

# 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**

ing of 15 voting members and 2 nonvoting members as follows:

- A. Four parents of students who are deaf or hard-of-hearing, including a minimum of one parent with a child enrolled in the residential program and one parent with a child receiving service from the school's outreach program;
- B. Three deaf representatives of the State's deaf community;
- C. Eight members of the general public, at least 2 of whom must have expertise in deaf education; and
- F. Two students, one who attends the school and one who receives outreach services, both of whom are nonvoting members and who may not participate as board members in executive sessions or receive materials as board members from executive sessions.

See title page for effective date.

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## CHAPTER 116

S.P. 201 - L.D. 592

### An Act Regarding Age Eligibility for Enrollment in a Public Secondary School

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

**Whereas,** the school year as defined in statute will begin before the 90 days has passed; and

**Whereas,** this legislation will affect students for the upcoming school year; 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. 20-A MRSA §5201, sub-§3, ¶F** is enacted to read:

F. A person who obtains a waiver from the commissioner pursuant to section 5206.

**Sec. 2. 20-A MRSA §5206** is enacted to read:

### **§5206. Waiver**

The superintendent may request that the commissioner approve on a case-by-case basis waivers of the age requirements under section 5201 to allow a student who has reached 20 years of age before the start of the school year to be enrolled as a public secondary school student.

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

Effective May 8, 2003.

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## CHAPTER 117

H.P. 332 - L.D. 424

### An Act To Increase the Availability of Handicapped Parking Spaces for People with Disabilities

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

**Sec. 1. 30-A MRSA §3009, sub-§1, ¶D,** as amended by PL 1999, c. 127, Pt. A, §45, is further amended to read:

D. The following provisions apply to the establishment and policing of parking spaces for handicapped persons.

(1) Municipal public parking areas are subject to any applicable requirements of the Maine Human Rights Act, Title 5, chapter 337, subchapter ~~5~~ 5. The municipality shall post a sign adjacent to and visible from each handicapped parking space established by the municipality. The sign must display the international symbol for accessibility.

(2-A) Enforcement of handicapped parking restrictions must be in accordance with Title 29-A, section 521, subsection 9-A.

(3) Any vehicle or motorcycle parked in a parking space clearly marked as a handicapped parking space and that does not bear a special registration plate or placard issued under Title 29-A, section 521 or 523, or a similar plate issued by another state, must be cited for a forfeiture of not less than \$100. "Clearly marked" includes painted signs on pavement and vertical standing signs that are visible in existing weather conditions.

(4) The municipal officers may establish and enforce the time limit for use of a parking space reserved as a handicapped parking space on a public way or public parking area.

See title page for effective date.

**CHAPTER 118**

**H.P. 419 - L.D. 556**

**An Act To Establish New Standards for Credit Reporting**

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

**Sec. 1. 10 MRSA §1315, sub-§1, ¶D** is enacted to read:

D. The procedures adopted by the consumer reporting agency pursuant to section 1317 to enable a consumer to correct any inaccurate information contained in that consumer's consumer report.

**Sec. 2. 10 MRSA §1316, sub-§2-A**, as enacted by PL 1985, c. 140, §2, is repealed.

**Sec. 3. 10 MRSA §1316, sub-§2-B** is enacted to read:

**2-B. Fees for disclosures.** Notwithstanding any other provision of this chapter, a consumer reporting agency may not impose a fee for a consumer report provided to a consumer upon request once during any 12-month period. For a 2nd or subsequent report made during a 12-month period, a consumer reporting agency may charge a consumer a fee not to exceed \$5.

See title page for effective date.

**CHAPTER 119**

**S.P. 267 - L.D. 788**

**An Act To Enhance Vistas**

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

**Sec. 1. 23 MRSA §651, 2nd ¶**, as amended by PL 1971, c. 593, §22, is further amended to read:

The department, in consultation with a municipality, may preserve and develop the natural scenic beauty along and adjacent to any state or state aid highway to integrate the public improvement with the aesthetics of the area traversed by the highway and,

particularly along those areas of the highway that constitute the entrance to that municipality. The department shall consult with each municipality traversed by a state or state aid highway on the placement of utility poles and signs within the boundaries of that municipality. The department may establish and maintain rest areas, turn-outs and parking strips for the suitable accommodation of the public whenever in its judgment the public exigency may require.

**Sec. 2. 23 MRSA §651, 5th ¶**, as amended by PL 1971, c. 593, §22, is further amended to read:

Whenever a municipality directly contributes to the construction or alteration of any highway, the department shall take into consideration the views interests of the municipal officers a municipality as to the location of such highway any state or state aid highway construction or alteration within the boundaries of that municipality.

See title page for effective date.

**CHAPTER 120**

**H.P. 1013 - L.D. 1378**

**An Act To Provide Financial Relief for Maine Dairy Farmers**

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

**Whereas**, the producer price of milk has dropped to 20-year lows; and

**Whereas**, these prices jeopardize the viability of the Maine dairy industry; and

**Whereas**, the Maine dairy industry is essential to the State's rural economy and communities and generates business activity and preserves open space; and

**Whereas**, the stabilization of the dairy industry during temporary price drops constitutes a public purpose and an appropriate expenditure of state revenues; 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:**