

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

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

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owner's interest. An owner's interest is based on the assessed valuation for property tax on the owner's parcel that is benefited by the private way or bridge. The assessors shall deliver their assessment with a warrant for its collection to the commissioner. The warrant must be in substance such as is prescribed for collection of town taxes. The commissioner shall collect the same as town taxes are collected, and be liable for neglect of duty as town collectors are for similar neglects.

See title page for effective date.

CHAPTER 480

S.P. 663 - L.D. 1746

An Act To Amend Certain Requirements in the ASPIRE-TANF Program

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

Sec. 1. 22 MRSA §3788, sub-§10, ¶C, as amended by PL 1997, c. 530, Pt. A, §26, is further amended to read:

C. ~~Education~~ Except for participants who are accepted into the Parents as Scholars Program established under section 3790, education, training and treatment is limited to a maximum of 24 months, starting with the first day of participation in any allowable and approved job skills or occupational skills training activity. The 24-month period may be extended by the commissioner or the designee of the commissioner for good cause shown.

The department may approve a job skills or occupational training activity longer than 24 months provided the participant agrees to perform a minimum of 20 hours a week of work site experience by no later than the end of the 24-month period. Qualifying work site experience may include, but is not limited to, paid employment, workforce-MaineServe, ASPIRE-Plus, work study, training-related practicums or any other such work site approved by the department. The 24-month period does not include periods of nonactivity in which good cause has been determined.

For individuals who are satisfactorily participating in an education or training program prior to the work evaluation, the department must determine the acceptability of the activity for purposes of meeting the participation requirements of this chapter using the same criteria as is used for any individual in the ASPIRE-TANF program.

Sec. 2. 22 MRSA §3788, sub-§12, as amended by PL 1997, c. 530, Pt. A, §26, is further amended to read:

12. Developing resources. To assist the department in its efforts to encourage job placement opportunities and provide the services necessary to ensure self-support to recipients of TANF assistance, the department may contract with public and private agencies to establish job placement opportunities.

In order to assist in the development of job placement opportunities, the department in cooperation with the Department of Labor and other state agencies shall explore the feasibility of developing a shared approach to technology to support access to information talent banks, national job banks, Maine's job listings and any other job opportunity listings, to facilitate linking program resources listings and to coordinate case service providers.

In addition, all public and private agencies are subject to the following requirements.

A. All agencies that receive funds from any state department or division must provide at least one workforce-MaineServe opportunity for an ASPIRE-TANF participant.

B. All state agencies that provide funding for child care or transportation services must require that recipients of TANF be given priority for those services.

C. All agencies that receive funds from any state agency for the treatment of drug or alcohol abuse must require that recipients of TANF be given priority for those services.

~~The department shall work with and shall contract with agencies to work with families in which there are multiple barriers to achieving employment and shall provide those agencies incentives for working with the families to achieve employment. For each family placed with an agency, the department shall pay a fee. For each family member placed in full time employment, the department shall pay a premium. For each family member placed in full time employment in a job that provides health care benefits, the department shall pay an additional bonus payment. The commissioner shall adopt rules as necessary to implement this subsection.~~

Sec. 3. 22 MRSA §3788, sub-§14, as enacted by PL 1997, c. 530, Pt. A, §26, is repealed.

Sec. 4. 22 MRSA §3789-B, as corrected by RR 2003, c. 2, §75, is repealed.

Sec. 5. 22 MRSA §3789-C, as enacted by PL 1995, c. 418, Pt. A, §36, is repealed.

See title page for effective date.

CHAPTER 481

S.P. 670 - L.D. 1753

An Act To Set a Maximum on Penalties Imposed for Licensing Violations by Eating Establishments, Eating and Lodging Places, Lodging Places, Recreational Camps or Camping Areas

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

Sec. 1. 22 MRSA §2498, sub-§1, ¶C, as amended by PL 2003, c. 673, Pt. X, §3, is further amended to read:

C. Any person, corporation, firm or copartnership that operates any eating establishment, eating and lodging place, lodging place, recreational camp or camping area without first obtaining a license as required by this chapter must be punished, upon ~~conviction~~ adjudication of unlicensed operation, by a fine of not less than \$25 nor more than \$200, and upon a 2nd or subsequent ~~conviction~~, adjudication of unlicensed operation must be punished by a fine of not less than \$200 nor more than \$500. Each day any such person, corporation, firm or copartnership operates without obtaining a license constitutes a separate offense.

See title page for effective date.

CHAPTER 482

S.P. 667 - L.D. 1750

An Act To Amend Certain Transportation Laws

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

Sec. 1. 23 MRSA §708, sub-§3, as enacted by PL 1991, c. 481, §2, is amended to read:

3. Exceptions. Exceptions from the provisions of this section are permitted only when:

A. Federal laws, rules and regulations take precedence over these provisions; ~~or~~

B. The commissioner determines that there is a compelling safety interest that can not be addressed by any other method; ~~or~~

C. The commissioner determines that a lighting installation is related to a department bridge project of state and regional significance and is supported by municipalities directly affected by the installation.

Sec. 2. 23 MRSA §1912-B, first ¶, as amended by PL 1995, c. 663, §1, is further amended to read:

Pursuant to rules adopted under this section, the commissioner may authorize the placement of logo signs within the right-of-way of the interstate system. A logo sign may not be larger than existing service information signs permitted on the interstate highway. Logo signs may be installed only on portions of the interstate highway that are rural in character or on certain connector highways where it is necessary to establish continuity for logo signs erected on the Maine Turnpike. A logo sign may include only logos for gas, food, lodging ~~and~~ camping and attractions. Applications from at least 3 qualified businesses must be approved before installation of a logo sign panel at an exit. Logos for 2 or more types of service may be displayed on the same sign panel. More than one logo sign panel may be installed at an exit only when 3 or more qualified businesses are available for each of 2 or more types of service. The number of logo sign panels at an exit may not exceed one for each type of service or a total of ~~4~~ 5 for all types of services. Rules adopted under this section must regulate the size, shape, manner and location of logo signs and must describe the procedure for applying to the department for permission to erect a logo sign and the criteria used by the department to select among applicants. The commissioner shall establish ~~an initial fee fees~~ fees for the production and placement of a logo sign and ~~an annual fee fees~~ fees to cover the maintenance costs. ~~Fees charged must approximate direct costs.~~

Sec. 3. 23 MRSA §1914, sub-§11-A, ¶B, as amended by PL 2005, c. 195, §1, is further amended to read:

B. The display on each side of a changeable sign:

- (1) May be changed no more than once every 20 minutes, unless the municipality in which the sign is located adopts an ordinance to the contrary and notifies the Department of Transportation in writing of that ordinance. If a municipal ordinance is adopted, the municipality is responsible for the administration of that ordinance;