

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

D. Boards of visitors shall meet regularly and at least 4 times a year. At each meeting, a board of visitors may request and must receive information from the chief administrative officer as the board determines will assist in the review of the management of the facility. To the extent that a board of visitors is not discussing matters made confidential by federal or state law, meetings of boards are public proceedings and must be conducted in accordance with Title 1, section 403. Boards of visitors may meet jointly.

E. Each board of visitors shall share copies of that board's annual report with the other boards.

3. Visit to correctional facilities and communications with clients and staff. A member of a board of visitors may visit the correctional facility to which that board is assigned and may speak with clients and with staff. The member shall comply with all departmental policies and procedures and facility security practices regarding access to the correctional facility, shall adhere to all federal and state law regarding confidentiality and shall refer concerns or complaints regarding specific individuals to the chief administrative officer or advocate.

4. Volunteer activities. Volunteer activities of a member of a board of visitors may be prescribed by departmental policies regarding volunteer activities generally.

Sec. 2. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 34-A, section 3002, the terms of members of boards of visitors appointed pursuant to Title 34-A, section 3002 during the first year following the effective date of this Act must be staggered and be for 1, 2 or 3 years.

Sec. 3. Application. Notwithstanding the Maine Revised Statutes, Title 34-A, section 3002, subsection 1, paragraph C, a current member of a board of visitors who is an employee of the Department of Corrections may continue to serve on a board until March 15, 2006 or until a new member is appointed, whichever is sooner.

See title page for effective date.

CHAPTER 217

S.P. 203 - L.D. 648

**An Act To Exempt Maine
Agricultural Fairs from the
Requirements of the Site Location of
Development Laws**

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

Sec. 1. 38 MRSA §488, sub-§23 is enacted to read:

23. Agricultural fair property. Development on property that is used for one or more agricultural fairs licensed by the Commissioner of Agriculture, Food and Rural Resources under Title 7, chapter 3 is exempt from review under this article if:

A. The property is not used for motorized vehicle racing for more than 14 days beyond those days authorized for the operation of the agricultural fair;

B. Motorized vehicle racing on the property is licensed by the Department of Public Safety;

C. Use of the property beyond those days authorized for the operation of the agricultural fair meets a noise standard pursuant to section 484, subsection 3. The department shall enforce the noise standard under this paragraph; and

D. The property has been identified as the location of an agricultural fair in an agricultural fair license issued by the Department of Agriculture, Food and Rural Resources prior to September 15, 2006.

Sec. 2. Environmental evaluation checklist. The Department of Agriculture, Food and Rural Resources, in consultation with the Department of Environmental Protection, shall develop a checklist of environmental issues that may have an impact on agricultural fair property and distribute the checklist to each person, agricultural society, association or corporation that submits an application to hold, conduct or operate an agricultural fair licensed under the Maine Revised Statutes, Title 7, chapter 3. The person, agricultural society, association or corporation shall, with the assistance of a soil and water conservation district, complete the checklist and submit it to the Department of Agriculture, Food and Rural Resources. The Department of Agriculture, Food and Rural Resources may not issue a license for an agricultural fair prior to receipt of the environmental checklist.

See title page for effective date.

CHAPTER 218

H.P. 1087 - L.D. 1546

**An Act Concerning Technical
Changes to the Tax Laws**

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