

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-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

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

Penmor Lithographers
Lewiston, Maine
2004

another chemical test to be administered if the officer determines appropriate. The operator shall submit to and complete all tests administered. Except as otherwise provided in this section, testing must be conducted in accordance with section 2521.

See title page for effective date.

CHAPTER 566

S.P. 214 - L.D. 605

An Act To Increase the Bond Limit of the Maine Turnpike Authority

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

Sec. 1. 23 MRSA §1968, sub-§1, as amended by PL 2003, c. 32, §1, is further amended to read:

1. Turnpike revenue bonds. In addition to bonds outstanding pursuant to any other provision of this chapter, the authority may provide by resolution from time to time for the issuance of turnpike revenue bonds, including notes or other evidences of indebtedness or obligations defined to be bonds under this chapter, but not exceeding ~~\$291,000,000~~ \$361,000,000 in the principal amount at any one time outstanding exclusive of refundings, for any purpose described in section 1969, subsection 1.

See title page for effective date.

CHAPTER 567

H.P. 1328 - L.D. 1806

An Act To Provide for the Safe Disposal of Household Hazardous Waste

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

Sec. 1. 38 MRSA §2133, sub-§2-B, as amended by PL 1999, c. 779, §3, is further amended to read:

2-B. Household hazardous waste collection. The office may, within available resources, award grants to eligible municipalities, regional associations, sanitary districts and sewer districts for household hazardous waste collection and disposal programs. In implementing this program, the office shall attempt to:

- A. Coordinate the household hazardous waste collection programs with overall recycling and waste management;
- B. Encourage regional economies of scale;
- C. Coordinate programs between private and public institutions;
- D. Maximize opportunities for federal grants and pilot programs; and
- E. By January 1, 2002 and as necessary thereafter, fund capital improvements and operating expenses to facilitate the development of collection programs throughout the State for hazardous waste that is universal waste, as identified in board rules, generated by households, small-quantity generators, public schools and municipalities.

Preference in allocating resources under this subsection must be given to municipalities that participate in a household hazardous waste collection region as defined in subsection 2-D.

At a minimum, the office shall award grants to public schools and municipalities for reasonable costs incurred as a result of managing waste mercury-added products generated by those public schools and municipalities, in compliance with the requirements in sections 1663 and 1664, that would not otherwise be incurred by complying with existing laws, rules or regulations as of July 15, 2002.

Sec. 2. 38 MRSA §2133, sub-§2-D is enacted to read:

2-D. Preference for other state grants and investments. When awarding grants or making a discretionary investment under any of the programs under paragraphs A and B, a state agency shall give preference to a municipality that is part of a household hazardous waste collection region. For purposes of this subsection, "household hazardous waste collection region" means a region made up of 2 or more municipalities that work together to establish a collection center to accept the household hazardous waste of residents of each municipality for disposal on a year-round basis. This subsection applies to:

A. Programs that assist in the acquisition of land for conservation, natural resource protection, open space or recreational facilities under Title 5, chapter 353; and

B. Programs intended to:

- (1) Accommodate or encourage additional growth and development;

(2) Improve, expand or construct public facilities; or

(3) Acquire land for conservation or management of specific economic and natural resource concerns.

This subsection does not apply to state grants or other assistance for sewage treatment facilities, public health programs or education.

The office shall work with state agencies to prepare mechanisms for establishing preferences in specific investment and grant programs as described in paragraphs A and B.

See title page for effective date.

CHAPTER 568

H.P. 1324 - L.D. 1802

An Act To Permit the Photocopying of Driver's Licenses in Financial Transactions

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

Whereas, federal laws, including the USA PATRIOT Act, now require financial institutions and other supervised financial organizations to verify a person's identity for the consummation of financial transactions; and

Whereas, federal regulators and state law enforcement officials have suggested that maintaining a copy of a driver's license is an appropriate method to demonstrate compliance with federal law; and

Whereas, current Maine law prohibits the photocopying of a driver's license without the consent of the Secretary of State; and

Whereas, there is no prohibition on the photocopying of a United States passport or student identification card for identification purposes; and

Whereas, this statutory provision permits the photocopying of a driver's license for identification purposes in certain situations without the consent of the Secretary of State; and

Whereas, this provision restricts the further disclosure of the photocopy for the protection of private personal information; 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 §2103, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is further amended to read:

4. Printing or reproduction of motor vehicle document. A person commits a Class D crime if that person prints, prepares, reproduces, sells or transfers without the written consent of the Secretary of State a paper or document in the form of a certificate of registration, driver's license or any other certificate, permit, license or form used by the Secretary of State in administering this Title. Notwithstanding this subsection, a person may photocopy ~~a certificate of registration solely for record-keeping purposes~~ without the written consent of the Secretary of State:

A. A certificate of registration solely for record-keeping purposes;

B. A driver's license solely for proof of identification for the consummation of a financial transaction;

C. A driver's license solely to verify that a commercial driver's license has been issued and only if the person making the photocopy is an employer; or

D. A driver's license solely for motor vehicle loaner and demonstration purposes pursuant to sections 1002 and 1003.

Any photocopy or other electronic copy of a driver's license or certificate of registration permitted under this subsection must be kept in a secure, nonpublic location and, unless permitted pursuant to another applicable law, may not be published, reproduced, distributed or disclosed for any other purpose.

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

Effective March 24, 2004.

CHAPTER 569

H.P. 1216 - L.D. 1639

An Act To Make Polling Places More Convenient

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