

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. 3. 12 MRSA §7851, sub-§2-C is enacted to read:

2-C. New all-terrain vehicle. "New all-terrain vehicle" means an all-terrain vehicle that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state.

Sec. 4. 12 MRSA §7857, sub-§26 is enacted to read:

26. Unlawful sale of new all-terrain vehicle. A person is guilty of an unlawful sale of a new all-terrain vehicle if that person sells more than 2 new all-terrain vehicles per year and does not possess a franchise agreement or contract with an ATV manufacturer and a dealer's license.

Sec. 5. 12 MRSA §7901, sub-§24 is enacted to read:

24. Unlawful sale of a new snowmobile or new all-terrain vehicle. A violation of section 7827, subsection 28 or section 7857, subsection 26 is a civil violation for which a forfeiture of not less than \$500 and a penalty of not more than \$5,000 may be adjudged.

See title page for effective date.

CHAPTER 194

S.P. 404 - L.D. 1320

An Act Relating to the Office of Substance Abuse

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

Sec. 1. 34-B MRSA §1204, sub-§2, ¶C, as amended by PL 1995, c. 691, §3, is further amended to read:

C. The commissioner shall appoint the following officials to serve at the commissioner's pleasure:

- (1) Associate Commissioners;
- (2) Superintendent, Augusta Mental Health Institute;
- (3) Superintendent, Bangor Mental Health Institute;
- (4) Superintendent, Pineland Center;
- (5) Director, Mental Retardation Facility;
- (6) Director, Elizabeth Levinson Center;

(7) Assistant to the Commissioner for Public Information;

(8) Assistant to the Commissioner;

(10) Regional Directors, who shall report directly to the commissioner; and

(11) Director, Office of Substance Abuse, who shall report directly to the commissioner.

~~The Director of the Office of Substance Abuse must be reviewed by the joint standing committee of the Legislature having jurisdiction over human resource matters prior to taking office.~~

See title page for effective date.

CHAPTER 195

H.P. 301 - L.D. 379

An Act to Amend the Lobster Fishing Owner and Operator Laws to Allow Limited Charter Vessel Operation

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

Whereas, the 90-day period may not terminate until after the fishing season has begun; and

Whereas, the changes made in this Act will affect this year's fishing season; 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. 12 MRSA §6431-E, sub-§3, ¶¶C and D, as enacted by PL 1997, c. 693, §1 and affected by §3, are amended to read:

C. Documents to the commissioner by December 31, 2000 that that person fished for or took lobsters during the qualifying period in each of calendar years 1995, 1996 and 1997 from the same vessel and that vessel did not have on board an individual who meets the criteria of subsection 2, paragraph A or B. A person may not qualify for the exemption under this paragraph unless that person continues to fish for or take lobsters from the vessel from which the person