

# 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**

**2. Notification of issuing entity and person.**

Upon suspension of the person's license, certification, registration, permit, approval or other similar document evidencing the granting of authority to hunt, fish or trap or to engage in a profession, occupation, business or industry, the court shall notify the person and the issuing agency that the court has ordered the suspension. The issuing agency shall immediately record the suspension. The court shall immediately notify that person by regular mail or personal service. Written notice is sufficient if sent to the person's last known address.

**3. Purge of contempt.** The court shall provide an opportunity for the defendant to purge the contempt by complying with the court's order to pay or to an amended order to pay. The provisions of the Maine Rules of Civil Procedure, Rule 66 and the Maine Rules of Criminal Procedure, Rule 42 do not apply to proceedings initiated under this section.

See title page for effective date.

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## CHAPTER 194

H.P. 570 - L.D. 771

### An Act To Provide Parity in Funding for Enhanced 9-1-1 Services

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

**Sec. 1. 25 MRSA §2927, sub-§3,** as amended by PL 1999, c. 651, §2, is further amended to read:

**3. Expenditure of funds.** The bureau may use the revenues in the E-9-1-1 fund to fund staff and to defray costs associated with the implementation, operation and management of E-9-1-1. The bureau, to the extent it determines sufficient funds are available in the E-9-1-1 fund, shall use revenues in the E-9-1-1 fund to reimburse local exchange carriers and cellular and wireless telecommunications service providers for eligible expenses incurred by the carriers and service providers. For purposes of this subsection, the term "eligible expenses" means expenses:

A. Incurred in preparing, correcting, verifying or updating subscriber information for use in databases necessary to implement the E-9-1-1 system; ~~and~~

B. Determined by the Public Utilities Commission to meet the requirements of paragraph A and to be reasonable expenses for the services provided; and

C. When incurred by a cellular or wireless telecommunications service provider:

(1) That are approved by the bureau to be properly incurred for the implementation of E-9-1-1 technologies and procedures;

(2) That are not separately billed to customers; and

(3) For which the provider is not reimbursed from any other source.

The Public Utilities Commission, in consultation with the bureau, shall establish procedures for reviewing and approving expenses pursuant to paragraph B.

See title page for effective date.

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## CHAPTER 195

H.P. 914 - L.D. 1240

### An Act To Amend the Regional Economic Development Revolving Loan Program

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

**Whereas,** the Regional Economic Development Revolving Loan Program provides much-needed loans to eligible borrowers for the purpose of creating or retaining jobs in this State; and

**Whereas,** this legislation increases the availability of such loans to small businesses by reducing the required match of funds for loans of \$50,000 or less; and

**Whereas,** in order to stimulate economic development in the State as quickly as possible, it is necessary to expedite the ability to provide such loans; 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. 10 MRSA §1026-M, sub-§6, ¶B,** as amended by PL 1999, c. 401, Pt. OOO, §2, is further amended to read:

B. Loans over \$50,000 for borrowers other than quality child care projects may not exceed 1/3 of the net new funds being provided to a borrower. Loans of \$50,000 or less for projects other than quality child care projects may not exceed 1/2 of the net new funds being provided to a borrower. Loans for quality child care projects may be for the total amount of new funds being provided to the borrower.

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

Effective May 16, 2003.

**CHAPTER 196**

**H.P. 1115 - L.D. 1524**

**An Act To Conform to Federal Standards Maine's Law Regarding Strip Searches of Persons in Custody**

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

**Sec. 1. 5 MRSA §200-G, sub-§2, ¶A,** as enacted by PL 1983, c. 789, §1, is repealed.

See title page for effective date.

**CHAPTER 197**

**H.P. 1125 - L.D. 1532**

**An Act To Raise the Threshold under the Fair Minimum Wage Rate on Construction Projects Law**

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

**Sec. 1. 26 MRSA §1304, sub-§8,** as enacted by PL 1967, c. 403, is amended to read:

**8. Public works.** "Public works" includes all buildings, roads, highways, bridges, streets, alleys, sewers, ditches, sewage disposal plants, demolition, waterworks, airports and all other structures upon which construction may be let to contract by the State of ~~Maine~~ and which contract amounts to ~~\$10,000~~ \$50,000 or more.

See title page for effective date.

**CHAPTER 198**

**H.P. 1033 - L.D. 1406**

**An Act To Separate the Office of Tourism from the Office of Community Development**

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

**Sec. 1. 5 MRSA §13055, sub-§1,** as amended by PL 1995, c. 560, Pt. B, §2, is further amended to read:

**1. Organizations.** The department contains the following organizations:

- A. The Office of Business Development; ~~and~~
- B. The Office of Tourism ~~and Community Development;~~ and
- F. The Office of Community Development.

**Sec. 2. 5 MRSA §13072, first ¶,** as amended by PL 1995, c. 560, Pt. B, §9, is further amended to read:

The Office of ~~Tourism and~~ Community Development shall assist municipalities in planning for and achieving economic growth and development while, at the same time, preserving and protecting their resources and assets. To achieve this purpose, the department, through the office, shall strive to remove barriers to balanced economic growth and provide planning, technical and financial resources to the municipalities to enhance economic development.

**Sec. 3. 5 MRSA §13072, 2nd ¶,** as amended by PL 1995, c. 560, Pt. B, §10, is further amended to read:

The Director of the Office of ~~Tourism and~~ Community Development shall administer the office in accordance with the policies of the commissioner and the provisions of this chapter. The director has the following powers and duties.

**Sec. 4. 5 MRSA §13073-A, first ¶,** as enacted by PL 1999, c. 731, Pt. VVV, §2, is amended to read:

The Director of the Office of ~~Tourism and~~ Community Development shall administer the Regional Economic Development Assistance Fund, referred to in this section as the "fund."

**Sec. 5. 5 MRSA §13073-A, sub-§1,** as enacted by PL 1999, c. 731, Pt. VVV, §2, is amended to read: