

# 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**

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 13, 2005.

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## CHAPTER 19

H.P. 76 - L.D. 100

### Resolve, Requiring the Secretary of State To Develop Voting Systems Standards

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

**Whereas,** federal law requires that the State implement certain voting systems standards no later than January 1, 2006; and

**Whereas,** in order to adopt those standards, it is vital that a stakeholders group begin its work immediately so that a legislative proposal may be crafted and acted upon before the adjournment of the First Regular Session of the 122nd Legislature; 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

**Sec. 1. Voting systems standards. Resolved:** That, pursuant to the federal Help America Vote Act of 2002, Public Law 107-252, Section 301, the State shall adopt and implement by January 1, 2006 voting systems standards that apply uniformly and in a nondiscriminatory manner and that define what constitutes a vote and what must be counted as a vote for each category of voting system used in the State; and be it further

**Sec. 2. Secretary of State to convene stakeholders group. Resolved:** That the Secretary of State shall convene a group of stakeholders to review the relevant case law and the law in other states regarding the standards required under section 1 and to develop proposed legislation to accomplish the implementation of the standards; and be it further

**Sec. 3. Membership. Resolved:** That the stakeholders group consists of 6 members of the public with experience with elections and election recounts, 3 members appointed by the President of the Senate and 3 members appointed by the Speaker of the

House. All appointments must be made no later than 10 days after the effective date of this resolve; and be it further

**Sec. 4. Submission to joint standing committee. Resolved:** That the Secretary of State shall submit a report of the stakeholders' review, including proposed legislation, to the Joint Standing Committee on Legal and Veterans Affairs by June 1, 2005 and the committee may submit a bill based on the report to the First Special Session of the 122nd Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 13, 2005.

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## CHAPTER 20

H.P. 568 - L.D. 803

### Resolve, Directing the Department of Conservation, Bureau of Parks and Lands To Study the Management and Fee Structure of Scarborough Beach State Park

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

**Whereas,** efficient management and fair fees are important to all who visit Maine's state parks; and

**Whereas,** the summer season, with peak usage of the state parks, begins in June; 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

**Sec. 1. Study management and fee structure for Scarborough Beach State Park. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation shall convene a study committee with membership that includes, but is not limited to, the director or the director's designees, representatives of the corporation under contract with the Bureau of Parks and Lands for the management of Scarborough Beach State Park and members of the public having an interest in Scarborough Beach State Park. The purpose of the study committee is to study the management of Scarborough Beach State Park in order to explore ways to improve

the operation of the park and standardize the fee structure in relation to other state parks as much as practicable; and be it further

**Sec. 2. Report. Resolved:** That the Director of the Bureau of Parks and Lands shall report the findings and recommendations of the study committee to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 2, 2006.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 13, 2005.

## CHAPTER 21

H.P. 361 - L.D. 486

### Resolve, To Extend the 2-year Rabies Vaccination Certificate to 3 Years

**Emergency preamble.** Whereas, acts and resolves 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 prevent the unnecessary vaccination of dogs; 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

**Sec. 1. Two-year rabies vaccination certificate deemed valid for additional year. Resolved:** That for calendar years 2005 and 2006 a 2-year rabies vaccination certificate is deemed valid for an additional year for purposes of providing proof that a dog has been immunized against rabies pursuant to the Maine Revised Statutes, Title 7, section 3922, subsection 3.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 13, 2005.

## CHAPTER 22

H.P. 877 - L.D. 1280

### Resolve, To Name the New Augusta Bridge

**Sec. 1. Augusta bridge naming committee established. Resolved:** That there is established the Augusta Bridge Naming Committee, referred to in this resolve as "the committee," with the purpose of naming the new Augusta bridge that crosses the Kennebec River north of the Father Curran Bridge. The committee is composed of the Augusta legislative delegation, the mayor of Augusta, 3 members of the Augusta City Council, appointed by the mayor, and a resident of Kennebec County who represents regional interests in naming the bridge, appointed by the member of the Augusta legislative delegation who is a member of the Senate. The committee shall report to the Joint Standing Committee on Transportation with a proposed name for the bridge no later than December 7, 2005. Following receipt and review of the report, the Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of the 122nd Legislature.

See title page for effective date.

## CHAPTER 23

H.P. 580 - L.D. 821

### Resolve, To Continue Efforts of the Department of Transportation To Balance Public Safety and Access to Land by Landowners

**Sec. 1. Public hearings. Resolved:** That the Department of Transportation shall continue to hold public hearings on Chapter 299: Highway Driveway and Entrance Rules, Parts A and B as authorized by Resolve 2001, chapter 46 and continue to attempt to find an appropriate balance between public safety and private landowner access to land.

See title page for effective date.

## CHAPTER 24

H.P. 565 - L.D. 788

### Resolve, Authorizing the Office of Consumer Credit Regulation To Study the Payday Advance Industry and Related Consumer Credit Lending Issues in Maine