

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

fee authorized under subsections 1 and 2 on the basis that the consumer has entered into a debt management services agreement for joint obligations of a consumer and a consumer's spouse or other member of the consumer's household.

**4. Application.** This section does not apply to a debt management service provider located in this State that does not provide debt management services to a consumer who is a resident of this State.

**Sec. 9. 32 MRSA §6174-B** is enacted to read:

**§6174-B. Counselor certification; consumer education program**

**1. Certified counselor.** A debt management service provider shall provide evidence to the administrator within 12 months after initial employment of a counselor that the counselor is a certified counselor.

**2. Consumer education.** A debt management service provider shall offer a consumer education program approved by the administrator. A debt management service provider may charge a reasonable fee for the program not to exceed \$50.

**3. Application.** This section does not apply to a debt management service provider located in this State that does not provide debt management services to a consumer who is a resident of this State.

**Sec. 10. 32 MRSA §6176, sub-§2, ¶B,** as enacted by PL 1999, c. 560, §3, is amended to read:

B. A full description of the services to be performed for the consumer, any fees to be charged to the consumer for such services and any contributions, fees or charges the consumer has agreed to make or pay to the debt management service provider in accordance with the limitation on fees provided in section 6174-A;

**Sec. 11. 32 MRSA §6176, sub-§2, ¶F,** as enacted by PL 1999, c. 560, §3, is amended to read:

F. A complete list of the consumer's obligations that are subject to the agreement and the names and addresses of the creditors holding those obligations and a disclosure of whether or not the consumer's obligations are individual obligations of the consumer alone or joint obligations of the consumer and a spouse or other member of the consumer's household;

**Sec. 12. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 32, chapter 80-A, in the chapter headnote, the words "nonprofit debt management services" are amended to read "debt management services" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. 13. Appropriations and allocations.** The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Office of Consumer Credit Regulation 0091**

Initiative: Allocates funds for additional administrative costs resulting from permitting for-profit companies to obtain licenses as debt management service providers. These additional costs will be offset by additional application fees.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$9,500	\$9,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,500	\$9,500

See title page for effective date.

**CHAPTER 37**

**S.P. 216 - L.D. 679**

**An Act To Clarify Portions of the Laws Governing InforME**

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

**Sec. 1. 1 MRSA §534, sub-§2,** as enacted by PL 1997, c. 713, §1, is amended to read:

**2. Board chair.** The Governor shall ~~annually~~ appoint one member of the board as chair.

**Sec. 2. 1 MRSA §534, sub-§3,** as enacted by PL 1997, c. 713, §1, is amended to read:

**3. Staff.** The Department of Administrative and Financial Services, ~~Bureau of Information Services~~ Office of Information Technology shall provide staff to the board.

**Sec. 3. 1 MRSA §534, sub-§5, ¶B,** as enacted by PL 1997, c. 713, §1, is amended to read:

B. Approve the criteria and specifications for a network manager and its duties developed by the ~~Director of the Bureau of Information Services~~ Chief Information Officer within the Department of Administrative and Financial Services;

**Sec. 4. 1 MRSA §535, sub-§1,** as amended by PL 2005, c. 12, Pt. SS, §1, is further amended to read:

**1. Criteria and specifications; contract terms.** The ~~Director of the Bureau of Information Services~~ Chief Information Officer within the Department of Administrative and Financial Services or the Chief Information Officer's designee, in consultation with

the board, shall develop criteria and specifications for a network manager and its duties. The ~~director~~ Chief Information Officer shall develop and release a request for ~~proposal proposals~~ to solicit bids from private entities to serve as the network manager. The ~~director~~ Chief Information Officer shall develop the terms and conditions of the contract, which must include at least the following:

A. Perpetual licensing to the board of software and other intellectual property developed by the network manager for use by InforME; and

B. Procedures ensuring that executive branch and semiautonomous state agencies and the network manager comply with the standards and policies adopted by the Chief Information Officer of the Office of Information Technology within the Department of Administrative and Financial Services.

**Sec. 5. 1 MRSA §535, sub-§3, ¶C**, as enacted by PL 2003, c. 681, §1, is repealed.

**Sec. 6. 1 MRSA §536, sub-§3**, as enacted by PL 1997, c. 713, §1, is amended to read:

**3. Service level agreements.** Services provided by the network manager and information to be provided by a data custodian are governed by service level agreements between the network manager and the data custodian. A service level agreement may include a provision for the network manager to receive a portion of the agency fee for information or services in return for electronically providing that information or service. The fee for electronically accessing the information or service may not exceed the agency fee for distributing the information or providing the service in its usual form.

**Sec. 7. 1 MRSA §537, sub-§1**, as enacted by PL 1997, c. 713, §1, is repealed and the following enacted in its place:

**1. Funding.** InforME is self-supporting and may not receive an appropriation or allocation from the General Fund or other state funds.

Revenue is generated through fees or surcharges on services paid by subscribers or other users, from contracts with other state departments and agencies and from money, goods or in-kind services donated or awarded to carry out the purposes of this Act.

**Sec. 8. PL 2003, c. 681, §6** is amended to read:

**Sec. 6. Additional InforME services.** ~~The InforME network manager~~ Chief Information Officer, as described in the Maine Revised Statutes, ~~Title 1, section 535~~ Title 5, section 1971, in conjunction with the InforME board, as described in Title 1, section 534, ~~the Department of Administrative and Financial Services, the Department of Economic and Commu-~~

~~nity Development, the Department of Labor, the Department of Human Services and Maine Revenue Services,~~ shall enable as part of the InforME system, ~~no later than January 1, 2006,~~ on-line application and submission of forms by persons seeking licensure as businesses through the "Business Licensing Assistant" program. The Chief Information Officer may require participation from any executive branch agency needed to meet the requirements of this section. Additionally, the Department of Economic and Community Development, with technical assistance from the InforME network manager, shall provide live on-line assistance during normal business hours for questions concerning the establishment of a business in this State.

~~The services required by this section may be classified "premium services," as defined in Title 1, section 532. The subscription fee for premium services~~ Subscription or transaction fees may be adjusted to accommodate the services required by this section. Any additional costs to agencies or departments as a result of this section must be absorbed by those agencies and departments within existing budgeted resources.

See title page for effective date.

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## CHAPTER 38

### H.P. 182 - L.D. 211

#### An Act To Allow a Truck Driver To Haul a Trailer on a Highway If That Driver Has a Point-to-point Permit

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

**Sec. 1. 29-A MRSA §501, sub-§10**, as amended by PL 1999, c. 790, Pt. C, §7 and affected by §19, is further amended to read:

**10. Off-highway vehicles.** The Secretary of State may issue, on application and the payment of a fee of \$27, a special registration permit authorizing the limited operation on a way of trucks, truck tractors ~~and~~ Class B special mobile equipment, trailers and semitrailers that are otherwise used exclusively for off-highway purposes. The following provisions apply to registration permits issued pursuant to this subsection.

A. A registration permit may not be granted unless the applicant presents a written certificate from the tax collector of the municipality from which the vehicle is being moved identifying the vehicle and stating that all personal property taxes applicable to the vehicle, including those for the