

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

of the 123rd Legislature to implement its recommendations on matters relating to the report submitted pursuant to section 2.

See title page for effective date.

CHAPTER 95

H.P. 1203 - L.D. 1720

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Western Connector Roads to Municipal Centers in Cumberland and York Counties

Sec. 1. Study of existing infrastructure and future capacity needs west of Route 1 in York and Cumberland counties. Resolved: That the Department of Transportation, or "the department," and the Maine Turnpike Authority, or "the authority," shall conduct a study of existing highway infrastructure and future capacity needs west of Route 1 in York and Cumberland counties, including the greater Gorham and Sanford areas. The purpose of this study is to develop a series of recommendations to enhance, expand and preserve highway connections between Route 1 and the Maine Turnpike and communities in western Cumberland County and York County. In conducting the study, the department and the authority shall review existing and potential new routes from the Maine Turnpike to municipal centers in western Cumberland County and York County that, in the determination of the department and the authority, would, if constructed, significantly decrease congestion on state and local roads in the area and improve access from communities in western Cumberland County and York County to the Maine Turnpike. The study must be designed and conducted in a manner that will allow the results to be used during future state and federal permitting of any proposal that may proceed to construction, and any potential project must be compatible with state transportation policy in accordance with Maine's Sensible Transportation Policy Act and the federal National Environmental Policy Act. In evaluating and prioritizing strategies for study, the department and the authority shall consider, at a minimum, the following factors:

1. The feasibility of expanding the existing highway infrastructure to accommodate future traffic and economic demands of the region;
2. The role of transit and other alternative modes of transportation in managing the transportation demand in the region;

3. The feasibility and effectiveness of the new proposed transportation infrastructure strategies to meet the future traffic and economic needs, including:

- A. The traffic impact of the new infrastructure on the existing road network;
- B. Environmental impacts;
- C. Traffic toll revenue projections on any new infrastructure and the effects on toll revenues on the existing turnpike; and
- D. Construction and maintenance costs;

4. Coordinating with area communities and regional planning agencies to evaluate land use impacts of all strategies studied, and developing recommendations to communities for land use controls to protect their community character, economic vitality and future investments in the transportation system; and

5. Any other factors determined relevant by the department and the authority; and be it further

Sec. 2. Report. Resolved: That the department and the authority shall report the results of their study to the Joint Standing Committee on Transportation no later than February 28, 2008. Upon its receipt and review of the report, the committee may submit legislation to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 96

H.P. 233 - L.D. 289

Resolve, Directing the Commissioner of Labor To Convene a Task Force To Evaluate and Recommend Revisions to the Definition of Service Dog

Sec. 1. Task force to evaluate and revise the statutory definition of service dog; membership. Resolved: That the Commissioner of Labor shall convene a task force to evaluate and recommend changes to the statutory definition of service dog in the Maine Revised Statutes. The task force must be staffed and coordinated by the Department of Labor and must include the following stakeholders: the director of the animal welfare program within the Department of Agriculture, Food and Rural Resources; a representative from the Department of Professional and Financial Regulation; representatives from both nonprofit and for-profit service dog training schools; a representative from Pine Tree Guide Dog Users, or its successor; a representative from the Maine Town and City Clerks' Association, or its successor; a representative from the Maine State Chamber of Commerce, or

its successor; a representative from the Disability Rights Center, or its successor; a representative from the Maine Center on Deafness, or its successor; a representative from the Assistance Canine Educations and Support, Inc., or its successor; and a representative of the medical community; and be it further

Sec. 2. Task force duties. Resolved: That the task force shall review the following issues within the parameters of applicable federal and state laws: proposed changes to the statutory definition of service dog; criteria or documentation that town clerks must use to verify a dog as a service animal to qualify for the license fee exemption; proposed revisions to the Maine Revised Statutes to clarify the rights of and protections for people with disabilities who use service animals; proposed revisions necessary to the Maine Revised Statutes to provide clarification to business owners of their rights and responsibilities concerning service animals; and proposals for any specific criteria that may be required for consideration by medical practitioners when prescribing the use of a service animal; and be it further

Sec. 3. Reporting date established. Resolved: That no later than January 15, 2008 the Commissioner of Labor shall submit a report with findings and recommendations following the review under section 2 including any recommended legislative changes to the Joint Standing Committee on Business, Research and Economic Development. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 97

H.P. 348 - L.D. 449

Resolve, To Support Creative Economy Businesses

Sec. 1. Stakeholder meeting to address the needs of those involved with the creative economy. Resolved: That the Director of the State Planning Office within the Executive Department shall meet with the Maine Arts Commission and other stakeholders involved with the creative economy to gather ideas for improving and expanding living and work space for people engaged in the creative economy, as well as to review current state and local efforts for enhancing the availability of capital resources and to encourage creativity and economic stability for individuals and businesses engaged in the creative economy; and be it further

Sec. 2. Report. Resolved: That, no later than February 15, 2008, the Director of the State Planning

Office within the Executive Department shall report to the Joint Standing Committee on Business, Research and Economic Development regarding the stakeholder meeting conducted pursuant to section 1. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation on the subject matter of this resolve to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 98

H.P. 757 - L.D. 1039

Resolve, Directing the Maine Criminal Justice Academy Board of Trustees To Develop and Implement Law Enforcement Training Regarding the Determination of the Predominant Aggressor in Domestic Violence Situations

Sec. 1. Board of Trustees of Maine Criminal Justice Academy to establish and implement training regarding determination of predominant aggressors in domestic violence situations. Resolved: That the Board of Trustees of the Maine Criminal Justice Academy is directed to establish and implement training regarding the determination of predominant aggressors in domestic violence situations for law enforcement officers no later than June 30, 2008; and be it further

Sec. 2. Report. Resolved: That the Board of Trustees of the Maine Criminal Justice Academy is directed to report its progress regarding the implementation of training regarding the determination of predominant aggressors in domestic violence situations to law enforcement officers to the Joint Standing Committee on Criminal Justice and Public Safety no later than April 1, 2008.

See title page for effective date.

CHAPTER 99

S.P. 138 - L.D. 437

Resolve, Concerning the Reporting of Oil Spills

Sec. 1. Department of Environmental Protection guidance. Resolved: That the Department of Environmental Protection shall establish guidance concerning the use of memoranda of agreement between aboveground oil and storage and handling facilities and the Department of Environmental Protec-