

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

report, each shipper shall pay to the State Tax Assessor a tax at the rate of ~~\$.05~~ \$.06 per hundredweight upon all potatoes reported as purchased, sold or shipped, subject to subsection 1.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved except that those sections of this Act that amend the Maine Revised Statutes, Title 36, section 4605, subsections 1 and 6 take effect September 1, 2011.

Effective March 25, 2011, unless otherwise indicated.

CHAPTER 8

H.P. 188 - L.D. 235

An Act To Include Antique Motorcycles on the List of Vehicles That Are Exempt from Inspection

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

Whereas, antique motorcycles are driven in parades; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to be in effect for the parade season; 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. 29-A MRSA §1752, sub-§10, as amended by PL 2003, c. 397, §7, is further amended to read:

10. Experimental motor vehicle. A vehicle registered as an experimental motor vehicle pursuant to section 470. An experimental motor vehicle must meet minimum equipment standards pursuant to section 470, subsection 2; ~~and~~

Sec. 2. 29-A MRSA §1752, sub-§11, as enacted by PL 2003, c. 397, §8, is amended to read:

11. Low-speed vehicle. A low-speed vehicle registered pursuant to section 501, subsection 11. A low-speed vehicle must be equipped in accordance with section 1925-; and

Sec. 3. 29-A MRSA §1752, sub-§12 is enacted to read:

12. Antique motorcycle. An antique motorcycle registered under section 457.

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

Effective March 25, 2011.

CHAPTER 9

H.P. 295 - L.D. 369

An Act To Authorize the Sale of Surplus Property to Nonprofit Animal Shelters

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

Sec. 1. 5 MRSA §1828, sub-§1, ¶B, as enacted by PL 2005, c. 386, Pt. H, §10, is amended to read:

B. "Qualifying nonprofit organization" means:

(1) A public or private nonprofit entity that owns or operates a project or facility for the homeless;

(2) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501(c) and that provides services to persons with physical or mental handicaps as defined in section 4553, subsection 7-A; ~~or~~

(3) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501(c) and that contracts with the Department of Health and Human Services to provide vehicles to low-income families to assist them in participating in work, education or training-; or

(4) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501(c) and that houses animals and operates for the purpose of providing stray, abandoned, abused or owner-surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes.

Sec. 2. 5 MRSA §1828, sub-§2, as enacted by PL 2005, c. 386, Pt. H, §10, is amended to read:

2. Surplus property. Pursuant to this chapter and rules adopted under section 1813, the Department of Administrative and Financial Services through the

Bureau of General Services shall allow private sales of surplus property to:

- A. Nonprofit organizations that contract with the Department of Health and Human Services to provide affordable vehicles to low-income families to assist them in participating in work, education or training;
- B. Homeless shelter sponsors; ~~and~~
- C. Educational institutions; and
- D. Nonprofit organizations that house animals and operate for the purpose of providing stray, abandoned, abused or owner-surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes.

See title page for effective date.

CHAPTER 10
S.P. 34 - L.D. 61

An Act Implementing a Fisheries Permit Banking Program

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

Sec. 1. 12 MRSA §6022, sub-§17 is enacted to read:

17. Permit banking program. The commissioner may administer a permit banking program in which the department holds federal limited access fishing permits and distributes the rights associated with those permits to eligible residents of the State with the goal of restoring and preserving access to federally managed fisheries. The commissioner may lease fisheries allocations, as required, to fund the costs associated with the permit banking program.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF Bureau of Resource Management 0027

Initiative: Allocates funds for one Resource Management Coordinator position and related All Other to administer a permit banking program for the ground-fish industry.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$13,053	\$78,319
All Other	\$2,772	\$10,926

OTHER SPECIAL	\$15,825	\$89,245
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 11
S.P. 167 - L.D. 575

An Act To Extend a Deadline under the Regional Economic Development Revolving Loan Program

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

Whereas, the Regional Economic Development Revolving Loan Program was established in 1993 to provide financial assistance to Maine businesses in order to create and retain jobs and is essential to the future economic growth and prosperity of Maine; and

Whereas, the date until which entities eligible for loan insurance may be eligible for financial assistance under the Finance Authority of Maine's Regional Economic Development Revolving Loan Program has passed; and

Whereas, it is imperative to extend that date to continue to meet the financial needs of Maine businesses; 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. 10 MRSA §1026-M, sub-§7, ¶A, as amended by PL 2009, c. 131, §6, is further amended to read:

A. The business for which funds are requested has 50 or fewer employees or annual sales of \$5,000,000 or less, and it consists of or involves at least one of the following:

- (1) Manufacturing technologies, such as value-added wood products, specialty fabricated metal and electronic products, precision manufacturing and use of composites or advanced materials;