

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

Sec. 2. 14 MRSA §6026, sub-§9 is enacted to read:

9. Lack of Heat. If the landlord fails to comply with the provisions of Title 14, section 6021, subsection 6, then the purchase of heating fuel by the tenant shall be deemed to be a "cost of compliance" within the meaning of subsection 2. For tenants on general assistance, municipalities shall have the rights of tenants under this subsection.

Effective July 25, 1984.

CHAPTER 765

H.P. 1716 - L.D. 2275

AN ACT to Allow for a Uniform Citation Form to be Used for Fish and Wildlife Violations.

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

12 MRSA §7911 is enacted to read:

§7911. Fish and wildlife citation form

1. Form. The commissioner may establish citation forms for use by the warden service. These forms, if established, shall be uniform throughout the State and shall be issued in books with citations in not less than quadruplicate. When the form requires a signature by a person upon whom the citation is served, the form shall include a statement that signing the citation does not constitute an admission of guilt and that failure to sign will constitute a separate offense which is a Class E crime. The form shall be approved by the Chief Judge of the District Court prior to its use.

2. Responsibility for issuance and disposition.

A. The commissioner shall be responsible for all fish and wildlife citation forms.

B. The commissioner may in his discretion provide books to other law enforcement agencies and officers listed in section 7055 for their use in the enforcement of chapters 701 to 721. The com-

missioner may not require other agencies to use this form.

3. Illegal disposition; prohibited act. It is unlawful and official misconduct for any warden or other public employee to dispose of an official citation form, except in accordance with law and as provided for in any applicable official policy or procedure of the Warden Service Division.

4. When a lawful complaint. If the citation provided for in this section is duly sworn to and otherwise satisfies the requirements of the general laws of this State, in respect to the form of a complaint and charges an offense, it may be filed in a court having jurisdiction and shall constitute a lawful complaint for the purpose of the commencement of any criminal prosecution or civil violation proceeding.

5. When a lawful summons. A citation, as provided for in this section, when served upon a person by a law enforcement officer, shall act as a summons to appear in court or, if a civil violation is charged, to otherwise respond in accordance with law on or before the date specified in the citation.

6. Refusal to sign; prohibited act. No person may refuse to sign a citation after having been ordered to do so by a law enforcement officer.

Effective July 25, 1984.

CHAPTER 766

H.P. 1645 - L.D. 2179

AN ACT to Increase the Potato Tax.

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

Sec. 1. 36 MRS.A §4565, as amended by PL 1977, c. 651, is further amended to read:

§4565. Rate of tax

A tax is levied and imposed at the rate of ~~\$.025~~ \$.05 per hundredweight on all potatoes raised in this State except that no tax shall be imposed on any potatoes which are retained by the grower to be used by him for seed purposes or for home consumption.