

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

fund the establishment of this program for fiscal year 2004-05.

HIGHWAY FUND	2003-04	2004-05
All Other	\$0	\$75,000
 HIGHWAY FUND TOTAL	<hr/> \$0	<hr/> \$75,000

PART D

Sec. D-1. 29-A MRSA §517, sub-§1-B is enacted to read:

1-B. Low-speed vehicle. A low-speed vehicle loaned by a dealer to a municipality is exempt from registration fees and is not subject to inspection pursuant to section 1752 but must be registered and must be in compliance with equipment provisions under section 1925.

Sec. D-2. 29-A MRSA §517, sub-§2, as amended by PL 1995, c. 202, §1, is further amended to read:

2. Plates. The Secretary of State shall issue distinctive plates that expire at the end of a 6-year period for state plates and a 10-year period for municipal plates within the semipermanent plate program. Notwithstanding section 501, subsection 11, the Secretary of State shall issue distinctive municipal plates under this subsection to a low-speed vehicle owned by a municipality or loaned by a dealer to a municipality. Vehicles owned by the State may display a marker or insignia, approved by the Secretary of State, plainly designating them as owned by the State.

The Secretary of State may issue environmental registration plates to a state-owned vehicle assigned to the Department of Inland Fisheries and Wildlife or the Department of Conservation with authorization from the department's commissioner. The Secretary of State may issue environmental registration plates to a state-owned vehicle assigned to the Baxter State Park Authority with authorization from the Commissioner of Inland Fisheries and Wildlife in the commissioner's capacity as a member of the Baxter State Park Authority. A state-owned vehicle issued environmental registration plates must display a marker or insignia designating the vehicle as state-owned and is exempt from registration fees and the contribution under section 455, subsection 4.

Sec. D-3. 29-A MRSA §652, sub-§§14 and 15, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

14. Salvage vehicle. A salvage vehicle with a certificate of salvage or other comparable document from another state; ~~and~~

15. Other vehicles. A vehicle required to be registered under section 190, subsection 3 for which a current certificate of title has been issued in another state; ~~and~~

Sec. D-4. 29-A MRSA §652, sub-§16 is enacted to read:

16. Low-speed vehicle. A low-speed vehicle loaned by a dealer to a municipality.

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

Effective June 23, 2003.

CHAPTER 491

S.P. 592 - L.D. 1635

An Act Concerning Illegal Introduction of Fish into Maine Waters

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

Whereas, the illegal introduction of fish into Maine waters is increasing and the harm to the aquatic environment can be devastating to native fish populations; and

Whereas, enforcement of current regulations pertaining to illegal stocking of fish are problematic as the violations are rarely observed by others, resulting in very low incidence of reports of such illegal activity; and

Whereas, enhancing the penalties and enacting mandatory license suspensions for violations of the current laws related to the possession of live fish species in Maine will improve the ability of enforcement officers to prevent illegal introductions of fish; and

Whereas, it is imperative that this legislation take effect immediately to reduce this devastating harm; 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. 12 MRSA §7077, sub-§1-B, ¶A, as enacted by PL 1993, c. 136, §1, is amended to read:

A. Introducing fish into inland waters without a permit in violation of section 7371, subsection 3 as it applies to section 7202, subsection 1; section 7203, subsection 1; section 7204, subsection 1; and section 7206;

Sec. 2. 12 MRSA §7077, sub-§1-B, ¶B-1 is enacted to read:

B-1. Possessing fish in violation of section 7604-A;

Sec. 3. 12 MRSA §7604-A is enacted to read:

§7604-A. Illegal possession of live fish

Except as otherwise provided in this Part, any fish legally taken from inland waters pursuant to this Part, except baitfish and smelts, must be immediately released alive into the waters from which it was taken or must be killed at once. Any fish killed pursuant to this section becomes part of the daily bag limit.

Sec. 4. 12 MRSA §7901-A, sub-§5, ¶A, as enacted by PL 2001, c. 421, Pt. B, §88 and affected by Pt. C, §1, is amended to read:

A. Failure to have license or permit as described in section 7371, subsection 3, as it applies to section 7202, subsection 1; section 7203, subsection 1; section 7204, subsection 1; and section 7206 is a Class E crime, except that, notwithstanding Title 17-A, section 1301, the fine may not be less than \$1,000 nor more than \$10,000.

Sec. 5. 12 MRSA §7901-A, sub-§10, ¶B is enacted to read:

B. Possession of fish in violation of section 7604-A is a Class E crime.

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

Effective June 23, 2003.

CHAPTER 492

H.P. 27 - L.D. 20

**An Act to Extend the Authority of
the Health Care System and Health
Security Board**

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

Sec. 1. PL 2001, c. 439, Pt. ZZZ, §1, sub-§1, first ¶ is amended to read:

1. Board established. The Health Care System and Health Security Board, referred to in this section as the "board," consists of ~~19~~ 20 members as follows:

Sec. 2. PL 2001, c. 439, Pt. ZZZ, §1, sub-§1, ¶¶D and E are amended to read:

D. Two members ~~of the House of Representatives~~ appointed by the Speaker of the House of Representatives who are serving in the House of Representatives at the time of their appointment with preference to members of the joint standing committee of the Legislature having jurisdiction over health and human services matters, the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over banking and insurance matters;

E. Two members ~~of the Senate~~ appointed by the President of the Senate who are serving in the Senate at the time of their appointment with preference to members of the joint standing committee of the Legislature having jurisdiction over health and human services matters, the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over banking and insurance matters;

Sec. 3. PL 2001, c. 439, Part ZZZ, §1, sub-§1, ¶G is amended to read:

G. A representative of each of the following, appointed by the Speaker of the House:

- (1) A statewide organization that represents Maine senior citizens;
- (2) A statewide labor organization;
- (3) A statewide organization of nurses;
- (4) Large hospitals in the State;
- (5) The business community; ~~and~~
- (6) An organization representing the self-employed; ~~and~~
- (7) The public.

Sec. 4. PL 2001, c. 439, Pt. ZZZ, §1, sub-§§2 and 3 are amended to read:

2. Chairs. The first-named Senate member is the Senate chair and the first-named House member is