

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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
1995

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:

Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 1995, c. 118, §1 and affected by §2, is further amended to read:

1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, ~~1994~~ 1995.

Sec. 2. Application. This Act applies to tax years beginning on or after January 1, 1995.

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

Effective March 14, 1996.

CHAPTER 539

H.P. 1232 - L.D. 1685

An Act to Provide Protection from Motor Vehicle Damage to Forest Lands

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

Sec. 1. 17 MRSA §3853-D, as enacted by PL 1989, c. 289, is amended to read:

§3853-D. Operating a motor vehicle on land of another

1. Damage or destruction to farmland or forest land. A person who, as a result of operating a motor vehicle on farmland or forest land in fact, damages or destroys crops, forest products, personal property or roads on that farmland or forest land, commits a Class E crime.

2. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Farmland" means land used for the production of fruits, vegetables, grains, hay or herbs that consists of 5 or more contiguous acres. The term "farmland" does not include land used for the production of wood products.

A-1. "Forest land" means land used for the production of forest products.

A-2. "Forest products" means any woody stemmed plant as well as any products that have been harvested but not yet transported from the harvesting site, including logs, pulpwood, veneer, bolt wood, wood chips, stud wood, poles, pilings, biomass, fuel wood, Christmas trees, evergreen boughs and cones for seed production.

B. "Motor vehicle" means any self-propelled vehicle not operated exclusively on tracks, including all-terrain vehicles as defined in Title 12, section 7851, but not including snowmobiles.

3. Application. This section does not apply to:

A. A landowner operating a motor vehicle on farmland or forest land owned by that landowner;

B. A person given permission by a landowner to operate a motor vehicle on farmland or forest land owned by that landowner;

C. An agent or employee of a landowner who operates a motor vehicle on farmland or forest land owned by that landowner in the scope of that agent's or employee's agency or employment; or

D. A law enforcement officer who, in an emergency and in the scope of that law enforcement officer's employment, operates a motor vehicle on farmland or forest land owned by another.

See title page for effective date.

CHAPTER 540

S.P. 651 - L.D. 1703

An Act to Confirm That Nonprofit Health Care Providers May Achieve Cost Savings on Professional and General Liability Coverage

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

Sec. 1. 24-A MRSA §6099, sub-§3, as enacted by PL 1993, c. 313, §39, is amended to read:

3. Prohibition on retention of risk. A purchasing group ~~must~~ may not purchase insurance providing for a deductible or self-insured retention applicable to the group as a whole.—~~That;~~ however coverage ~~also~~ may provide for a deductible or self-insured retention applicable to individual members.

See title page for effective date.