

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.

Penmor Lithographers
Lewiston, Maine
2007

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Sec. 5. 1 MRSA §535, sub-§3, ¶C, as enacted by PL 2003, c. 681, §1, is repealed.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Sec. 7. 1 MRSA §537, sub-§1, as enacted by PL 1997, c. 713, §1, is repealed and the following enacted in its place: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.

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

current year, have been paid or that the vehicle is exempt from those taxes.

B. Highway use is limited to travel to and from garages for the purpose of obtaining repairs or maintenance or travel from one job site to another job site.

C. The registration permit may not authorize transporting property or passengers, except that a truck or truck tractor may draw an empty trailer or semitrailer.

D. A registration permit is valid until March 1st of the next calendar year.

E. A vehicle issued a registration permit pursuant to this subsection is exempt from inspection requirements.

F. The registration permit must be in the vehicle when the vehicle is operated on the highway.

G. Trailers and semitrailers must be moved during daytime hours.

See title page for effective date.

CHAPTER 39

S.P. 640 - L.D. 1796

An Act To Authorize Bond Issues for Ratification by the Voters for the June and November 2007 Elections and the June 2008 Election and To Transfer Certain Funds

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

Whereas, this legislation requires the transfer of funds to be used for expenses associated with the special election in June; 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:

PART A

Sec. A-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$112,975,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. A-2. Records of bonds issued kept by Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. A-3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

Sec. A-4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Department of Transportation.

Sec. A-6. Allocations from Highway Fund and General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

DEPARTMENT OF TRANSPORTATION

Highway Fund

Highway and Bridge Improvements \$100,000,000

General Fund

Ferry and Port Improvements \$1,775,000