

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

Highway and Bridge Improvements	\$10,000,000
Ferry and Port Improvements	\$500,000
Airports	\$200,000
Transit and Bus Improvements	\$1,000,000
Pedestrian and Bicycle Trails	\$950,000
Passenger and Freight Rail Improvements	\$9,675,000
Provides funds for reconstruction of a bulkhead and wharf at the former United States Coast Guard facility in Portland.	\$700,000

Sec. G-7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Part.

Sec. G-8. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. G-9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Part, are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. G-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in the month of June 2008. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a \$29,725,000 bond issue for natural resource, agricultural and transportation infrastructure that will leverage \$29,780,000 in other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their

choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.

PART H

Sec. H-1. Transfer of funds. Notwithstanding any other provision of law, the State Budget Officer may transfer by financial order in fiscal year 2006-07 any unexpended balance of Personal Services to All Other in the Department of the Secretary of State, Bureau of Administrative Services and Corporations for expenses associated with the special statewide election to be held in June 2007 pursuant to this Act.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 10, 2007, unless otherwise indicated.

CHAPTER 40

S.P. 46 - L.D. 138

An Act To Require Prior Notice before Cancellation of a Life Insurance Policy for Nonpayment of Premiums

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

Sec. 1. 24-A MRSA §2556 is enacted to read:

§2556. Notification prior to lapse or termination

1. Notice to 3rd party. An individual life insurance policy that has been in force for at least one year may not be terminated for nonpayment of premium unless, at least 21 days prior to the expiration of the grace period, the insurer has mailed a notice of cancellation to the policyholder and any 3rd party designated by the policyholder by name and address in writing. The bureau shall adopt rules to implement the notice requirements under this subsection.

2. Restrictions on lapse or termination; organic brain disease. Notwithstanding any other pro-

vision of this chapter, the bureau shall adopt rules to provide restrictions on cancellation, termination or lapse of individual life insurance policies to reduce the danger that a life insurance policyholder will lose life insurance coverage due to organic brain disease.

3. Rulemaking. The rules adopted pursuant to this section apply to all life insurance policies and riders delivered or issued for delivery, continued or renewed in this State. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 41

S.P. 153 - L.D. 466

An Act To Provide County Commissioners with an Enforcement Mechanism with Regard to Parking Ordinances

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

Sec. 1. 30-A MRSA §121, sub-§4, as amended by PL 1991, c. 733, §10, is further amended to read:

4. Parking areas. The county commissioners may lay out parking areas on county lands near county buildings and may enact ordinances for the reasonable use of those areas and enforce them by suitable penalties. Any violation of these ordinances is a civil violation.

The county commissioners may authorize a sheriff's deputy, certified by the Maine Criminal Justice Academy under Title 25, section 2803-A, subsection 8, to represent the county in District Court in the prosecution of alleged violations of unpaid penalties pursuant to an ordinance enacted under this subsection. The county commissioners may delegate to the county's sheriff their power under this subsection to authorize sheriff's deputies to represent the county.

County public parking areas are subject to any applicable requirements of the Maine Human Rights Act, Title 5, chapter 337, subchapter 5.

See title page for effective date.

CHAPTER 42
H.P. 476 - L.D. 627

An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine

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

Whereas, emergency medical dispatch has become a standard of care for persons calling E-9-1-1 for medical assistance; and

Whereas, there is presently no provision for the licensing of dispatch centers to provide emergency medical dispatch unless the centers are otherwise identified as public safety answering points; and

Whereas, it is vital that the lack of such a provision be addressed in order to ensure that all E-9-1-1 callers in the State are afforded the benefit of emergency medical dispatch; 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. 32 MRSA §85-A, as enacted by PL 2005, c. 303, §3, is amended to read:

§85-A. Emergency medical dispatch personnel

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bureau" means the Emergency Services Communication Bureau within the Public Utilities Commission.

A-1. "Emergency medical dispatch center" means any entity that holds itself out to be a provider of emergency medical dispatch services.

B. "Emergency Medical Dispatch Priority Reference System" means a system approved by the bureau and the board that includes:

- (1) A protocol for emergency medical dispatcher response to calls;
- (2) A continuous quality improvement program that measures compliance with the protocol through ongoing random case review of each emergency medical dispatcher; and