

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

election day, provided that the applicant otherwise qualifies as an absentee voter. The receipt of a completed absentee ballot application by the clerk shall establish a presumption of qualification under this subsection.

Effective September 23, 1983.

CHAPTER 281

H.P. 1156 - L.D. 1526

AN ACT to Make Confidential
Certain Documents of the Maine Human
Rights Commission.

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

Sec. 1. 5 MRSA §4612, sub-§1, as amended by PL 1981, c. 6, is further amended to read:

1. Predetermination resolution; investigation.
Upon receipt of such a complaint, the commission or its delegated single commissioner or investigator shall endeavor to resolve the matter by informal means prior to a determination of whether there are reasonable grounds to believe that unlawful discrimination has occurred. Nothing said or done as part of those endeavors nor the final agreement may be made public without the written consent of the parties to the proceeding nor used as evidence in any subsequent proceeding, civil or criminal, except in a civil action filed by a party alleging a breach of agreement. The commission or its delegated commissioner or investigator shall conduct such preliminary investigation as it deems necessary to determine whether there are reasonable grounds to believe that unlawful discrimination has occurred. In conducting an investigation, the commission, or its designated representative, shall have access at all reasonable times to premises, records, documents, individuals and other evidence or possible sources of evidence and may examine, record and copy those materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation. The commission may issue subpoenas to compel access to or production of those materials or the appearance of those persons, subject to section 4566, subsections 4-A and 4-B, and may serve interrogatories on a respondent to the same extent as interrogatories served in aid of a civil action in the Superior Court. The commission may administer oaths.

Sec. 2. 5 MRSA §4612, sub-§5, is enacted to read:

5. Confidentiality of 3rd-party records. The Legislature finds that persons who are not parties to a complaint under this chapter as a complainant or a person accused of discrimination have a right to privacy. Any records of the commission which are open to the public under Title 1, chapter 13, shall be kept in such a manner as to ensure that data identifying these 3rd parties is not reflected in the record. Only data reflecting the identity of these persons may be kept confidential.

Effective September 23, 1983.

CHAPTER 282

S.P. 360 - L.D. 1081

AN ACT to Change References to the Public
Utilities Commission in the Transportation
Statutes.

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

Sec. 1. 29 MRSA §244, 5th ¶ is amended to read:

Only one trailer or semitrailer shall be drawn by a motor vehicle; provided that driveaway, towaway operations, as defined by the Public Utilities Commission Bureau of State Police, may include a combination of saddlemount vehicles not to exceed 3 units in contact with surface of the highway.

Sec. 2. 29 MRSA §1652, sub-§3, as enacted by PL 1975, c. 237, §4, is amended to read:

3. Prima facie evidence. The operation of the vehicle shall be prima facie evidence that said the operation was caused by the person, firm or corporation holding the permit or certificate for said that vehicle from the Public Utilities Commission Bureau of State Police.

Sec. 3. 29 MRSA §1654, last ¶, as repealed and replaced by PL 1967, c. 364, is amended to read:

Section 1656 exempting from penalty operators employed by carriers holding permits or certificates from the Public Utilities Commission Bureau of State Police, who have not participated in loading the