

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.

Penmor Lithographers
Lewiston, Maine
2003

complying with the requirements of the interstate compact as enacted by the sentencing state.

See title page for effective date.

CHAPTER 159

H.P. 675 - L.D. 918

An Act Concerning the Provision of Information and Services to Businesses and Workers in Response to Certain Events

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 ensure the most efficient and effective response possible by the State to the events in the Katahdin region regarding the Great Northern Paper, Inc. paper mills; 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 §13056, sub-§5, ¶C, as enacted by PL 1987, c. 534, Pt. A, §§17 and 19, is amended to read:

C. Market the State of Maine and its communities as suitable areas for business development; ~~and~~

Sec. 2. 5 MRSA §13056, sub-§6, ¶B, as enacted by PL 1987, c. 534, Pt. A, §§17 and 19, is amended to read:

B. Other community planning and development assistance programs of the State Planning Office; ~~and~~

Sec. 3. 5 MRSA §13056, sub-§7, as enacted by PL 1987, c. 534, Pt. A, §§17 and 19, is amended to read:

7. Contract for services. When contracting for services, ~~the department,~~ to the maximum extent feasible, ~~shall~~ seek to use the State's private sector resources in conducting studies, providing services and preparing publications; ~~and~~

Sec. 4. 5 MRSA §13056, sub-§8 is enacted to read:

8. Lead agency for business assistance in response to certain events. Be the lead agency for the State to provide information and business assistance to employers and businesses as part of the State's response to an event that causes the Department of Labor to carry out rapid-response activities as described in 29 United States Code, Sections 2801 to 2872 (2002).

Sec. 5. Department of Labor to develop directory. The Department of Labor, within 90 days from the effective date of this Act, shall develop a directory of relevant and appropriate agencies and organizations whose resources could be beneficial to laid-off workers. The directory must be made available to employers and others involved in developing community responses to small or large events involving layoffs of workers.

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

Effective May 14, 2003.

CHAPTER 160

H.P. 857 - L.D. 1160

An Act To Amend the Membership of the Maine Fire Protection Services Commission

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

Whereas, this Act expands membership of the Maine Fire Protection Services Commission to provide a broader representation of emergency service organizations and Legislators on the commission; and

Whereas, it is urgent that the expanded membership of the Maine Fire Protection Services Commission be effective immediately in order to better fulfill pressing responsibilities related to homeland security and other duties of the commission; 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 §3371, sub-§2, as enacted by PL 1999, c. 731, Pt. AAAA, §1, is amended to read:

2. Membership. The commission consists of ~~24~~ 23 members appointed as follows:

A. Two members of the Senate ~~who sit on the joint standing committee of the Legislature having jurisdiction over fire protection matters~~, appointed by the President of the Senate;

B. Three members of the House of Representatives ~~who sit on the joint standing committee of the Legislature having jurisdiction over fire protection matters~~, appointed by the Speaker of the House of Representatives;

C. The State Fire Marshal or the fire marshal's designee;

D. The Supervisor of the Forest Fire Control Division of the Maine Forest Service or the supervisor's designee;

E. The Director of the Bureau of Labor Standards or the director's designee;

E-1. The Director of Maine Emergency Medical Services or the director's designee;

E-2. The Director of the Maine Emergency Management Agency or the director's designee;

F. One municipal fire chief who is a full-time fire chief and a member of the Maine Fire Chiefs Association, appointed by the Governor;

G. One municipal fire chief who is a volunteer fire chief and a member of the Maine Fire Chiefs Association, appointed by the Governor;

H. One municipal fire chief who is paid on call and a member of the Maine Fire Chiefs Association, appointed by the Governor;

I. Six firefighters appointed as follows:

(1) Two career firefighters who are members of the Professional Fire Fighters of Maine, appointed by the Governor;

(2) Two call firefighters who are members of the Maine State Federation of Fire Fighters, appointed by the Governor; and

(3) Two volunteer firefighters who are members of the Maine State Federation of Fire Fighters, appointed by the Governor;

J. The administrator of the Maine Fire Training and Education Program within the Maine Technical College System, or the administrator's designee; and

K. Three persons appointed by the Governor, including:

(1) One member representing the Governor's office;

(2) One public member; and

(3) One member representing the insurance industry.

The Governor shall request a list of names from the organizations covered under paragraphs F to I from which to make appointments.

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

Effective May 14, 2003.

CHAPTER 161

H.P. 988 - L.D. 1342

An Act To Establish a Right of Entry for Surveyors Performing Surveying Services

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

Whereas, this Act allows a land surveyor, when necessary, to enter upon a landowner's property after giving reasonable notice to the landowner; and

Whereas, this authority is necessary to allow land surveyors to perform their duties in an efficient and cost-effective manner; and

Whereas, without immediate authority, needless costs may be incurred by persons needing land surveying services; 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. 32 MRSA §13913 is enacted to read: