5. 36 MRSA §5219-B, as enacted by PL 1987, c. 504, §32, is repealed.

See title page for effective date.
