

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
2007**

**CHAPTER 1
S.P. 70 - L.D. 232**

**Resolve, To Direct the
Department of Transportation
to Establish the Elton R.
Brooks Memorial Rest Area
and Boat Launching Facility**

Sec. 1. Rest area and boat launch site in Robbinston named. Resolved: That the Department of Transportation shall designate with appropriate signs and notices the rest area and boat launch site off U.S. Route 1 in Robbinston as the Elton R. Brooks Memorial Rest Area and Boat Launching Facility to honor the memory of Elton R. Brooks, as requested by the municipal officers of the Town of Robbinston.

See title page for effective date.

**CHAPTER 2
H.P. 83 - L.D. 85**

**Resolve, To Designate a
Portion of U.S. Route 1 in
Indian Township
Passamaquoddy Indian
Reservation as the Captain
Tomah Lewey Memorial
Highway**

Sec. 1. Designate a portion of U.S. Route 1 in Indian Township as the Captain Tomah Lewey Memorial Highway. Resolved: That the Department of Transportation shall designate the portion of U.S. Route 1 that goes through Indian Township Passamaquoddy Indian Reservation from the Indian Township and Princeton bridge to the town line at Topsfield as the Captain Tomah Lewey Memorial Highway in memory of a notable Passamaquoddy Indian who was one of the first permanent residents of Indian Township and who surveyed the early road in the 1800s that later became known as U.S. Route 1; and be it further

Sec. 2. Signs erected. Resolved: That the Department of Transportation shall erect appropriate signs along the portion of U.S. Route 1 designated

under section 1 that identify that portion as the Captain Tomah Lewey Memorial Highway.

See title page for effective date.

**CHAPTER 3
H.P. 126 - L.D. 142**

**Resolve, To Improve the
Professional Development of
County Officials**

Sec. 1. Intergovernmental Advisory Commission to establish a working group to improve the professional development of county officials. Resolved: That the Intergovernmental Advisory Commission, established under the Maine Revised Statutes, Title 5, section 12004-I, subsection 75-C, shall establish a working group to improve the professional development opportunities available to county officials. The working group shall examine the existing professional development opportunities available to county officials, current qualifications required for office and the possibility for requiring additional qualifications for certain offices and develop an appropriate design for improving professional development. The working group shall also examine the feasibility of appointing officials where election is the current method of selection. The working group must include representatives of the Maine County Commissioners Association; Maine Sheriffs' Association; Maine Registers of Deeds Association; Maine Association of Registers of Probate; Maine Treasurers Association; Maine District Attorneys Association; Maine Municipal Association; and Executive Department, State Planning Office and others as determined appropriate by the Intergovernmental Advisory Commission; and be it further

Sec. 2. Report and recommendations. Resolved: That the Intergovernmental Advisory Commission shall report the findings of the working group under section 1 and recommendations, including suggested legislation if appropriate, to the Joint Standing Committee on State and Local Government no later than January 15, 2008; and be it further

Sec. 3. Authority to report out legislation. Resolved: That the Joint Standing Committee on State and Local Government is authorized to report out

legislation concerning the study under section 1 to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 4
H.P. 39 - L.D. 38

**Resolve, Regarding Legislative
Review of Portions of Chapter
250: Rules Relating to
Smoking in the Workplace, a
Major Substantive Rule of the
Department of Health and
Human Services, Maine Center
for Disease Control and
Prevention, Partnership for a
Tobacco-free Maine**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of portions of Chapter 250: Rules Relating to Smoking in the Workplace, a provisionally adopted major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 22, 2007.

CHAPTER 5
S.P. 105 - L.D. 322

**Resolve, To Ensure More
Comprehensive Investigation
and Prosecution of Computer
Crimes**

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

Whereas, in order for the State to combat the serious problem of child pornography and the related crime of child sexual abuse through the seizure and forensic evaluation of computers, adequate state resources and staff must be dedicated for that purpose; and

Whereas, in order to ensure that the Department of Public Safety has the forensic examiners and equipment necessary to aggressively address the proliferation of computer crimes against children, a review and assessment of the current resources and workload must be conducted immediately for the purpose of appropriating additional resources if needed; 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. Review by the Joint Standing Committee on Criminal Justice and Public Safety. Resolved: That during the First Regular Session of the 123rd Legislature the Joint Standing Committee on Criminal Justice and Public Safety shall review and assess the current computer crimes resources appropriated to the computer crimes unit of the Department of Public Safety. The committee shall determine what impact the 2 new Computer Crimes Forensic Analyst positions and equipment, pursuant to Public Law 2005, chapter 676, have had on the backlog of computer crimes cases and whether additional positions and resources are necessary to aggressively address the proliferation of computer crimes, especially those against children. If necessary, upon completing the review, the committee may introduce legislation to implement its recommendations. The review and any proposed legislation must be completed by June 15, 2007.

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

Effective April 3, 2007.