

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

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Consider construction of new bridge. Resolved: That the Department of Transportation shall undertake a process to determine the optimal long-term solution to address concerns with the safety of the Waldo-Hancock Bridge. The process must conform to requirements in federal law. The process must include construction of a new bridge between Prospect and Verona as one of the alternatives considered.

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

Effective April 15, 2003.

CHAPTER 5

S.P. 232 - L.D. 668

Resolve, Regarding the Reduction of Barriers to the Transmission of Electricity

Sec. 1. Public Utilities Commission directed to study ways of reducing barriers to transmission of electricity. Resolved: That the Public Utilities Commission shall work with the government of the Province of New Brunswick, Canada to study ways to reduce or eliminate transaction costs and institutional or structural barriers to the flow of electricity between Maine and Atlantic Canada. By December 31, 2003, the Public Utilities Commission shall report to the Joint Standing Committee on Utilities and Energy, as part of the report required pursuant to the Maine Revised Statutes, Title 35-A, section 3217, activities conducted pursuant to this resolve and progress made towards meeting the goals of this resolve. The commission shall include as part of its report any implementing legislation necessary to carry out the purposes of this resolve. The study must be conducted using existing resources within the commission.

See title page for effective date.

CHAPTER 6

H.P. 26 - L.D. 19

Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementation of the State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a Major Substantive Rule of the Department of Administrative and Financial Services

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 130: Implementation of State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a provisionally adopted major substantive rule of the Department of Administrative and Financial Services, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A is authorized only if the rules are amended as follows:

1. The rules must be amended to include at the end of the Bidding Procedures section the following: The names and addresses of suppliers at point of assembly may be kept confidential and not open for public inspection if the State Purchasing Agent determines the bidder has a program of monitoring

that certifies its suppliers comply with the state purchasing code of conduct.

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

Effective April 25, 2003.

CHAPTER 7

S.P. 539 - L.D. 1581

Resolve, Authorizing Municipalities To Consolidate Voting Districts for Special Elections on Bond Issues Held in 2003

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

Whereas, it is possible that a special election for bond issues may be called before the expiration of that 90-day period; and

Whereas, voter turnout is often low for a special election; and

Whereas, it is costly for municipalities to staff all voting places during an election; 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

Sec. 1. Municipalities authorized to consolidate voting districts. Resolved: That, notwithstanding the Maine Revised Statutes, Title 21-A, section 631, a municipality may consolidate voting districts for the purpose of holding a special election on bond issues in 2003. A municipality that chooses to consolidate voting districts shall hold a public hearing on the planned consolidation. Plans to consolidate districts must be submitted to the Secretary of State at least 35 days prior to the special election.

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

Effective April 30, 2003.

CHAPTER 8

H.P. 603 - L.D. 826

Resolve, To Allow Certain State Employees To Be Voting Board Members of Project SHARE

Sec. 1. Certain executive employees allowed to serve on board of directors of non-profit corporation Project SHARE. Resolved: That an employee of the Department of Environmental Protection, the Department of Conservation, the Department of Marine Resources, the Department of Agriculture, Food and Rural Resources or the Department of Inland Fisheries and Wildlife may serve, on behalf of the State, as a member of the board of directors of the nonprofit corporation incorporated in Maine on September 27, 1994 as "Project SHARE," as long as the employee is elected to serve on the board pursuant to the bylaws of the corporation.

See title page for effective date.

CHAPTER 9

S.P. 75 - L.D. 152

Resolve, Regarding State Designation of Memorials Honoring the Underground Railroad

Sec. 1. Recognizing Underground Railroad Memorial in Chamberlain Freedom Park, Brewer as official state memorial in honor of Underground Railroad. Resolved: That the memorial known as the Underground Railroad Memorial located in Chamberlain Freedom Park in Brewer be designated the official state memorial to honor the Underground Railroad. Notwithstanding that designation, the Legislature may from time to time designate other monuments, structures or properties in other locations throughout the State as state memorials in honor of the Underground Railroad.

See title page for effective date.

CHAPTER 10

H.P. 458 - L.D. 628

Resolve, Directing the Department of Education To Develop Guidelines for Outdoor Playground Surfaces

Sec. 1. Policy guidelines for outdoor playground surfaces. Resolved: That the