

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

(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:

Sec. 1. 30-A MRSA §2528, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6, c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Voting place specified; polls. The warrant for a town meeting for the election of officials ~~shall~~ must specify the voting place, which must be in the same building or a building nearby where the meeting is to be held. The warrant for a town meeting for the election of officials that occurs at the same time as voting in federal, state or county elections, but not at the same time as a town meeting held for other purposes, may specify the same voting places as those used by the town for federal, state or county elections. ~~It shall~~ The warrant must specify the time of opening and closing the polls, which must be kept open at least 4 consecutive hours.

A. In the warrant for a town meeting under this section, the municipal officers may designate the date of the election and designate another date within 14 days of the date set for elections as the time for considering the other articles of business in the warrant.

Sec. 2. 30-A MRSA §2528, sub-§5, ¶C is enacted to read:

C. If the warrant for a town meeting contains only articles for the election of the moderator and one or more referendum questions to be voted on by secret ballot, the municipal officers may specify the same voting places as those used by the town for federal, state or county elections.

See title page for effective date.

CHAPTER 570

H.P. 1311 - L.D. 1789

An Act To Revise the Minimum Firefighter Safety Standards

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 26 MRSA §2101, sub-§§3 and 4 are enacted to read:

3. Education. "Education" means the process of imparting knowledge or skill through systematic instruction, but not necessarily formal classroom instruction.

4. Training. "Training" means the process of making a firefighter proficient through instruction and hands-on practice in the operation of equipment, including respiratory protection equipment, that is expected to be used in the performance of the firefighter's assigned duties.

Sec. 2. 26 MRSA §2102, as corrected by RR 1997, c. 1, §25, is amended to read:

§2102. Firefighter training and education

1. Training and education requirements. Each fire department shall provide a training and education program ~~which~~ that meets the fire department's needs and includes the following:

A. Training and education in accordance with Title 30-A, section 3154, subsection 2;

B. Training and education in the use of protective equipment required by this chapter;

C. Training and education by the fire chief or ~~his~~ the fire chief's designee in accordance with National Fire Protection Association standards;

D. Training and education to prevent occupational accidents, deaths, injuries and illnesses;

E. Training and education for all firefighters commensurate with the duties that they are expected to perform prior to performing those duties;

~~F. Training to ensure that the firefighters are able to perform their assigned duties in a manner safe to themselves and others;~~

~~G. Basic training covering all areas specified by this chapter provided to firefighters before performing interior structural fire fighting;~~

H. Training and education in the safe handling and use of hazardous substances for firefighters required to handle the substances. Training and education must include the potential hazards involved and the required personal hygiene and protective measures; and

I. Training and education in the care, use, inspection, maintenance and limitations of the protective equipment assigned to ~~fire department~~ firefighters ~~or available~~ for their use.