

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2005

12. Immediate review system. To establish a system to provide immediate review of a program or function of a state agency or other entity in the event that there is a suspicion of a major mismanagement of public funds or functions. If the director determines to proceed under the immediate review system and the committee approves proceeding under that system, qualified auditors and investigators may be retained by the director for that purpose. The director shall coordinate efforts with the Attorney General, State Auditor, State Controller and others considered appropriate by the director.

See title page for effective date.

CHAPTER 105

H.P. 522 - L.D. 727

An Act To Amend the Knox County Budget Process

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

Sec. 1. 30-A MRSA §751, sub-§1, ¶D, as enacted by PL 1991, c. 257, is amended to read:

D. A vacancy occurring on the budget committee must be filled by the committee, subject to confirmation by a majority of the county commissioners, for the balance of the unexpired term. The person appointed to fill the vacant office must be from the same ~~municipality district~~ or unorganized territory as the person vacating the office.

See title page for effective date.

CHAPTER 106

H.P. 835 - L.D. 1217

An Act To Permit the Stopping of Traffic by Charitable Nonprofit Organizations for Certain Fundraising Projects

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

Sec. 1. 29-A MRSA §2109, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§2109. Stopping of traffic by hawkers and vendors

A person commits a traffic infraction if that person signals a moving vehicle, stops a vehicle or

accosts an occupant of a vehicle stopped on a public way to solicit a contribution or subscription, or sell merchandise or a ticket of admission to an entertainment or public gathering. This section does not apply to an event or project conducted by a charitable nonprofit organization incorporated in or recognized by the State that has received municipal and local law enforcement authorization, including approval for the organization's traffic routing, schedule and procedures for the event or project.

See title page for effective date.

CHAPTER 107

H.P. 1126 - L.D. 1590

An Act To Allow the Maine Land Use Regulation Commission To Assess a Processing Fee for Certain Projects

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

Whereas, certain projects that come before the Maine Land Use Regulation Commission require inordinate resources for appropriate review; and

Whereas, the complexity, size and uniqueness of these projects can significantly affect the ability of the Maine Land Use Regulation Commission and its staff to process more routine applications; and

Whereas, the expedient processing of all applications is important to people proposing projects within the jurisdiction of the Maine Land Use Regulation Commission; 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 §685-B, sub-§2, ¶B, as amended by PL 1995, c. 487, §1, is further amended to read:

B. The fee prescribed by the commission rules, that fee to be a minimum of \$50 but no greater than 1/4 of 1% of the total development costs, except that the fee for subdivision applications is \$300 per lot. Zoning petitions submitted by other than a state or federal agency range from