

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

life to study increasing the number of great ponds with access for persons with disabilities.

Resolved: That the Department of Conservation and the Department of Inland Fisheries and Wildlife shall jointly review the geographic and demographic distribution of great ponds in the State with adequate access for persons with disabilities. For the purposes of this resolve, "adequate access" means access for shore-side fishing via a ramp that meets the federal Americans with Disabilities Act of 1990 Accessibility Guidelines or a trail that meets standards developed in consultation with the Department of Labor, Bureau of Rehabilitation Services. Using this information and recommendations received by the Department of Inland Fisheries and Wildlife in response to a 2006 federal civil rights audit, the 2 departments shall develop priorities for increasing the number and providing a geographic and demographic distribution of great ponds with adequate access for persons with disabilities; and be it further

Sec. 2. Reporting date established. Resolved: That the Department of Conservation and the Department of Inland Fisheries and Wildlife shall submit a report of their findings and priorities developed under section 1 to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 3, 2008. The departments shall include in the report an assessment on the feasibility of implementing the priorities based on existing funding and resources.

See title page for effective date.

CHAPTER 23**H.P. 379 - L.D. 495**

**Resolve, To Develop an
Appropriate Commemorative
License Plate Decal for Combat
Service**

Sec. 1. Development of decal. Resolved: That the Director of the Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, in consultation with the Secretary of State, shall convene a working group composed of combat veterans to develop an appropriate manner of commemorating combat service in the form of one or more commemorative license plate decals. The working group shall examine the appropriateness of developing a single decal versus the use of decals representing the following combat badges: Army Combat Infantry Badge, Army Combat Medic Badge, Army Combat Action Badge, Combat Action Ribbon and Combat Action Medal. If the working group determines that a single decal is appropriate, it shall design the decal in consultation with the Secretary of State. The director and the Secretary of State shall report the findings and recommendations of the

working group to the Joint Standing Committee on Transportation no later than November 30, 2007. The Secretary of State shall include with the report draft legislation to make appropriate changes to law to implement the recommendations of the working group; and be it further

Sec. 2. Authorization to submit legislation.

Resolved: That the Joint Standing Committee on Transportation may submit a bill related to the subject matter of the working group's report under section 1 to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 24**H.P. 612 - L.D. 812**

**Resolve, To Direct the
Secretary of State To Examine
Driver's License Laws**

Sec. 1. Secretary of State to examine laws.

Resolved: That the Secretary of State shall establish a working group to examine the laws governing eligibility and documentation requirements for applicants for driver's licenses and nondriver identification cards. The Secretary of State shall seek to include in the working group persons with appropriate and relevant expertise or knowledge with respect to the following: immigration law, the needs and interests of migrant workers and others who may be affected by changes in eligibility requirements or documentation standards and issues related to the issuance of driver's licenses or nondriver identification cards to illegal aliens or persons who are not Maine residents. The working group shall develop recommendations with respect to limiting eligibility for driver's licenses and nondriver identification cards to Maine residents and to persons with legal presence status in the United States. The working group shall, at a minimum, examine issues related to standards of residency and proof of residency, standards for determining legal presence status, documentation requirements, methods of verification, the need for exceptions or provisions for special circumstances and the costs of implementing and enforcing such standards and limitations. The Secretary of State shall provide notice of meetings of the working group to the Joint Standing Committee on Transportation. The Secretary of State shall report the findings and recommendations of the working group to the Joint Standing Committee on Transportation no later than January 15, 2008. The Secretary of State shall include with the report draft legislation to make appropriate changes to the eligibility and documentation requirements for applicants for driver's licenses and nondriver identification cards based on the findings and recommendations of the working group; and be it further

Sec. 2. Authorization to submit legislation.
Resolved: That the Joint Standing Committee on Transportation may submit a bill related to the subject matter of the working group's report under section 1 to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 25

H.P. 876 - L.D. 1234

Resolve, Directing the Department of Environmental Protection and the Public Utilities Commission To Develop a Program That Supports the Recycling of Fluorescent Lamps

Sec. 1. Recycling and education program development. **Resolved:** That, recognizing that fluorescent lamps contain mercury, and that they are classified as universal waste and therefore require special handling as they are recycled, the Department of Environmental Protection and the Public Utilities Commission shall develop a program to support and expand the recycling of fluorescent lamps in the State, with a focus on household recycling. The program must be consistent with current state and federal rules. The program must also provide for the education of consumers about the mercury in the lamps, the need to recycle fluorescent lamps and funding options for recycling the lamps. The costs of undertaking the education effort must be addressed in the development of the program; and be it further

Sec. 2. Report. **Resolved:** That the Department of Environmental Protection and the Public Utilities Commission shall, no later than January 1, 2008, report to the Joint Standing Committee on Natural Resources the details of the recycling and education program developed under section 1 and any recommendations, including any proposed legislation, for further action to address the need to recycle fluorescent lamps, with a focus on household recycling. The committee has the authority to submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 26

H.P. 537 - L.D. 716

Resolve, Regarding Legislative Review of Chapter 324: ConnectME Tax Reimbursements, a Major Substantive Rule of Maine Revenue Services

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. **Resolved:** That final adoption of Chapter 324: ConnectME Tax Reimbursements, a provisionally adopted major substantive rule of Maine Revenue Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 16, 2007.