

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

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. 12 MRSA §7854, sub-§3-A is enacted to read:

3-A. Temporary fee. Notwithstanding any other provision of this section, and in addition to any other special assessments that may be imposed, an additional, temporary \$3 fee is imposed on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee must be collected at the time a registration is issued and credited in full to the ATV Recreational Management Fund of the Department of Conservation.

This subsection is repealed June 30, 2005.

Sec. 2. 12 MRSA §7854, sub-§4, ¶A, as amended by PL 2001, c. 690, Pt. A, §14 and affected by §18, is further amended to read:

A. After administrative costs, revenues received under this subchapter are credited as undedicated revenue to the General Fund except that 50% of those revenues is credited to the ATV Recreational Management Fund of the Department of Conservation. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this subsection. Those administrative costs must be verified by the Department of Conservation and the Department of Administrative and Financial Services.

~~The department shall use a portion of the revenue dedicated to the ATV Recreational Management Fund for develop and implement an ATV law enforcement grant-in-aid program to assist law enforcement agencies other than the Bureau of Warden Service.~~

Sec. 3. 12 MRSA §7854, sub-§9, as enacted by PL 1983, c. 297, §§1 and 3, is repealed.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF
Savings Fund

Initiative: Appropriates funds to be used only to avoid future fee increases.

General Fund	2003-04	2004-05
All Other	\$73,950	\$73,950
General Fund Total	\$73,950	\$73,950

Division of Public Information and Education

Initiative: Appropriates funds to restore funding for operational costs.

General Fund	2003-04	2004-05
All Other	\$50,000	\$50,000
General Fund Total	\$50,000	\$50,000

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF
DEPARTMENT TOTALS**

General Fund	2003-04	2004-05
	\$123,950	\$123,950
DEPARTMENT TOTAL - ALL FUNDS	\$123,950	\$123,950

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

Effective May 16, 2003.

CHAPTER 190

S.P. 145 - L.D. 427

**An Act To Clarify That the Maine
Juvenile Code Does Not Preclude
Sharing Information with School
Administrators for Purposes of
School Safety**

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

Sec. 1. 15 MRSA §3301-A is enacted to read:

§3301-A. School safety

1. Sharing information. Nothing in this Part precludes a law enforcement officer or criminal justice agency from sharing information with a school superintendent or principal, whether or not the information is contained in records, pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or school personnel on school grounds or at a school function. The superintendent or principal may disseminate this information only to the extent necessary to protect students and school personnel and as governed by subsection 2.

2. Process for further dissemination. Any information received by a superintendent or principal pursuant to subsection 1 may only be further distributed through a notification team as described in Title 20-A, section 1055, subsection 11.

3. Information prohibited from inclusion in student's education record. The superintendent or principal shall ensure that information provided pursuant to this section may not become part of the student's education record.

Sec. 2. 20-A MRSA §1055, sub-§11, as enacted by PL 1999, c. 345, §2, is amended to read:

11. Notification teams. Within 10 days after receiving notice from a district attorney of an alleged juvenile offense or juvenile offense, pursuant to Title 15, section 3308, subsection 7, paragraph E or after receiving notice from a law enforcement officer of credible information that indicates an imminent danger to the safety of students or school personnel pursuant to Title 15, section 3301-A, the superintendent shall convene a notification team. The notification team must consist of the administrator of the school building or the administrator's designee, at least one classroom teacher to whom the student is assigned, a parent or guardian of the student and a guidance counselor. The notification team is entitled to receive the information described in Title 15, section 3308, subsection 7, paragraph E, subparagraphs (1) to (6) and in Title 15, section 3301-A. The notification team shall also determine on the basis of need which school employees are entitled to receive that information.

Confidentiality of this criminal justice information regarding juveniles must be ensured at all times, and the information may be released only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.

See title page for effective date.

CHAPTER 191

S.P. 70 - L.D. 147

**An Act to Allow Members of the
Maine Public Drinking Water
Commission to Serve More than 2
Consecutive Terms**

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

Sec. 1. 22 MRSA §2660-C, sub-§1, ¶D, as enacted by PL 1993, c. 410, Pt. DD, §4, is amended to read:

D. The term of office for members appointed by the Governor is 4 years except that, of the original members appointed, 4 must be appointed for 2 years and 4 must be appointed for 4 years. The Governor shall make all original appointments within 60 days of the effective date of this section. Members may remain in office until their successors are appointed. ~~A member may not serve more than 2 consecutive terms.~~ If a vacancy occurs, the Governor shall appoint a replacement to fill the remaining portion of the unexpired term created by the vacancy.

See title page for effective date.

CHAPTER 192

H.P. 301 - L.D. 381

**An Act To Clarify How Consumers
Acquire Information about In-pack
Sweepstakes, Contests and Games**

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

Sec. 1. 28-A MRSA §708-A, as enacted by PL 1995, c. 582, §2, is amended to read:

§708-A. In-pack sweepstakes, contests and games

Notwithstanding any provision of law to the contrary, a certificate of approval holder, wholesale licensee or retail licensee may offer sweepstakes, games and contests inside packages of alcoholic beverages, if that offer is not contingent on the purchase of an alcoholic beverage. A certificate of approval holder, wholesale licensee or retail licensee shall provide information about access to participate in a sweepstakes, game or contest by providing either a sign in the retail outlet or a notice on the primary or secondary packaging of the brand offering the sweepstakes, game or contest.

See title page for effective date.

CHAPTER 193

H.P. 518 - L.D. 701

**An Act Regarding the Suspension of
Licenses for Failure To Pay a Fine**

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

Sec. 1. 10 MRSA §8005-A is enacted to read: