

# 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**

**PART D**

**Sec. D-1. PL 1997, c. 674, Pt. C, §§2 and 3,** as amended by PL 1999, c. 737, Pt. E, §1, are further amended to read:

**Sec. C-2. Amended lease-purchase authorized for engineering vehicles or equipment.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Transportation, Highway Fund, is authorized to establish lease-purchase contracts for the procurement of engineering vehicles or equipment. The term of the contracts may not be more than 7 years. ~~The cumulative total principal value~~ outstanding principal debt of the lease-purchase contracts may not exceed \$10,000,000. The interest rate may not exceed 8% and ~~the total outstanding debt for~~ interest may not exceed \$2,400,000.

**Sec. C-3. Amended lease-purchase authorized for vehicles or equipment.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Transportation, Motor Transport Service, is authorized to establish lease-purchase contracts for the procurement of vehicles or equipment. The term of the contracts may not be more than 7 years. ~~The cumulative total principal value~~ outstanding principal debt of the lease-purchase contracts may not exceed \$12,000,000. The interest rate may not exceed 8% and ~~total interest costs~~ outstanding debt for interest may not exceed \$2,880,000.

**PART E**

**Sec. E-1. Highway Fund Salary Plan; lapsed balances.** Notwithstanding any other provision of law, \$4,000,000 in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services lapses to the unallocated balance of the Highway Fund in fiscal year 2002-03.

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

Effective April 11, 2003.

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**CHAPTER 42**

**S.P. 31 - L.D. 79**

**An Act Regarding the Enforcement Powers of the Office of the State Fire Marshal**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the State Fire Marshal and the State Fire Marshal's deputy and investigators are sworn law enforcement officers with all the powers and duties granted to sheriffs under the law but are limited in the enforcement of such powers to issues regarding fire prevention and arson; and

**Whereas,** removing the enforcement limitation will allow the State Fire Marshal and the State Fire Marshal's deputy and investigators to respond to and investigate other crimes that pose a danger to public safety; and

**Whereas,** removing the enforcement limitation will also provide protection to the State Fire Marshal and the State Fire Marshal's deputy and investigators if they provide assistance to other law enforcement officers and will ensure additional protection to those law enforcement officers who need backup assistance; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 25 MRS §2396, sub-§7,** as amended by PL 1997, c. 728, §20, is further amended to read:

**7. Other duties.** The performance of such other duties as are set forth in this and other sections of the statutes and as may be conferred or imposed from time to time by law. The State Fire Marshal, the State Fire Marshal's deputy and investigators appointed under this Title shall carry out those functions that the Commissioner of Public Safety may direct and in so doing have the same enforcement powers and duties throughout the State as sheriffs have in their respective counties. ~~The enforcement powers are to be limited in scope to enforcement of statutes, ordinances and rules concerned with fire prevention, arson and other burnings and enforcement of such other specific areas of responsibility as are assigned to the Office of the State Fire Marshal by statute, and to arrest for impersonation of or interference with, the State Fire Marshal, the State Fire Marshal's deputy or their designees.~~

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

Effective April 15, 2003.

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