

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

35-A. Modified show vehicle. "Modified show vehicle" means a factory-produced 2-wheel-drive motor vehicle manufactured after 1949 that is equipped with modified components and that qualifies as a modified show vehicle under rules adopted by the Chief of the State Police.

Sec. 2. 29-A MRSA §458-A is enacted to read:

§458-A. Modified show vehicle

1. Fee. The fee for registering a modified show vehicle is the fee established in section 501 for automobiles and pickup trucks or section 504 for commercial motor vehicles, as appropriate.

2. Rules required. The Chief of the State Police shall adopt rules that establish:

A. Standards to qualify vehicles as modified show vehicles, including, but not limited to, age of the vehicle, equipment specifications and condition and permissible modifications to the vehicle; and

B. Vehicle inspection standards for a modified show vehicle to operate on a public way that demonstrate the vehicle is mechanically safe, in good working order and is not a hazard to the occupant of the vehicle or to the general public.

Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter II-A. The Chief of the State Police shall submit provisionally adopted rules to the Legislature no later than December 15, 2001.

See title page for effective date.

CHAPTER 226

H.P. 304 - L.D. 382

An Act to Reauthorize and Expand the Lobster Promotion Council

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

Sec. 1. 12 MRSA §6455, sub-§5, as amended by PL 1997, c. 211, §3, is further amended to read:

5. Fund established; license surcharge assessed. The Lobster Promotion Fund, referred to in this subchapter as the "fund," is established to carry out the purposes of this subchapter. The department shall pay to the fund all money appropriated or received by the department for the purposes of this subchapter, except that the department may retain

funds necessary to reimburse the department for the actual cost of collecting the license surcharges established in this subsection. The fund is capitalized from the following annual surcharges assessed on the following licenses issued by the department for calendar years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000 and, 2001, 2002, 2003, 2004 and 2005:

A. Class I crab and lobster licenses for persons 18 to 69 years of age, ~~\$25~~ \$31.25;

B. Class II crab and lobster licenses, ~~\$50~~ \$62.50;

C. Class III crab and lobster licenses, ~~\$75~~ \$93.75;

D. Wholesale seafood licenses with lobster permits, ~~\$200~~ \$250; and

E. Lobster transportation licenses, ~~\$200~~ \$250.

A person holding more than one of the licenses listed in this subsection is assessed a surcharge only on the highest surchargeable license held.

The Treasurer of State shall hold all surcharges assessed by this subsection in the fund and invest all money in the fund until disbursed to the council upon request of the council. Interest from investments accrues to the fund.

All money in the fund is subject to allocation by the Legislature. Unexpended balances in the fund at the end of the fiscal year may not lapse but must be carried forward to be used for the same purposes.

In addition to payment of the regular license fee and the surcharge, a person purchasing a license subject to the surcharges established in this subsection may make voluntary contributions to the fund at the time the license is purchased. Voluntary contributions received by the department from a licensee pursuant to this subsection must be deposited in the fund by the department and must be used by the council for the purposes of this subchapter.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	2001-02	2002-03
LOBSTER PROMOTION COUNCIL		
Lobster Promotion Council		
All Other	\$79,757	\$79,757

Allocates additional funds for the Lobster Promotion Council.

See title page for effective date.

CHAPTER 227

H.P. 581 - L.D. 736

An Act to Require State Approval Prior to Introducing Wolves into Maine

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

Sec. 1. 12 MRSA §7001, sub-§45 is enacted to read:

45. Wolf. "Wolf" means the Gray Wolf (*Canis lupus*).

Sec. 2. 12 MRSA §7760 is enacted to read:

§7760. Introduction of wolves to State; approval required

A person may not release a wolf in the State for the purpose of reintroducing that species into the State without the prior approval of both Houses of the Legislature and the commissioner.

See title page for effective date.

CHAPTER 228

H.P. 805 - L.D. 1060

An Act to Relieve Counties from the Expense and Responsibility of Transporting Certain Prisoners Between Correctional Facilities and Courts

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

Sec. 1. 34-A MRSA §1205, sub-§3, ¶C, as amended by PL 1991, c. 314, §15, is repealed.

Sec. 2. 34-A MRSA §3073 is enacted to read:

§3073. Transportation to and from courts

Notwithstanding any other provision of law, transportation of a prisoner between a correctional facility and a court in connection with the prosecution of the prisoner for a crime committed within a correctional facility is the responsibility of the

department, unless the department and the sheriff agree that the sheriff will undertake the responsibility of the transportation at an agreed-upon rate of reimbursement to the county by the department.

See title page for effective date.

CHAPTER 229

S.P. 509 - L.D. 1596

An Act to Amend the Maine Emergency Medical Services Act of 1982

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

Sec. 1. 4 MRSA §152, sub-§9, as amended by PL 1999, c. 731, Pt. ZZZ, §4 and affected by §42, is further amended to read:

9. Licensing jurisdiction. Except as provided in Title 5, section 10004; Title 8, section 279-B; Title 10, section 8003, subsection 5; Title 20-A, sections 10712 and 10713; Title 29-A; Title 32, chapters 2-B, 105 and 114; and Title 35-A, section 3132, exclusive jurisdiction upon complaint of an agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General to revoke or suspend licenses issued by the agency. The District Court has original jurisdiction upon complaint of a licensing agency to determine whether renewal or reissuance of a license of that agency may be refused. The District Court has original concurrent jurisdiction to grant equitable relief in proceedings initiated by an agency or the Department of the Attorney General alleging any violation of a license or licensing laws or rules.

Notwithstanding any other provisions of law, a licensing agency may not reinstate or otherwise affect a license suspended, revoked or modified by the District Court pursuant to a complaint filed by the Attorney General without the approval of the Attorney General;

Sec. 2. 5 MRSA §10051, sub-§1, as amended by PL 1999, c. 547, Pt. B, §19 and affected by §80, is further amended to read:

1. Jurisdiction. Except as provided in section 10004; Title 8, section 279-B; Title 10, section 8003; Title 20-A, sections 10712 and 10713; Title 29-A; Title 32, chapters 2-B, 105 and 114; and Title 35-A, section 3132, the District Court has exclusive jurisdiction upon complaint of any agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General to revoke or suspend licenses issued by the