

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

7. **Special vanity registration plates.** A new car dealer ~~or an owner of a body shop, transmission shop or garage~~ holding special ~~initial~~ vanity registration plates issued pursuant to section ~~457~~ 459 may apply for special vanity loaner plates bearing the same combination of letters and numbers as appears on the ~~initial~~ special vanity registration plates. Special vanity loaner plates may not be used to supplement existing loaner registration numbers assigned. The Secretary of State shall charge an additional \$30 fee per special vanity loaner registration plate.

See title page for effective date.

CHAPTER 45

S.P. 128 - L.D. 424

**An Act To Revise the Laws
Governing the Licensure of
Public Water System
Operators**

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

Sec. 1. 22 MRSA §2622, first ¶, as amended by PL 2003, c. 33, §4, is further amended to read:

The board, with the advice of the department, shall classify all community public water systems, all nontransient, noncommunity public water systems, all public water systems utilizing surface water and the water treatment plants or collection, treatment, distribution or storage facilities or structures that are part of a system with due regard to the size and type of facilities, the character of water to be treated and any other physical conditions affecting such system or part thereof and specify the qualifications the operator of the system or of a part of a system must have to supervise successfully the operation of the system or parts thereof so as to protect the public health or prevent nuisance conditions.

Sec. 2. 22 MRSA §2624-A, sub-§6, as enacted by PL 1995, c. 442, §2, is amended to read:

6. Powers and duties. The powers and duties of the board are as follows.

A. The board shall license persons to serve as operators of all or part of any public water system in the State.

B. The board shall design or approve and hold at least one examination each year at a time and place designated for the purpose of examining candidates for licensure. The board may accept results of examinations approved by the board administered by a 3rd party, whose fees are not governed by section 2629.

C. The board may enter into contracts or agreements to carry out its responsibilities under this section.

Sec. 3. 22 MRSA §2625-A, first ¶, as amended by PL 2003, c. 33, §7, is further amended to read:

All licenses expire on December 31st of each biennial period and may be renewed thereafter for 2-year periods without further examination, upon the payment of the proper renewal fee as set forth in the rules. A person who fails to renew that person's license within 2 years following the expiration ~~date shall take an examination of the license must take an examination as a condition of licensure.~~

Sec. 4. 22 MRSA §2628, as amended by PL 2003, c. 33, §9, is further amended to read:

§2628. Rules

The Board of Licensure of Water System Operators, in accordance with any other appropriate state laws, shall make such rules as are reasonably necessary to carry out the intent of this subchapter. The rules must include, but are not limited to, provisions establishing requirements for licensure and procedures for examination of candidates and such other provisions as are necessary for the administration of this subchapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 22 MRSA §2629, as amended by PL 2003, c. 33, §10, is further amended to read:

§2629. Fees

~~The examination fees, licensure fees, biennial renewal fees and reinstatement fees must be established by the Board of Licensure of Water System Operators by rule. The examination and licensure fees may not exceed \$70, and the biennial renewal fee and the reinstatement fee may not exceed \$60. The Board of Licensure of Water System Operators shall establish by rule fees authorized pursuant to this subchapter. These fees may include examination, licensure, biennial renewal and reinstatement fees in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$95. Revenues derived from applicants failing the examination must be retained.~~

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF (FORMERLY DHS)**

Water System Operators - Board of Licensure 0104

Initiative: Deallocates funds as a result of savings from reduced costs for testing.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	(\$10,600)
	\$0	(\$10,600)
OTHER SPECIAL REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 46
S.P. 90 - L.D. 301

An Act Relating to Abandoned Vehicles

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

Sec. 1. 29-A MRSA §1852, as amended by PL 2007, c. 150, §2, is further amended to read:

§1852. Abandonment defined

For the purposes of this subchapter, a vehicle is considered "abandoned" if the owner or lienholder does not retrieve it and pay all reasonable charges for towing, storing and authorized repair of the vehicle within 7 14 days after the notices to the owner and lienholder are sent by the Secretary of State or 7 14 days after the advertisement is published as required in section 1854, subsection 4. There is a rebuttable presumption that the last owner of record of a motor vehicle found abandoned as shown in the files of the office of the Secretary of State is the owner of the motor vehicle at the time it was abandoned and the person who abandoned it.

Sec. 2. 29-A MRSA §1854, sub-§4, ¶B, as amended by PL 2007, c. 150, §5, is further amended to read:

B. State that if the owner of the vehicle or lienholder has not properly retrieved it and paid all reasonable charges for its towing, storage and repair within 7 14 days from the publication, ownership of the vehicle passes to the owner of the premises where the vehicle is located; and

Sec. 3. 29-A MRSA §1856, sub-§1, as amended by PL 2007, c. 150, §6, is further amended to read:

1. Evidence of compliance. A person who has complied with section 1854, subsection 4 shall present evidence of compliance to the Secretary of State immediately after the 7-day 14-day notice period. The Secretary of State may not issue a letter of ownership or certificate of title until at least 21 days after the date on which the person who has possession of and control

over the vehicle notified the Secretary of State by complying with section 1854, subsections 1 and 2.

Sec. 4. 29-A MRSA §1857, as amended by PL 2007, c. 150, §7, is further amended to read:

§1857. Limits

If the notification to the Secretary of State required by section 1854 is made more than 7 14 days after receipt of a vehicle described in section 1851, the person holding the vehicle may not collect more than 7 14 days of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed \$900 for a 30-day period.

See title page for effective date.

CHAPTER 47
H.P. 205 - L.D. 252

An Act To Amend the Laws Governing Aquatic Nuisance Species

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

Sec. 1. 12 MRSA §13001, sub-§6, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

6. Aquatic plant. "Aquatic plant" means a ~~vase-~~vascular plant species that requires a permanently flooded freshwater habitat.

Sec. 2. 38 MRSA §410-N, sub-§1, ¶A, as enacted by PL 1999, c. 722, §1, is amended to read:

A. "Aquatic plant" means a ~~vaseular~~vascular plant species that requires a permanently flooded freshwater habitat.

Sec. 3. 38 MRSA §1871, sub-§2, as enacted by PL 2001, c. 434, Pt. B, §2, is amended to read:

2. Terms. Members appointed by the Governor serve 4-year terms, except that, as determined by the Governor, of the initial appointments, 4 must be for 3 years, including the public member, and 4 must be for 2 years. Members serve until their successors are appointed. A vacancy must be filled for the remainder of the unexpired term. If after 6 months of a vacancy on the task force in a position listed in subsection 1, paragraph B the Governor cannot fill that vacancy, the Governor may appoint a member who does not meet the qualifications of subsection 1, paragraph B, but who has demonstrated experience or interest in the area of threats to fish and wildlife posed by invasive aquatic plants and nuisance species.

See title page for effective date.