

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

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

Halifax in Winslow with the intent of eventually extending the waterway upriver to the headwaters of the Kennebec River. No later than January 31, 2004, the department shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry on progress made to:

1. Coordinate the management and promotion of state recreational, scenic and historic lands and easements with municipal and private recreational, scenic and historic lands along the Kennebec River;
2. Integrate launching and landing sites, existing trails, historic and educational sites, scenic viewing opportunities and other sites of interest in a unified approach to protect, interpret, promote and develop the river's outstanding natural, educational, scientific and historic resource values; and
3. Offer primitive camping at intervals along the waterway to encourage canoeing, kayaking and other forms of recreation; and be it further

Sec. 2. Funding; assistance. Resolved: That the Department of Conservation shall seek to identify funding sources and technical assistance that could help implement joint projects and strategies in connection with creating the waterway; and be it further

Sec. 3. Local involvement. Resolved: That the Department of Conservation, in coordination with the Executive Department, State Planning Office; the Department of Inland Fisheries and Wildlife; the Department of Transportation; the Department of Marine Resources; the Department of Economic and Community Development, Office of Tourism; the Maine Historic Preservation Commission; and the Kennebec-Chaudiere Heritage Corridor Corporation, shall seek the input and cooperation of representatives of municipalities, land trusts, community groups, conservation organizations and businesses that benefit from a clean and healthy Kennebec River.

See title page for effective date.

CHAPTER 14

H.P. 197 - L.D. 242

Resolve, Relating to the Consideration of the Cumulative Effect on Protected Natural Resources

Sec. 1. Department to convene working group of interested parties. Resolved: That, within existing resources, the Department of Environmental Protection shall convene a working group of interested parties to design a method for considering

the cumulative effects of activities on protected natural resources when the activities are permitted; and be it further

Sec. 2. Proposal. Resolved: That the Department of Environmental Protection shall submit a proposal for considering the cumulative effects of activities on protected natural resources, including any draft legislation necessary to implement the proposal, to the Joint Standing Committee on Natural Resources by January 5, 2004; and be it further

Sec. 3. Authority to report out legislation. Resolved: That the Joint Standing Committee on Natural Resources may report out legislation during the Second Regular Session of the 121st Legislature relating to the Department of Environmental Protection's proposal for the consideration of cumulative effects on protected natural resources.

See title page for effective date.

CHAPTER 15

H.P. 554 - L.D. 748

Resolve, Directing the Department of Labor To Publish Annually Economic and Workforce Information Concerning the Canadian Maritime Provinces

Sec. 1. Economic and workforce information. Resolved: That the Department of Labor shall annually publish a report comparing the economy and workforce of the Canadian Maritime Provinces to the economy and workforce of the State.

See title page for effective date.

CHAPTER 16

H.P. 794 - L.D. 1076

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Land to Baron and Janet Wormser

Sec. 1. Sale of land. Resolved: That the State, by and through the Commissioner of Administrative and Financial Services, is authorized to convey by sale the interest of the State in real estate as indicated in section 3 of this resolve to Baron C. Wormser and Janet G. Wormser; and be it further

Sec. 2. Property to be sold as is. Resolved: That the Commissioner of Administrative and Financial Services may negotiate and execute the