

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

- A. A summary of all data received by the Department of Environmental Protection under Title 38, section 1661-A;
- B. Based on that data, a comprehensive strategy to reduce the mercury content of products with the goal of maximizing the reduction of mercury emissions to the environment; and
- C. Any legislation necessary to implement the strategy proposed in the report.

The joint standing committee of the Legislature having jurisdiction over natural resources matters may report out legislation to the First Regular Session of the 121st Legislature to implement recommendations included in this report.

See title page for effective date.

CHAPTER 621

H.P. 1559 - L.D. 2061

An Act to Provide Incentives for Multimunicipal Development

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

Sec. 1. 30-A MRSA §5953-D, sub-§4, as amended by PL 2001, c. 90, §5, is further amended to read:

4. Criteria; conditions for public service infrastructure grants and loans. The Department of Economic and Community Development, in conjunction with the bank, shall develop criteria and conditions for the award of public service infrastructure loans and grants to eligible municipalities subject to the requirements of this section. The department shall:

~~A. Give highest priority to service center communities. For the purpose of this section, "service center community" has the same definition as in section 4301;~~

A-1. Give highest priority equally to:

(1) Service center communities. For purposes of this section, "service center community" has the same definition as in section 4301; and

(2) Projects undertaken jointly by 2 or more municipalities;

B. Following the highest priority described in paragraph ~~A~~ A-1, establish a preference for those municipalities eligible under subsection 3, paragraph D, subparagraph (1) over those mu-

nicipalities eligible under subsection 3, paragraph D, subparagraph (2);

D. Following the preference described in paragraph B, establish a preference for capital investment projects ~~undertaken jointly by 2 or more municipalities or~~ that provide substantial regional benefits;

E. Adopt other criteria as it determines necessary to ensure that loans and grants made under this section maximize the ability of municipalities to accommodate planned growth and economic development; and

F. Condition any loans and grants under this section on consistency with the municipality's comprehensive plan or local growth management program.

See title page for effective date.

CHAPTER 622

H.P. 1572 - L.D. 2077

An Act to Require Logging Contractors to Notify Landowners and Employees of the Cancellation of Workers' Compensation Insurance Coverage

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

Sec. 1. 39-A MRSA §401, sub-§3-A is enacted to read:

3-A. Cancellation notice requirements. Any person engaged in harvesting forest products not exempt under subsection 1 shall provide within 3 business days of the cancellation written notification to the landowner to whom the person is under contract of a cancellation of that person's workers' compensation insurance policy. That person shall provide identical notice to any employee who was covered by the canceled workers' compensation insurance policy. A person engaged in harvesting forest products not exempt under subsection 1 who is found in noncompliance with these notification requirements is liable for a civil forfeiture of not less than \$50 nor more than \$100 for each day of noncompliance.

Sec. 2. Development of plans to improve enforcement and reduce accidents. The Department of Labor shall convene an interagency working group with representatives of the department and the Workers' Compensation Board, which shall:

1. Review current policies and activities to enforce workers' compensation coverage requirements in the forest products harvesting industry, including review of practices in policy cancellations;

2. Identify ways to enhance efforts to enforce the workers' compensation coverage requirement in the forest products harvesting industry, identify the agency responsible for enforcement activity and determine the staff and other resources needed to enhance enforcement;

3. Review available data on the types and causes of accidents in the forest products harvesting industry and identify ways to prevent such accidents and if data is unavailable or incomplete, identify ways to improve data collection;

4. Work with the forest products harvesting industry to create incentive-based systems to enhance efforts to reduce the frequency and severity of accidents in the industry;

5. Consider how enforcement efforts and accident prevention in the forest products harvesting industry may be extended to enforcement and safety in other industries and work places; and

6. Report its findings, recommendations and implementing legislation regarding enforcement, accident prevention and other issues to the joint standing committee of the Legislature having jurisdiction over labor matters and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by January 15, 2003. Each of the 2 joint standing committees may report out legislation based upon the report to the First Regular Session of the 121st Legislature.

See title page for effective date.

CHAPTER 623

H.P. 1506 - L.D. 2009

An Act to Amend the Laws Concerning Specialty License Plates

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

Sec. 1. 12 MRSA c. 619, sub-c. IV-A is enacted to read:

SUBCHAPTER IV-A

LOBSTER RESEARCH, EDUCATION AND DEVELOPMENT FUND

§6465. Lobster Research, Education and Development Fund

The Lobster Research, Education and Development Fund, referred to in this subchapter as the "fund," is established in the department. Balances in the fund may not lapse and must be carried forward and used for the purposes of this section.

1. Sources and uses of fund. Revenues from lobster special registration plate fees credited to the fund under Title 29-A, section 456-A may be used for research and education to support the development of the lobster industry in this State.

2. Research, education and development board. The commissioner shall appoint a research, education and development board and consult with the board regarding the expenditures from the fund. The board is composed of one member from each of the following organizations:

A. A statewide association representing the interests of persons who harvest lobster commercially;

B. An association representing the interests of persons who harvest lobster commercially in Washington and Hancock counties;

C. A southern Maine association representing the interests of persons who harvest lobster commercially;

D. A statewide import-export lobster dealers' association;

E. A statewide lobster pound owners' association;

F. A statewide lobster processors' association;

G. The Lobster Promotion Council under section 6455;

H. The Lobster Advisory Council established by Title 5, section 12004-I, subsection 58; and

I. An international lobster institute. This member must be a resident of the State.

Sec. 2. 20-A MRSA c. 412-A is enacted to read: