

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

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

Penmor Lithographers

Lewiston, Maine

2006

4. Exceptions. A person that complies with the security breach notification requirements of rules, regulations, procedures or guidelines established pursuant to federal law or the law of this State is deemed to be in compliance with the requirements of this chapter as long as the law, rules, regulations or guidelines provide for notification procedures at least as protective as the notification requirements of this chapter.

Sec. 13. 10 MRSA §1350-A is enacted to read:

§1350-A. Rules; education and compliance

The following provisions govern rules and education and compliance.

1. Rules. With respect to persons under the jurisdiction of the regulatory agencies of the Department of Professional and Financial Regulation, the appropriate state regulators within that department may adopt rules as necessary for the administration and implementation of this chapter. With respect to all other persons, the Attorney General may adopt rules as necessary for the administration and implementation of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Education and compliance. The appropriate state regulators within the Department of Professional and Financial Regulation shall undertake reasonable efforts to inform persons under the department's jurisdiction of their responsibilities under this chapter. With respect to all other persons, the Attorney General shall undertake reasonable efforts to inform such persons of their responsibilities under this chapter.

Sec. 14. Effective date. This Act takes effect January 31, 2007.

Effective January 31, 2007.

CHAPTER 584

S.P. 804 - L.D. 2063

**An Act To Clarify the Use of
Dedicated Funds for the Preservation
of Deeds Records**

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

Sec. 1. 33 MRSA §752, sub-§3, as amended by PL 2003, c. 294, §1, is further amended to read:

3. Expenditures from account. The money in the account established in subsection 2 must be used

for the restoration, re-creation and preservation of the records recorded in the office of the register of deeds, including preservation by creation of a digital image stored on magnetic or optical media. The money may not be used for initial recording of documents.

Sec. 2. 33 MRSA §752, sub-§6 is enacted to read:

6. Misappropriation of funds; penalty. Any county that uses funds from the records preservation surcharge account established in subsection 2 for any purpose that is not in accordance with the standards established in subsection 3 commits a civil violation for which a fine of \$100 per day from the date of the withdrawal to the date the money is restored to the account must be adjudged. Fines must be paid out of the county budget and be deposited in the account established in subsection 2.

See title page for effective date.

CHAPTER 585

H.P. 1460 - L.D. 2065

**An Act To Implement
Recommendations of the Joint
Standing Committee on Agriculture,
Conservation and Forestry
Regarding Pesticide Registration**

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

Sec. 1. 7 MRSA §607, sub-§6, as amended by PL 2003, c. 282, §1, is further amended to read:

6. Registration fee; validity. The applicant desiring to register a pesticide ~~shall~~ must pay an annual registration fee of \$105 ~~beginning in calendar year 1994, \$115 beginning in calendar year 2003 and \$125 beginning in calendar year 2004 and thereafter \$150~~ for each pesticide registered for that applicant. Annual registration periods expire on December 31st ~~of any one year~~ or in a manner consistent with Title 5, section 10002, ~~as to license expiration~~, whichever is later.

Sec. 2. Collection of obsolete pesticides. The Board of Pesticides Control within the Department of Agriculture, Food and Rural Resources shall organize and conduct events in May and October of 2007 to collect and dispose of obsolete and illegal pesticides in accordance with the Maine Revised Statutes, Title 22, section 1471-P. The board shall advertise locations and dates for the collection of pesticides. Public notifications and advertising must