

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

**CHAPTER 506**

**H.P. 373 - L.D. 475**

**An Act to Hold the Bureau of General Services Accountable for Services Provided for School Construction Projects**

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

**Sec. 1. 5 MRSA §1742, sub-§7**, as amended by PL 1995, c. 665, Pt. G, §1, is further amended to read:

**7. Approve plans for public improvements.** To approve all proposals, plans, specifications and contracts for public improvements that the State or any of its agencies hold in fee or by leasehold interest and for school administrative unit projects costing in excess of \$100,000. The commissioner shall, upon the request of a school administrative unit, provide consultation for any public improvement regardless of cost. The Bureau of General Services may assess school administrative units the reasonable cost of services provided by the bureau for school construction projects for which budgets have been established subsequent to July 1, 1995. The Bureau of General Services shall furnish a quarterly report to the project unit school board that details the services provided to the project during the time period covered by the report. The Bureau of General Services shall submit to the State Board of Education an annual report that summarizes the services provided each project;

**Sec. 2. Survey report.** The Department of Administrative and Financial Services, Bureau of General Services, the State Board of Education and the Department of Education shall report back to the joint standing committee of the Legislature having jurisdiction over education matters by December 31, 2002 on the results of a survey to assess the level of satisfaction for services provided by the bureau for school construction projects.

See title page for effective date.

**CHAPTER 507**

**H.P. 1477 - L.D. 1978**

**An Act to Allow Maine to Participate in the Federal Pilot Program for Drivers Delivering Home Heating Oil**

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

**Sec. 1. 29-A MRSA §555, sub-§2-B** is enacted to read:

**2-B. Participation in federal pilot program; temporary exemptions from hours-of-service regulations.** The Commissioner of Public Safety shall grant temporary exemptions from the weekly restrictions in the intrastate hours-of-service regulations for the transportation of home heating oil during the winter months for the purpose of enabling intrastate motor carriers conducting such operations to do so under terms and conditions identical to those used in the Pilot Program for Drivers Delivering Home Heating Oil published in the Federal Register Vol. 66, No. 135. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

See title page for effective date.

**CHAPTER 508**

**S.P. 658 - L.D. 1850**

**An Act to Improve the Juvenile Drug Court Program**

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

**Sec. 1. 15 MRSA §3312, sub-§3, ¶A**, as amended by PL 1999, c. 624, Pt. B, §19, is further amended to read:

A. The court may continue the dispositional hearing, either on its own motion or on the motion of any interested party:

- (1) For a period not to exceed one month to receive reports or other evidence;
- (2) For a period not to exceed 2 months to allow for service of notice as required in section 3314, subsection 1, paragraph C-1 or C-2; ~~or~~
- (3) For a period not to exceed 12 months in order to place the juvenile in a supervised work or service program; or a restitution program ~~or a juvenile drug treatment court program~~, or for such other purpose as the court in its discretion determines appropriate. If a supervised work or service program; or restitution program ~~or a juvenile drug treatment court program~~ has been ordered, the court shall on final disposition consider whether or not there has been compliance with the program so ordered; or

(4) For a period not to exceed 15 months in order to place the juvenile in a juvenile drug treatment court program. If a juvenile drug treatment court program has been ordered, the court shall on final disposition consider whether or not there has been compliance with the program so ordered.

See title page for effective date.

---



---

## CHAPTER 509

H.P. 1396 - L.D. 1835

### An Act to Amend the Loan Broker Law

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

**Sec. 1. 9-A MRSA §10-102, sub-§1, ¶A**, as enacted by PL 1989, c. 70, §3, is amended to read:

A. "Credit services organization" means any person who, with respect to the extension of consumer credit by others, provides or offers to provide, in return for the separate payment ~~by the consumer~~ of money or other valuable consideration, any of the following services:

- (1) Improving a consumer's credit record, history or rating;
- (2) Arranging for or obtaining an extension of credit for a consumer; or
- (3) Providing advice or assistance to a consumer with respect to subparagraph (1) or (2).

**Sec. 2. 9-A MRSA §10-102, sub-§1, ¶B**, as amended by PL 2001, c. 371, §6, is further amended to read:

B. "Credit services organization" does not include:

- (1) A supervised financial organization ~~as defined in section 1-301, subsection 38 A;~~
- (2) A supervised lender ~~as defined in section 1-301, subsection 39~~ other than a supervised financial organization, except that, with respect to any transaction in which a supervised lender ~~other than a supervised financial organization~~ is acting solely as a credit services organization, section 10-302 applies;
- (3) A person licensed by the Real Estate Commission to the extent that the person is

engaged in activities regulated by that commission;

(4) A person currently admitted to the practice of law in this State;

(5) Any nonprofit organization exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) to the extent that the organization's activities are consistent with those set forth in its application for tax exemption to the Internal Revenue Service; ~~or~~

(6) A consumer reporting agency, as defined in the Fair Credit Reporting Act, Title 10, chapter 210-;

(7) An affiliate of a supervised lender when the affiliate provides services described in paragraph A, subparagraph (1), (2) or (3) for or on behalf of that supervised lender and when the affiliate is not compensated by the consumer for those services;

(8) An employee of a supervised lender or an employee of an affiliate of a supervised lender when the employee provides services described in paragraph A, subparagraph (1), (2) or (3) for or on behalf of that supervised lender or affiliate and when the employee or the affiliate is not compensated by the consumer for those services;

(9) A person paid by a supervised lender or a consumer to document a loan, attend or conduct a loan closing, disburse loan proceeds or record or file loan documents;

(10) A person who performs marketing services for a creditor, such as a telemarketer, an advertising agency or a mailing house, when the person is not compensated by the consumer for those services;

(11) A seller of consumer goods or services that provides services described in paragraph A, subparagraph (1), (2) or (3) in connection with a sale or proposed sale of consumer goods or services by that seller when the seller is not compensated by a consumer for those services; or

(12) An employee of a seller of consumer goods or services that provides services described in paragraph A, subparagraph (1), (2) or (3) in connection with a sale or proposed sale of consumer goods or services by that seller when the employee or seller is not compensated by a consumer for those services.