

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
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5. **Civil action.** The administrator, through the Attorney General, may bring a civil action against a person to recover a civil penalty for knowingly violating this Act or violating an assurance of discontinuance, and if the court finds that the defendant has engaged in a knowing violation of this Act or a violation of an assurance of discontinuance, it may assess a civil penalty of not more than \$5,000.

If the defendant establishes by a preponderance of evidence that repeated violations were the result of a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such violation or error, no liability is imposed under this subsection.

6. **Remedies not affected.** The grant of powers to the administrator in this section does not affect remedies available to the Attorney General or to consumers under this Act or under other principles of law or equity.

7. **Venue.** The administrator, through the Attorney General, may bring actions or proceedings in a court in a county or division in which an act on which the action or proceeding is based occurred or in a county or division in which a respondent resides or transacts business.

8. **Bureau of Insurance.** With respect to those examinations authorized by subsection 2, paragraph A, first sentence, the administrator shall, where applicable, coordinate examinations for compliance with this Act with examinations conducted by the Bureau of Insurance for compliance with Title 24-A.

Effective July 3, 1980

CHAPTER 637

H. P. 1623 — L. D. 1733

AN ACT Establishing Conditions for Forest Management in State Parks.

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

12 MRSA § 602, sub-§ 16 is enacted to read:

16. **Forest management.** The director may authorize employees of the Department of Conservation to harvest wood in state parks for the use of the bureau. He may authorize wood harvesting by others only when this cutting is required by deed conditions on specific lots. All cutting shall be subject to the following restrictions:

A. The cutting may not unreasonably impair the recreational use or natural values of the land;

B. The cutting shall be carried out in accordance with a written management plan certified by a registered professional Maine forester that is available in the principal offices of the bureau for public review and comment at least 60 days prior to cutting; and

C. The cutting shall be consistent with the management objectives of the bureau.

Effective July 3, 1980

CHAPTER 638

H. P. 1647 — L. D. 1757

AN ACT Amending the Requirement of Announcing Political Disclaimers.

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

Whereas, a special referendum election has been called by the Governor in March, 1980; and

Whereas, the existing provisions in the Revised Statutes, Title 21, sections 1394 and 1416, if not amended by emergency legislation, will require the announcement of political disclaimers rather than visual display of such disclaimers; and

Whereas, this creates a needless burden on candidates and referendum supporters and opponents; 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:

Sec. 1. 21 MRSA § 1394, last ¶, as repealed and replaced by PL 1977, c. 575, § 7, is amended to read:

No person operating a broadcasting station within this State shall broadcast any such communication without ~~announcing~~ **announcing an oral or written visual announcement** of the name of the person who made or financed the expenditure for the communication.

Sec. 2. 21 MRSA § 1416, last ¶, as enacted by PL 1977, c. 575, § 17, is amended to read: