

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

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

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

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:

20-A MRSA §251, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

1. Appointment. The commissioner shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education and to confirmation by the Legislature.

A. The Governor shall include the chairman of the State Board of Education in the selection process and shall ensure that the state board has an opportunity to meet and interview the candidate or candidates.

B. Within 10 days of meeting with the candidate or candidates, the state board shall deliver to the Governor its written appraisal of the strengths and weaknesses of the candidate or candidates.

C. The Governor shall consider the appraisal of the state board prior to posting the nomination of a candidate.

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

Effective April 7, 1983.

CHAPTER 124

H.P. 911 - L.D. 1161

AN ACT to Provide for Voluntary
Inspection of Trailers and Semitrailers
under the Motor Vehicle Laws.

Emergency preamble. Whereas, Acts of the Legis-

lature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period would cause undue hardship on Maine operators who must operate semi-trailers into or through Pennsylvania; and

Whereas, as a result of a court ruling that Pennsylvania was justified in legislating a requirement that vehicles shall be inspected to travel in that state; and

Whereas, Maine has no current provision to inspect trailers or semitrailers, Maine operators have no way to avoid court action on entering Pennsylvania; 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 §2519-A is enacted to read:

§2519-A. Inspection of trailers and semitrailers

Inspection stations licensed by the State Police may offer inspections to operators of trailers and semitrailers at their request.

These vehicles shall be inspected for the following items: Valid registration certificate and plate; brakes; suspension; wheels and axles; tires; air system; lights and reflectors; and splash guards.

The inspection sticker being provided for issuance to motor vehicles shall be issued when a vehicle satisfactorily passes the required inspection. The sticker, when issued to trailers and semitrailers, shall be issued to expire on the last day of the month one year from the day of issue. The Chief of the State Police may devise a special sticker and provide for an inspection period of one year. Inspection stations shall pay the same fee to the State Police for inspection stickers.

Inspection stickers issued to trailers and semitrailers shall be carried on or in the vehicle.

Licensed inspection stations desiring to offer inspection to trailers and semitrailers shall notify

the State Police of their desire to conduct the inspections and receive written approval before performing those inspections.

The fee charged by these inspection stations shall not exceed their hourly labor charge. Only truck qualified mechanics may perform trailer or semitrailer inspections.

All laws and rules applying to motor vehicle inspections, pertaining to the license holder, inspection mechanic and the State Police, shall apply to the inspection process for trailers and semitrailers.

Revenues derived by this section shall be used for the administration and enforcement of inspection of trailers and semitrailers. Any balances at the end of the fiscal year shall not lapse but shall be carried forward to be used for the same purposes. The joint standing committee of the Legislature have jurisdiction over transportation shall review the status of this program and report its findings to the First Regular Session of the 112th Legislature.

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

Effective April 7, 1983.

CHAPTER 125

H.P. 267 - L.D. 327

AN ACT to Revise the Laws Pertaining
to Prejudgment Attachment, Execution
of Judgments, Disclosure of Assets
and Exemptions.

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

Sec. 1. 14 MRSA §3131, as repealed and replaced by PL 1973, c. 477, §6, is amended by adding a new paragraph at the end to read:

When the judgment creditor has obtained a lien pursuant to section 3132 on the judgment debtor's interest in any motor vehicle for which a certificate of title must be obtained, the court, upon request of the judgment creditor, shall order the judgment