

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

priority to projects that are reasonably expected to return a former certified retained business, as defined in section 13063-C, to financial viability or its facilities to appropriate productive use. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter II-A.

Sec. 3. Appropriations and allocations.

The following appropriations and allocations are made.

CONSERVATION, DEPARTMENT OF

Administration - Forestry

Initiative: Provides a one-time appropriation of funds for the Community Forestry Fund. Within 30 days after the effective date of this section, the State Controller shall transfer these funds to the Community Forestry Fund as established by the Maine Revised Statutes, Title 12, section 8705.

General Fund	2001-02	2002-03
All Other	\$0	\$5,000

Administration - Forestry

Initiative: Allocates funds for the newly established Community Forestry Fund. These funds must be expended in consultation with the Community Forestry Advisory Board.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$5,000

**CONSERVATION, DEPARTMENT OF
DEPARTMENT TOTALS**

	2001-02	2002-03
GENERAL FUND	\$0	\$5,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$5,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,000

Sec. 4. Appropriations and allocations.

The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Forum Francophone

Initiative: Provides for a one-time appropriation of funds for office space and operational expenses of the Forum Francophone.

General Fund	2001-02	2002-03
All Other	\$0	\$75,000

Sec. 5. Appropriations and allocations.

The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Improvements

Initiative: Provides for a one-time appropriation of funds to the Town of Raymond for a Community Gateways project administered through the Department of Transportation.

General Fund	2001-02	2002-03
All Other	\$0	\$10,000

Sec. 6. Appropriations and allocations.

The following appropriations and allocations are made.

HISTORIC PRESERVATION COMMISSION, MAINE

Maine Historic Preservation Commission

Initiative: Provides funding for the New Century Community program. The Director of the Maine Historic Preservation Commission and the Maine State Cultural Affairs Council must work cooperatively to distribute these funds to the appropriate cultural agencies in a fair and equitable manner.

General Fund	2001-02	2002-03
All Other	\$0	\$211,674

See title page for effective date.

CHAPTER 681

H.P. 386 - L.D. 507

An Act to Create the Transit Bonus Payment Program

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

Sec. 1. 23 MRS.A §1807 is enacted to read:

§1807. Transit bonus payment program

In order to promote the purposes of the Sensible Transportation Policy Act set forth in section 73, a transit bonus payment program is established. The program is governed by the provisions of this section.

1. Application. A municipality that increases its qualifying expenditures for transit over a base year may apply to the department for a transit bonus to the municipality's Urban-Rural Initiative Program payment, as defined in section 1803-B.

2. Qualifying expenditures for transit. As used in this section, "qualifying expenditures for transit" means a municipality's total annual expenditures derived from municipal revenue sources that are used for the operations of a seasonal or year-round transit service that has been established for at least 3 years and that provides scheduled service for at least 3 days per week.

3. Use of funds. All funds distributed pursuant to this section must be used for the purposes set forth in sections 1801 and 1803-B.

4. Program funding cap. The annual amount available for distribution under this section may not exceed 2.5% of the annual funding dedicated for the Urban-Rural Initiative Program. All funds not distributed each year lapse to the Highway Fund.

5. Distribution of funds. Beginning July 1, 2003, the department shall increase an Urban-Rural Initiative Program payment for a municipality that applies under subsection 1 on a dollar-for-dollar basis. After the total of qualifying applications for reimbursement exceeds the annual amount available for distribution provided under subsection 4, funds must be apportioned according to the amount of each municipality's increase of qualifying expenditures, ridership or other factors determined by the department.

6. Rules. The commissioner shall adopt rules to implement this section. 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 682

H.P. 916 - L.D. 1230

An Act to Continue the Sales Tax Exemption on Vehicles Sold and Leased and Removed from the State

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

Sec. 1. 36 MRSA §1760, sub-§23-C, as enacted by PL 1999, c. 759, §2 and affected by §5, is amended to read:

23-C. Certain vehicles purchased or leased by nonresidents. Sales or leases of the following vehicles ~~purchased by~~ to a nonresident and if the vehicle is intended to be driven or transported outside the State immediately upon delivery ~~by the seller~~:

- A. Motor vehicles, except all-terrain vehicles as defined in Title 12, section 7851 and snowmobiles as defined in Title 12, section 7821;
- B. Semitrailers;
- C. Aircraft;
- D. Truck bodies and trailers manufactured in the State; and
- E. Camper trailers, including truck campers.

If the vehicles are registered for use in the State within 12 months of the date of purchase, the person seeking

registration is liable for use tax on the basis of the original purchase price.

Notwithstanding section 1752-A, for purposes of this subsection, the term "nonresident" may include an individual, an association, a society, a club, a general partnership, a limited partnership, a domestic or foreign limited liability company, a trust, an estate, a domestic or foreign corporation and any other legal entity.

Sec. 2. Effective date. This Act takes effect July 1, 2003.

Effective July 1, 2003.

CHAPTER 683

H.P. 1535 - L.D. 2038

An Act to Amend the Lead Poisoning Control Act

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

Sec. 1. 22 MRSA §1317-A, as amended by PL 1999, c. 276, §7, is repealed.

Sec. 2. 22 MRSA §1317-C, sub-§1, as enacted by PL 1991, c. 810, §23, is amended to read:

1. Screening. Beginning January 1, 1994, all ~~All~~ health care providers ~~must~~ shall advise parents of the availability and advisability of screening their children for lead poisoning. ~~By January 1, 1994, any~~ A health care program that receives funds from the State and has a child health component ~~must~~ shall provide screening of children for lead poisoning in accordance with rules adopted by the department.

Sec. 3. 22 MRSA §1317-D is enacted to read:

§1317-D. Lead poisoning risk assessment and blood lead level testing program

The commissioner shall establish a lead poisoning risk assessment and blood lead level testing program, referred to in this section as the "program," for assessment of lead poisoning risks to children and the testing of blood lead levels in children in accordance with this section and within the limits of available funding.

1. Lead poisoning risk assessment tool. The program must include a simplified lead poisoning risk assessment tool, developed by the department, based on questions from the United States Department of Health and Human Services, Centers for Disease Control and Prevention.