

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Sec. 8. 21-A MRSA §841, as amended by PL 1987, c. 96, §2, is repealed.

Sec. 9. 21-A MRSA §844, as enacted by PL 1985, c. 161, §6, is amended to read:

§844. Rules on use

The Secretary of State may make reasonable ~~regulations~~ rules governing the use of electronic voting systems in accordance with the Maine Administrative Procedure Act.

See title page for effective date.

CHAPTER 348

H.P. 778 - L.D. 1110

An Act Regarding Passing of School Buses

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

Whereas, there is a potential hazard to mentally handicapped adults if this legislation does not take effect before the expiration of the 90-day period; 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 enacted by the People of the State of Maine as follows:

29 MRSA §2019, sub-§6, as enacted by PL 1987, c. 601, §5, is amended to read:

6. Definition: school-age person. As used in this section, unless the context otherwise indicates, "school-age person" means all children up to the age of 18 years, as well as persons 18 years and older who are enrolled in a state-approved program of primary or secondary education, as defined in Title 20-A and persons as described in Title 34-B, section 5402, subsection 1 living at Pineland Center or in any of its residential facilities who are bussed to and from sites off the center grounds as part of their treatment.

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

Effective June 18, 1991.

CHAPTER 349

H.P. 1022 - L.D. 1495

An Act Dealing with Abandoned Automobiles in the State

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

29 MRSA §2610, sub-§5-A is enacted to read:

5-A. Abandonment of vehicle on public way. Abandonment of a vehicle on a public way is a civil violation for which a forfeiture not to exceed \$250 may be adjudged. A person who is found to have abandoned a vehicle under this subsection is responsible for any towing charges that are directly related to the abandonment of the vehicle.

See title page for effective date.

CHAPTER 350

H.P. 406 - L.D. 589

An Act to Facilitate Prosecution for Killing a Person While Hunting

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

12 MRSA §7406-A is enacted to read:

§7406-A. Target identification while hunting

1. Findings. Due to the large numbers of Maine citizens and visitors engaged in hunting in the State's woods during hunting season, the continued decline of unpopulated areas through the State, the widespread use of powerful weapons in the pursuit of wild animals and wild birds, and the growing presence of nonhunters engaged in nonhunting activities in the State's woods during hunting season, the Legislature finds that a sufficient risk of serious bodily injury or death to human beings is posed to make it necessary and prudent to provide guidance to those in pursuit of wild animals and wild birds on the matter of proper target identification.

2. Target identification; reasonable and prudent hunter. While hunting, a hunter may not shoot at a target without, at that point in time, being certain that it is the wild animal or wild bird sought. The target-determining process to be utilized is that which a reasonable and prudent hunter would observe in the same situation. A reasonable and prudent hunter always bears the risk of loss of legitimate prey to avoid the risk of the destruction of human life. A reasonable and prudent hunter neither disregards the risk of causing the death of another human being nor fails to be aware of that risk as a consequence of misidentification. A reasonable