

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

4. Accounts within fund. The authority may divide the fund into separate accounts as it determines necessary or convenient for carrying out this section, including, but not limited to, accounts reserved for direct loan funds, accounts reserved for grants and accounts segmented to support production, distribution and supply of clean fuels and sustainable biofuels.

5. Revolving fund. The fund is a nonlapsing, revolving fund. The fund must be continuously applied by the authority to carry out this section and section 1026-A, subsection 1, paragraph A, subparagraph (1), division (c).

6. Online voluntary contribution. The Secretary of State, in consultation with the authority, may develop and administer a cost-effective method for a person to make a voluntary contribution to the fund through an online process. If such a method is developed, reasonable development and administration costs for the online contribution process must be deducted from contributions to the fund.

Sec. 3. 10 MRSA §1026-A, sub-§1, ¶A, as amended by PL 2003, c. 537, §30 and affected by §53, is further amended to read:

A. Loan insurance may not exceed:

(1) One hundred percent of the principal amount of the loan made to any borrower including related entities for any of the following types of loans or projects:

(a) Loans to veterans and wartime veterans, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;

(b) Underground and aboveground oil storage facility projects and projects to install equipment related to the improvement of air quality pursuant to requirements for gasoline service station vapor control and petroleum liquids transfer vapor recovery, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;

(c) Clean fuel vehicle projects and sustainable biofuel vehicle projects, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;

(d) Waste oil disposal site clean-up projects, except that the authority may

not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$1,000,000; or

(e) The Plymouth waste oil remedial study, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$1,000,000; and

(2) Ninety percent of the principal amount of the loan made to any borrower, including related entities for any other manufacturing enterprise, industrial enterprise, recreational enterprise, fishing enterprise, agricultural enterprise, natural resource enterprise or any other eligible business enterprise;

See title page for effective date.

CHAPTER 125

S.P. 369 - L.D. 986

An Act To Protect the Public Health and the Environment by Prohibiting the Sale of Wheel Weights Containing Lead or Mercury

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

Sec. 1. 38 MRSA §1606-A is enacted to read:

§1606-A. Wheel weights

1. Tire service. Beginning January 1, 2011, when replacing or balancing a tire on a motor vehicle required to be registered under Title 29-A, chapter 5, a person may not use a wheel weight or other product for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

2. Sales ban. Except as provided in subsection 3, beginning January 1, 2011, a person may not sell or offer to sell or distribute weights or other products for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

3. New motor vehicles. Beginning January 1, 2012, a person may not sell a new motor vehicle that is equipped with a weight or other product for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intention-

ally added during the manufacture of the product. For purposes of this subsection, "new motor vehicle" means a motor vehicle that is required to be registered under Title 29-A, chapter 5 that has not been previously sold to any person except a distributor, wholesaler or motor vehicle dealer for resale.

See title page for effective date.

CHAPTER 126

S.P. 195 - L.D. 500

An Act To Include as Authorized Project Costs the Construction or Improvement of Buildings Used by Municipalities for Purposes of Designating Municipal Development Districts

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

Sec. 1. 30-A MRSA §5225, sub-§1, ¶D, as enacted by PL 2001, c. 669, §1, is amended to read:

D. Costs of constructing or improving facilities or buildings ~~used~~ leased by State Government ~~or a municipal government~~ that are located in approved downtown tax increment financing districts.

See title page for effective date.

CHAPTER 127

S.P. 385 - L.D. 1021

An Act To Prohibit Cruel Confinement of Calves Raised for Veal and Sows during Gestation

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

Sec. 1. 7 MRSA §4020 is enacted to read:

§4020. Cruel confinement of calves raised for veal and sows during gestation

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

A. "Calf raised for veal" means a calf of the bovine species kept for the purpose of producing the food product referred to as veal.

B. "Covered animal" means a sow during gestation or calf raised for veal that is kept on a farm.

C. "Enclosure" means a cage, crate or other structure used to confine a covered animal, including, but not limited to, what is commonly described as a "gestation crate" for sows or a "veal crate" for calves.

D. "Farm" has the same meaning as in section 152.

E. "Fully extending the animal's limbs" means fully extending all limbs without touching the side of an enclosure.

F. "Sow during gestation" means a pregnant pig of the porcine species kept for the primary purpose of breeding.

G. "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure.

2. Prohibition. A person may not tether or confine a covered animal for all or the majority of a day in a manner that prevents the animal from:

A. Lying down, standing up and fully extending the animal's limbs; and

B. Turning around freely.

3. Exceptions. Subsection 2 does not apply:

A. To an animal while it is the subject of scientific or agricultural research;

B. During examination, testing, individual treatment of or operation on an animal for veterinary purposes;

C. To an animal being transported;

D. To an animal at a rodeo exhibition or state or county fair exhibition;

E. To an animal at a 4-H event or similar exhibition;

F. To the slaughter of an animal in accordance with Title 22, chapter 562-A, subchapter 4 and rules pertaining to the slaughter of animals; and

G. To a sow during the 7-day period prior to the sow's expected date of giving birth and until the sow's litter is weaned.

4. Relation to other laws. The provisions of this section are in addition to, and not in lieu of, any other laws protecting animal welfare. This section may not be construed to limit any state law or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

The affirmative defense provisions in section 4016, subsection 3 do not apply to this section. It is not an affirmative defense to alleged violations of this section that the calf or sow was kept as part of an agricultural