

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

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

scene of a fire or other emergency. The light must be mounted as near as practicable above the registration plate on the front of the vehicle or on the dashboard. A light mounted on the dashboard must be shielded so that the emitted light does not interfere with the operator's vision.

(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle a flashing red signal light of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service.

See title page for effective date.

CHAPTER 79

H.P. 54 - L.D. 46

An Act To Allow Free Clinics To Purchase Medications and Supplies through State Contracts

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

Sec. 1. 5 MRSA §1811, sub-§8, as amended by PL 1991, c. 780, Pt. Y, §65, is further amended to read:

8. Cooperative purchasing. To permit any political subdivision or ~~School Administrative District~~ school administrative district in the State of Maine or nonprofit free health care clinic that provides free primary or preventative services to make purchases of foodstuffs, materials, equipment and supplies through the Bureau of General Services, subject to such procedures, rules and regulations as may be prescribed by the director. This subsection applies to a municipality notwithstanding any provision in its municipal charter to the contrary; and

See title page for effective date.

CHAPTER 80

S.P. 290 - L.D. 895

An Act To Clarify the Responsibilities of Contract Law Enforcement Officers

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

Sec. 1. 30-A MRSA §3009, sub-§4 is enacted to read:

4. Enforcement of municipal ordinances. A municipality lacking an organized police department may contract with the State Police or a sheriff's department to enforce ordinances enacted by the municipality. State Police officers and deputy sheriffs are authorized to enforce municipal ordinances as agreed to in the contract.

See title page for effective date.

CHAPTER 81

H.P. 346 - L.D. 454

An Act To Clarify Campaign Finance Penalty Provisions

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

Sec. 1. 21-A MRSA §1127, sub-§1, as enacted by IB 1995, c. 1, §17, is amended to read:

1. Civil penalty. In addition to any other penalties that may be applicable, a person who violates any provision of this chapter or rules of the commission adopted pursuant to section 1126 is subject to a civil penalty not to exceed \$10,000 per violation payable to the fund. This penalty is recoverable in a civil action. In addition to any fine, for good cause shown, a candidate found in violation of this chapter or rules of the commission may be required to return to the fund all amounts distributed to the candidate from the fund. If the commission makes a determination that a violation of this chapter or rules of the commission has occurred, the commission shall assess a fine or transmit the finding to the Attorney General for prosecution. Fines paid under this section must be deposited in the fund. In determining whether or not a candidate is in violation of the expenditure limits of this chapter, the commission may consider as a mitigating factor any circumstances out of the candidate's control.

See title page for effective date.

CHAPTER 82

S.P. 115 - L.D. 333

An Act To Clarify the Laws Regarding Reports to the State Auditor

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

Sec. 1. 5 MRSA §244-A, as enacted by PL 1979, c. 46, is amended to read:

§244-A. Reports to the State Auditor

The head of any department ~~or~~, agency, bureau or division of the State or of any board, commission, agency or authority of any county, municipality, school district or ~~any~~ other political or administrative subdivision; who has any evidence of any improper or illegal transactions within ~~his~~ that department ~~or~~, agency, bureau or division shall immediately report the transactions to the State Auditor.

See title page for effective date.

CHAPTER 83

S.P. 215 - L.D. 606

An Act To Improve State Accounting Procedures

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to provide for timely reporting to the Legislature after the end of fiscal year 2003; 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. 5 MRSA §1541-A is enacted to read:

§1541-A. Financial management and accounting practices

The Commissioner of Administrative and Financial Services and the State Controller shall:

1. Develop manual. Develop a financial management and accounting practices manual for the purpose of promulgating systemwide uniform financial management practices for state agencies. The manual must be updated on an annual basis; and

2. Develop program. Develop and implement a program to provide training on a periodic basis to appropriate financial and accounting personnel across department lines in State Government on uniform financial management and accounting practices.

Sec. 2. Report. The Commissioner of Administrative and Financial Services and the State Controller shall report to the Joint Standing Committee on State and Local Government by January 31, 2004 on the steps taken and the progress made towards the development of the financial management and accounting practices manual and the development and implementation of training on uniform financial management and accounting practices as required by the Maine Revised Statutes, Title 5, section 1541-A.

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

Effective April 25, 2003.

CHAPTER 84

H.P. 547 - L.D. 741

An Act To Expand the Powers and Authority of Case Management Officers in the Family Division

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

Sec. 1. 4 MRSA §183, sub-§1, ¶D, as enacted by PL 1997, c. 269, §1 and affected by §2, is amended to read:

D. Family case management officers shall employ appropriate case management techniques and have jurisdiction to hear and dispose of the following matters:

(1) Interim orders in actions involving the establishment, modification or enforcement of child support;

(2) Interim orders in actions involving divorce, legal separation, paternity or parental rights, including interim orders in post-judgment proceedings arising out of these actions, except that a contested motion concerning interim parental rights and responsibilities, excluding interim child support orders, may be determined by the family case management officer only if both parties consent to determination of the issue or issues in dispute by the family case management officer;

(3) Final orders in any of the matters included in subparagraphs (1) and (2) when the proceeding is uncontested;