

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

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

Department of Education shall develop policy guidelines for outdoor playground surfaces at public elementary and secondary schools no later than January 1, 2004. The policy guidelines for outdoor playground surfaces at public elementary and secondary schools developed pursuant to this section may not be mandatory, but rather must provide nonregulatory guidance to local school officials, school personnel and other interested parties who may be concerned with the best information and the best practices available regarding outdoor playground surfaces.

In communicating the policy guidelines for outdoor playground surfaces at public schools to local school officials, school personnel and other interested parties, the Department of Education shall utilize existing department resources, including, but not limited to, the Maine School Facilities Maintenance Plan template, the school facilities list serve and the Commissioner of Education's policy information letters.

See title page for effective date.

CHAPTER 11

H.P. 160 - L.D. 201

Resolve, To Amend the Laws Governing the Health Care Workforce Leadership council

Sec. 1. Resolve 2001, c. 89, §1, sub-§5, amended. Resolved: That Resolve 2001, c. 89, §1, sub-§5 is amended to read:

5. Report. By ~~February~~ November 1, 2003, the council shall provide an interim report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the work of the council, the potential role and need for a permanent health care workforce council or center and any initiatives, laws or rules pertaining to the skilled health care workforce regarding which the council provided input to the Commissioner of Human Services, the Commissioner of Labor or the Department of Human Services, Bureau of Medical Services. By November 3, 2004 the council shall provide a final report on the same issues and in the same manner as the interim report.

See title page for effective date.

CHAPTER 12

H.P. 229 - L.D. 286

Resolve, Concerning the Titling of Mobile Homes, Boats, All-terrain Vehicles, Snowmobiles and Other Property

Sec. 1. Secretary of State; study and report on titling certain types of property. Resolved:

That the Secretary of State shall study the issue of requiring titles for mobile homes, boats, all-terrain vehicles, snowmobiles and other similar types of property not currently titled in this State. The study must include a review of the filing requirements for secured transactions under the Uniform Commercial Code as they apply to these types of personal property and a review of the laws and procedures of other states that title these types of personal property. The Secretary of State shall make a recommendation concerning which types of property, if any, should be titled and the best process for establishing such a titling system.

1. Interested parties. The Secretary of State shall invite persons representing the following to participate in the study: financial institutions, credit unions and other lenders; title attorneys; snowmobile, boat and ATV retailers and associations; the manufactured housing industry; and any other interests appropriately included in the study.

2. Report; legislation. The Secretary of State shall report to the Joint Standing Committee on Judiciary before January 15, 2004 on whether any of the types of property under subsection 1 should be titled and the process for providing titles. Following receipt and review of the report, the committee may report out legislation to the Second Regular Session of the 121st Legislature.

See title page for effective date.

CHAPTER 13

H.P. 497 - L.D. 680

Resolve, Directing the Department of Conservation To Create the Kennebec River Historic Waterway

Sec. 1. Kennebec River Historic Waterway. Resolved: That the Department of Conservation shall design and establish the Kennebec River Historic Waterway, referred to in this resolve as "the waterway," from Popham Beach in Phippsburg to Fort