

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

**IF THE LIEN FORECLOSES,
THE SANITARY DISTRICT WILL OWN
YOUR PROPERTY, SUBJECT ONLY TO
MUNICIPAL TAX LIENS.**

If you can not pay the outstanding charges, costs and interest that are the subject of this notice or the subject of installment payment arrangements that you have made with the district, please contact me immediately to discuss this notice.

District Treasurer

See title page for effective date.

CHAPTER 320

H.P. 1078 - L.D. 1447

An Act to Protect Off-track Betting Facilities

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

Sec. 1. 8 MRSA §271, sub-§8, as reallocated by RR 1997, c. 1, §6, is amended to read:

8. Term of license and race date assignment. Notwithstanding any provision of this chapter to the contrary, each license to conduct live racing or to engage in simulcast wagering, including by operating an off-track betting facility as defined in section 275-A and all awards of race dates issued or made by the commission, beginning with licenses issued and race dates awarded for 1998, may be for a 2-year period; ~~except, that if a commercial track does not use during the first year of any such 2-year license a race date that it was entitled to receive for both years pursuant to section 275-N, then the commission may hold a hearing prior to the 2nd year or the term of that racing license to determine whether the award of that race date for the second year of the term should be revoked.~~

Sec. 2. 8 MRSA §275-N, as amended by PL 1999, c. 568, §1, is further amended to read:

§275-N. Limitations on off-track betting facilities

The commission may not allow interstate simulcasting or license any off-track betting facility for any calendar year unless during the preceding 2 calendar ~~year~~ years there were at least 150 race dates on which live racing actually was conducted at the commercial tracks. Interstate simulcasting always must be allowed at any commercial track that conducted at least 136 race dates during the immediately preceding 2 calendar ~~year~~ years or at an existing commercial track

as defined in section 275-A, subsection 1, paragraph B at which at least 35 race dates were conducted during the ~~immediately~~ preceding year 2 years if the interstate simulcasting at the commercial track is conducted during the regular meeting. For the purposes of this section, any race date that the commission determines was canceled due to a natural or other disaster must be counted as a race date.

See title page for effective date.

CHAPTER 321

H.P. 1234 - L.D. 1681

An Act Relating to Personal Privacy and Governmental Information Practices

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:

PART A

Sec. A-1. 3 MRSA §956, sub-§2, ¶K, as amended by PL 1999, c. 661, §1, is further amended to read:

K. Any other information specifically requested by the committee of jurisdiction; ~~and~~

Sec. A-2. 3 MRSA §956, sub-§2, ¶L, as enacted by PL 1999, c. 661, §2, is amended to read:

L. A comparison of any related federal laws and regulations to the state laws governing the agency or program and the rules implemented by the agency or program; ~~and~~

Sec. A-3. 3 MRSA §956, sub-§2, ¶M is enacted to read:

M. Agency policies for collecting, managing and using personal information over the Internet and nonelectronically, information on the agency's implementation of information technologies and an evaluation of the agency's adherence to the fair information practice principles of notice, choice, access, integrity and enforcement.

PART B

Sec. B-1. 1 MRSA c. 14-A is enacted to read:

CHAPTER 14-A

NOTICE OF INFORMATION PRACTICES

§541. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Personal information. "Personal information" means information about a natural person that readily identifies that specific person.

2. Public entity. "Public entity" means:

- A. The Legislature;
- B. The Judicial Department;
- C. A state agency or authority;
- D. The University of Maine System, the Maine Maritime Academy and the Maine Technical College System;
- E. A county, municipality, school district or any regional or other political or administrative subdivision; and
- F. An advisory organization established, authorized or organized by law or resolve or by executive order issued by the Governor.

§542. Notice of information practices

Each public entity that has a publicly accessible site on the Internet associated with it shall develop a policy regarding its practices relating to personal information and shall post notice of those practices on its publicly accessible site on the Internet. The policy must include:

1. Information collected. A description of the personal information collected on the publicly accessible site on the Internet;

2. Use and disclosure of information. A summary of how the personal information is used by the public entity and the circumstances under which it may be disclosed to others;

3. Choice. The extent to which the user has a choice of whether to provide personal information via the publicly accessible site on the Internet and the consequences of refusing to give that information;

4. Procedures for access and correction. The procedures, if any, by which the user may request access to that user's personal information and request correction of that information; and

5. Security. The steps taken to protect personal information from misuse or unauthorized access.

See title page for effective date.

CHAPTER 322

H.P. 1339 - L.D. 1794

An Act Requiring Cigarette Distributors to Determine Compliance of Manufacturers with Tobacco Manufacturers Laws

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

Sec. 1. 36 MRSA §4383 is enacted to read:

§4383. Distributor responsibilities

1. Distributor's determination of manufacturer compliance. A distributor may not affix, or cause to be affixed, stamps to individual packages of cigarettes sold or distributed by the distributor in this State if the tobacco product manufacturer of those cigarettes has:

A. Failed to become a participating manufacturer pursuant to Title 22, section 1580-I, subsection 1; and

B. Failed to create a qualified escrow fund pursuant to Title 22, section 1580-I, subsection 2 for any cigarettes the distributor sold or distributed for that tobacco product manufacturer.

As used in this section, "tobacco product manufacturer" has the same meaning as that term is defined in Title 22, section 1580-H, subsection 9.

2. Penalties. A distributor who violates this section is subject to the same penalties as provided in section 4366-B, subsection 4.

See title page for effective date.

CHAPTER 323

H.P. 1267 - L.D. 1718

An Act Relating to Licensing Board Fee Caps