

# 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**

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

**Sec. 1. Office of Consumer Credit Regulation authorized to study payday advance industry and related consumer credit lending issues in State. Resolved:** That the Department of Professional and Financial Regulation, Office of Consumer Credit Regulation, in consultation with the Office of the Attorney General, the banking and lending industry and consumers, shall conduct a study on the current market for payday advance services and subprime lending practices in the State and related consumer protection laws and educational services; and be it further

**Sec. 2. Reporting date established. Resolved:** That the Department of Professional and Financial Regulation, Office of Consumer Credit Regulation shall report its findings under section 1, including any proposed legislation, to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2006.

See title page for effective date.

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## CHAPTER 25

S.P. 458 - L.D. 1331

### Resolve, To Improve the Response Time for State Employees Seeking Job Reclassifications

**Sec. 1. Expedited reclassification request process. Resolved:** That the following provisions apply to reclassification requests initiated by employees.

1. The Department of Administrative and Financial Services, Bureau of Human Resources shall instruct state agencies to expedite the process of review and submission of employee-initiated reclassification requests. The Bureau of Human Resources shall modify the form for reclassification requests to provide a tear-off cover sheet with the date the employee signed the request to be forwarded to the Bureau of Human Resources by the agencies. The Bureau of Human Resources shall maintain a log for tracking the progress of employee-initiated reclassification requests.

2. Pursuant to an agreement reached by the State and the Maine State Employees Association, if an employee-initiated reclassification request is approved, interest will accrue effective upon the 91st day after the employee signed the reclassification request, rather than upon the date of final decision.

3. The Bureau of Human Resources shall absorb any costs associated with the expedited reclassification request process within its existing budget.

4. The Bureau of Human Resources shall report its progress on the status and impact of the expedited reclassification request process to the Joint Standing Committee on State and Local Government by March 15, 2006.

See title page for effective date.

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## CHAPTER 26

H.P. 323 - L.D. 438

### Resolve, To Improve Access to Emergency Services in State Parks, Historic Sites and the Maine Wildlife Park

**Preamble. Whereas,** the Department of Conservation and the Department of Inland Fisheries and Wildlife strive to provide a safe environment for visitors to public facilities under their jurisdictions; and

**Whereas,** periodic review of safety policies and procedures is necessary to provide the safest possible environment within existing resources; and

**Whereas,** the family of Olyvia Pratt requested this legislation to facilitate the provision of the highest level of safety to visitors by the Department of Conservation and the Department of Inland Fisheries and Wildlife; now, therefore, be it

**Sec. 1. Policies; procedures. Resolved:** That the Department of Conservation and the Department of Inland Fisheries and Wildlife shall:

1. Review policies and procedures for contacting emergency service providers and mechanisms for communicating these policies and procedures to staff, emergency service providers and the visiting public;

2. Create and implement policies and procedures that allow emergency service providers immediate access to state-owned facilities when necessary;

3. Review and implement staff training to ensure timely responses to emergencies; and

4. Develop written emergency operating plans for all staffed facilities; and be it further

**Sec. 2. Report. Resolved:** That the Department of Conservation and the Department of Inland Fisheries and Wildlife shall report the findings of the reviews under section 1 and actions taken in response to the reviews to the Joint Standing Committee on