

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

**CHAPTER 277**

**H.P. 202 - L.D. 277**

**An Act Regarding the Management and Use of Sears Island**

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

**Sec. 1. 23 MRSA §4206, sub-§1, ¶M**, as amended by PL 1995, c. 504, Pt. C, §8, is further amended to read:

M. Acting upon the advice of the State Tax Assessor, to negotiate a compact with other states, the District of Columbia and Canadian provinces for the administration of user license fees on condition that the compact provides for:

- (1) The collection of the annual user license fee for any other state or province by the state or province in which the motor truck is registered;
- (2) The disbursement of revenues due to other states or provinces subject to the compact;
- (3) The free exchange of information between and among the states or provinces subject to the compact; and
- (4) The establishment of identification tags or decals.

The compact must provide for reciprocal enforcement of the laws establishing the annual user license fees and for the auditing of all books, records and logs of the operator of a motor truck by the state or province in which the motor truck is registered, which pertains to travel in it and any other state or province subject to the compact; ~~and~~

**Sec. 2. 23 MRSA §4206, sub-§1, ¶N**, as enacted by PL 1995, c. 504, Pt. C, §8, is amended to read:

N. To make contracts and enter into agreements with and make assurances and certifications to the Maine Turnpike Authority, and other 3rd parties, necessary in connection with determination of Department of Transportation projects and the issuance of bonds or obligations pursuant to section 1968, subsection 2-A; and

**Sec. 3. 23 MRSA §4206, sub-§1, ¶O** is enacted to read:

O. To bring before the joint standing committee of the Legislature having jurisdiction over trans-

portation matters for review and approval any proposal that would alter the current land use, ownership or jurisdiction of lands owned by the State within the Port of Searsport presently under the jurisdiction of the department.

See title page for effective date.

**CHAPTER 278**

**H.P. 466 - L.D. 633**

**An Act To Improve the Surety Bond Requirement for Small Payroll Companies**

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

**Whereas**, this legislation needs to take effect before the expiration of the 90-day period to help prevent small payroll companies from going out of business; 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. 10 MRSA §1495-D, sub-§3**, as enacted by PL 2003, c. 668, §6 and affected by §12, is amended to read:

**3. Proof of surety bond or other security.** Except as provided in section 1495-E, subsection 4, an applicant under subsection 1 shall provide to the administrator proof of the surety bond or other security instrument required pursuant to section 1495-E.

**Sec. 2. 10 MRSA §1495-D, sub-§3-A** is enacted to read:

**3-A. Conditional, probationary or provisional licenses.** The administrator, within the administrator's discretion, may issue a conditional, probationary or provisional license to an applicant. A conditional, probationary or provisional license may run for any time period the administrator considers appropriate and must be consistent with ensuring the maximum practicable protection for employers.