

# 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**

firearm or crossbow. That person may not be issued a permit to carry a concealed firearm pursuant to Title 25, chapter 252.

**Sec. 10. 15 MRSA §393, sub-§3**, as enacted by PL 1977, c. 225, §2, is amended to read:

**3. Contents.** ~~The~~ An application ~~shall~~ under subsection 2 must be on a form prepared by the Commissioner of Public Safety. The application ~~shall~~ must include the following: ~~The~~ the applicant's full name; all aliases; date and place of birth; place of legal residence; occupation; make, model and serial number of the firearm or crossbow sought to be possessed; date, place and nature of conviction; sentence imposed; place of incarceration; name and address of probation or parole officer; date of discharge or release from prison or jail or termination of probation; the reason for the request; and any other information ~~deemed~~ determined by the commissioner to be of assistance. The application ~~shall~~ must be accompanied by certified or attested copies of the indictment, information or complaint, judgment and commitment and discharge ~~which~~ that are the subject of the conviction.

**Sec. 11. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Division of Public Information and Education 0729**

Initiative: Appropriates funds for the costs of offering a crossbow hunting education program.

<b>GENERAL FUND</b>	<b>2005-06</b>	<b>2006-07</b>
All Other	\$5,000	\$1,000
<b>GENERAL FUND TOTAL</b>	<b>\$5,000</b>	<b>\$1,000</b>

**Savings Fund Program 0822**

Initiative: Appropriates funds to be used only to avoid future fee increases.

<b>GENERAL FUND</b>	<b>2005-06</b>	<b>2006-07</b>
All Other	\$6,850	\$13,700
<b>GENERAL FUND TOTAL</b>	<b>\$6,850</b>	<b>\$13,700</b>

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**DEPARTMENT TOTALS**

<b>GENERAL FUND</b>	<b>2005-06</b>	<b>2006-07</b>
	<b>\$11,850</b>	<b>\$14,700</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$11,850</b>	<b>\$14,700</b>

**Sec. 12. Effective date.** This Act takes effect January 1, 2006.

Effective January 1, 2006.

**CHAPTER 420**

**H.P. 791 - L.D. 1148**

**An Act To Recognize the Recipients of the Korea Defense Service Medal**

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

**Sec. 1. 29-A MRSA §523, sub-§5, ¶¶P and Q**, as enacted by PL 2001, c. 453, §2 and affected by §4, are amended to read:

P. Armed Forces Expeditionary Medal; ~~and~~

Q. Kosovo Service Medal; ~~and~~

**Sec. 2. 29-A MRSA §523, sub-§5, ¶R** is enacted to read:

R. Korea Defense Service Medal.

See title page for effective date.

**CHAPTER 421**

**H.P. 257 - L.D. 334**

**An Act Allowing Certain Commercial Vehicles at Canadian Weight Limits To Travel from the Canadian Border at Calais to Baileyville**

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

**Sec. 1. 29-A MRSA §2354-B** is enacted to read:

**§2354-B. Pilot project to allow commercial vehicles at Canadian weight limits to travel from the Canadian border at Calais to Baileyville**

**1. Pilot project.** Notwithstanding section 2354, the Commissioner of Transportation, in consultation with the Department of Public Safety and the Department of the Secretary of State, is authorized to conduct a pilot project that allows certain commercial vehicles at Canadian gross vehicle weight limits to travel from the Canadian border at Calais to Baileyville. This pilot project must include the following conditions and components.

A. The only allowable route of travel under the pilot project is travel from the United States-Canada border in Calais, across North Street to U.S. Route 1, north on U.S. Route 1 to Access Road in Baileyville, east on Access Road to

Domtar Woodland Mill on Main Street and north on Main Street to the Louisiana-Pacific Oriented Strand Board mill in Baileyville.

B. Allowable truck configuration under this pilot project must be limited to:

(1) A 3-axle truck tractor with a 3-axle semitrailer at a gross vehicle weight of 108,900 pounds; and

(2) A 3-axle truck tractor with a semitrailer-semitrailer combination, configured as a B-train double with 8 axles total, at a gross vehicle weight of 137,700 pounds. The weight of the 2nd semitrailer may not exceed the weight of the first semitrailer.

C. Maine axle weight limits, axle group limits, commodity allowances, maximum dimensions and all other commercial vehicle limits and requirements must apply under the pilot project, except that the B-train double overall length limit must be 82.02 feet, or 25 meters.

D. The manufacturer's ratings for gross vehicle weight, axle capacity, brake systems and other components for which a manufacturer's rating is available may not be exceeded under the pilot project.

E. Each truck combination under the pilot project must display a credential obtained for a fee from the Secretary of State. The fee must be established by the Commissioner of Transportation in an amount to cover related administrative costs, compliance monitoring and the additional cost of highway damage resulting from the pilot project, calculated using accepted engineering practices. The Secretary of State shall adopt rules to implement this paragraph in consultation with the Department of Transportation and the Department of Public Safety. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

F. The Commissioner of Transportation may revoke the privileges under the pilot project of participating trucks and trucking companies for cause, including repeatedly exceeding size and weight limits or operating outside the designated route of travel. Revocation by the Commissioner of Transportation is considered a final agency action.

**2. Definition.** As used in this section, unless the context otherwise indicates, "B-train double" means a truck tractor-semitrailer-semitrailer combination vehicle in which the 2 trailing units are connected with

a B-train assembly. The B-train assembly is a rigid frame extension attached to the rear frame of a first semitrailer that allows for a 5th wheel connection point for a 2nd semitrailer. This combination has one less articulation point than the conventional A-dolly-connected truck tractor-semitrailer-trailer combination.

**3. Report.** The Commissioner of Transportation shall submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters for presentation to the First Regular Session of the 124th Legislature. The report must include the status of the pilot project, the impact of the pilot project on road conditions and recommendations for continuance, discontinuance or modification of the pilot project's terms.

**4. Termination of pilot project.** The Commissioner of Transportation is authorized to terminate the pilot project at any time if, in the commissioner's judgment, continuation of the pilot project would cause excessive damage to a public way.

**5. Repeal.** This section is repealed December 31, 2010.

**Sec. 2. Contingent effective date.** This Act does not take effect until the pilot project created in section 1 of this Act has been approved by the United States Department of Transportation, Federal Highway Administration.

See title page for effective date, unless otherwise indicated.

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## CHAPTER 422

H.P. 1036 - L.D. 1473

### An Act To Strengthen the Animal Welfare Laws

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

**Sec. 1. 7 MRS.A §3909, sub-§1,** as enacted by PL 1997, c. 456, §3, is amended to read:

**1. Attorney General and District Attorneys.** Whenever a person has engaged in or is about to engage in an act or practice that constitutes a violation of this ~~Act Part~~, a rule adopted pursuant to this ~~Act Part~~ or a condition of an order, license or permit approved or decision issued by the commissioner pursuant to this ~~Act Part~~, or that constitutes a violation of ~~chapter 739~~ or Title 17, chapter 42, the Attorney General or a District Attorney, at the request of the commissioner, may institute proceedings before the District Court or Superior Court for an order enjoining