

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

**Sec. 1. 7 MRSA §562-B**, as enacted by PL 2001, c. 283, §1, is amended to read:

**§562-B. Identification of source of water sold in containers and intended for human consumption**

The label on water that is sold in the State in containers and that is intended for human consumption must include words that, without the use of abbreviations or acronyms, identify the name and geographic location of the water body, well or public water supply from which the water was obtained.

See title page for effective date.

**CHAPTER 6**

**H.P. 305 - L.D. 385**

**An Act to Change the Reporting Requirements for the Mercury Switch Removal Program**

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

**Sec. 1. 38 MRSA §1665-A, sub-§9**, as enacted by PL 2001, c. 656, §3, is amended to read:

**9. Reporting.** Before January 1, 2003 and annually thereafter, motor vehicle manufacturers doing business in the State shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on any fee or other charge collected on the sale of new motor vehicles for the purpose of paying the cost of carrying out the manufacturer responsibilities under subsection 5. The report must specify the amount of the fee or charge collected and how the amount of the fee or charge was determined. Before July 1, 2004 and annually thereafter, motor vehicle manufacturers shall report in writing to the department on the results of the source separation required under this section. The report must include, at a minimum, the number of mercury switches removed and recycled from motor vehicles during the previous calendar year; the estimated total amount of mercury contained in the components; and any recommendations to improve the future collection and recycling of motor vehicle components. Before January 1, ~~2005~~ 2004 and annually thereafter, the department shall report to the Mercury Products Advisory Committee on the effectiveness of the source separation required under this section, whether the partial reimbursement payment under subsection 5, paragraph B should be adjusted to increase the number of switches brought to consolidation facilities, whether other motor vehicle components should be added to

the source separation efforts and whether the program should be terminated and, if so, when.

See title page for effective date.

**CHAPTER 7**

**H.P. 74 - L.D. 66**

**An Act to Repeal the Mandate to Perambulate the Municipal Boundary Lines when there is No Boundary Dispute**

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

**Sec. 1. 30-A MRSA §2851, first ¶**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6, c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

Boundary If a municipality, acting through its board of municipal officers, formally advises the municipal officers of one or more adjoining municipalities that there is a dispute regarding the location of the boundary or boundaries between the municipality and its adjoining municipalities, the boundary lines between municipalities ~~shall~~ must be perambulated ~~once every 5 years~~ to determine whether the boundary location is apparent within 5 meters, except as provided in subsection 7. The following procedures apply.

**Sec. 2. 30-A MRSA §2851, sub-§7**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6, c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

**7. Monumentation and record.** Municipal boundaries do not need ~~not~~ to be perambulated ~~more often than once every 10 years~~ if:

- A. Monuments of granite or other material of comparable life and resistance to movement are located at all angle points and at intervals not exceeding 500 meters along straight boundaries, except for water crossings ~~which~~ that exceed that interval;
- B. Monuments have drill holes or punch marks in inserts not exceeding one centimeter in diameter, indicating the point on the monument to be used as the boundary; and
- C. Boundaries are shown to scale on a plan filed at the offices of the adjoining municipalities and at the registry of deeds of the county, or adjoining counties, in which the municipalities are located, and that plan includes:

(1) The location of all monuments together with dimensions by which those monuments may be found and checked for accuracy; and

(2) A certification by a qualified and registered land surveyor that the surveyor has examined the records of the legislative action which created that boundary, verified the location of the boundary monuments on the ground and finds agreement, subject to any minor discrepancies that have been noted on the plan.

See title page for effective date.

## CHAPTER 8

H.P. 221 - L.D. 278

### An Act To Eliminate the Restriction on Municipal Investment of Trust Funds

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

**Sec. 1. 30-A MRSA §5706, sub-§3-A,** as enacted by PL 1997, c. 367, §2, is amended to read:

**3-A. Mutual funds for trusts governed by the United States Internal Revenue Code, Section 501(c)(3).** In the case of a trust fund that is governed by the United States Internal Revenue Code, Section 501 (c) (3) (1997), in the shares of any investment company registered under the United States Investment Company Act of 1940, Public Law 76-768, whose shares are registered under the United States Securities Act of 1933, Public Law 73-22, as long as:

A. The investment is approved by the municipal officers at a public meeting; ~~and~~

B. No more than 50% of the assets of the trust are invested in mutual funds under this subsection; ~~and or~~

~~C. No more than 5% of the assets of the trust are invested in a single mutual fund under this subsection; or~~

See title page for effective date.

## CHAPTER 9

H.P. 193 - L.D. 238

### An Act to Amend the Energy Resources Council Membership

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

**Sec. 1. 5 MRSA §3327, sub-§1, ¶¶G and H,** as enacted by PL 2001, c. 630, §1, are amended to read:

G. The Commissioner of Economic and Community Development; ~~and~~

H. The Director of the Maine State Housing Authority; ~~and~~

**Sec. 2. 5 MRSA §3327, sub-§1, ¶I** is enacted to read:

I. The Commissioner of Conservation.

See title page for effective date.

## CHAPTER 10

S.P. 20 - L.D. 34

### An Act to Ensure that Child Labor Laws Apply to Public Sector Employers

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

**Sec. 1. 26 MRSA §701-A** is enacted to read:

#### §701-A. Application of subchapter

This subchapter applies to employment by all private and public employers, including the State and its political subdivisions, except with respect to service in the National Guard and as otherwise specifically provided.

See title page for effective date.

## CHAPTER 11

H.P. 184 - L.D. 225

### An Act To Amend the Requirements for a Journeyman Oil Burner Technician License

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