

MAINE STATE LEGISLATURE

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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

Wildlife of the event and the location of the vehicle. The owner of a snowmobile or motorboat that becomes submerged in the inland waters of the State for more than 24 hours shall notify the commissioner as provided in this subsection.

The commissioner shall, upon receiving notice of a submerged or partially submerged vehicle in the waters of the State or a submerged snowmobile or motorboat in the inland waters of the State, notify the Chief of the State Police, the Commissioner of Environmental Protection and any municipality or public utility ~~which~~ that regulates the uses of the waters as a source of public water supply pursuant to Title 22, sections 2641 to 2648.

3. Owner legally liable to remove vehicle, snowmobile or motorboat. The owner of the vehicle ~~shall be~~ is legally liable to remove any motor vehicle submerged or partially submerged in the waters of the State and pay any damages resulting from the submersion or removal. The vehicle ~~shall~~ must be removed within 30 days of the submersion or partial submersion or within 30 days of "ice out" in the body of water unless the commissioner determines that the vehicle creates a health or safety hazard. If the commissioner determines that the vehicle creates a health or safety hazard ~~he~~ the commissioner shall order the owner to remove the vehicle immediately. If the owner fails to remove the vehicle upon order of the commissioner, the commissioner shall, in writing, request the court to direct the owner to remove the vehicle immediately. The owner of a snowmobile or motorboat that is submerged in the inland waters of this State for longer than 24 hours shall remove the snowmobile or motorboat in accordance with this subsection.

4. Financial responsibility. A conviction or adjudication of any person for a violation of this section constitutes a violation of state law relative to motor vehicles to which Title 29-A, chapter 13 applies.

5. Penalties. ~~A conviction or adjudication of any person for a violation of this section is a civil violation for which a forfeiture of \$200 may be adjudged. In addition to a forfeiture, or instead of a forfeiture, the judge may direct the person convicted to remove the vehicle,~~ snowmobile or motorboat.

6. Rules. The commissioner may, in accordance with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375, promulgate any rules necessary to carry out the purposes of this chapter.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 18, 2002.

CHAPTER 537

H.P. 1446 - L.D. 1943

An Act to Clarify Municipal Reapportionment Authority

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

Sec. 1. 30-A MRS §2503, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §105 and amended by PL 1989, c. 6, c. 9, §2, and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Failure to enact ordinance. The municipal legislative body must enact the reapportionment ordinance within ~~18~~ 12 months after the ~~official publication of the latest decennial census as required by the United States Code, Title 13, Section 141, paragraph (c); provided that~~ Legislature has reapportioned the House and Senate districts pursuant to the Constitution of Maine, Article IV, Part First, Section 3 and Article IV, Part Second, Section 2 or after a court decision finalizing the reapportionment of districts. The ordinance is ~~is~~ must be enacted at least 90 days before a regular municipal election occurring within that ~~18-month~~ 12-month period or the previous reapportionment ordinance applies to that election. If the legislative body fails to ~~do so~~ enact an ordinance within the 12-month period or at least 90 days before a regular election occurring after the 12-month period, all municipal officers to be elected ~~shall~~ must be elected at large and ~~shall~~ shall serve until their terms expire. Such at-large elections ~~shall~~ shall continue until the legislative body enacts an ordinance in accordance with subsection 1 at least 90 days before a regular municipal election.

Sec. 2. Retroactivity. This Act applies retroactively to January 1, 2001.

See title page for effective date.

CHAPTER 538

H.P. 1512 - L.D. 2015

An Act to Amend Certain Statutes Regarding Beano and Games of Chance