

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

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Sec. 2. 29 MRSA §783, sub-§2, ¶A, as repealed and replaced by PL 1979, c. 430, §2, is amended to read:

A. Upon receipt by the Secretary of State of the report of an accident on a public way, or in any place where public traffic may reasonably be anticipated, which has resulted in death, bodily injury or property damage to an apparent extent of ~~§300~~ \$500 or more, the Secretary of State, pursuant and subject to chapter 17, shall, 30 days following the date of request for compliance with the following requirement, suspend the license, the right to obtain a license, or the right to operate of any person operating, and the registration certificates and registration plates or the right to register of any person owning a motor vehicle, trailer or semitrailer in any manner involved in the accident, unless the operator and owner shall immediately give and maintain proof of financial responsibility as provided under section 787, subsection 2. The Secretary of State may waive the requirement of filing proof of financial responsibility at any time after 3 years from the date of request for compliance, provided no further filing is required under section 782, subsection 1.

Sec. 3. 29 MRSA §891, 3rd ¶, as amended by PL 1979, c. 626, §1, is further amended to read:

The driver of any vehicle involved in an accident resulting in injuries to or death of any person or property damage to the apparent amount of ~~§300~~ \$500 or more, or some person acting for him, or the owner of ~~said~~ the vehicle having knowledge of the accident should the operator of same be unknown, shall, immediately by the quickest means of communication, give notice of the accident either to a state police officer, or to the nearest state police field office, or to the sheriff's office, or to a deputy sheriff, within the county wherein the accident occurred, or to the office of the police department, or to an officer, of the municipality wherein the accident occurred. The absence of notice having been given to the nearest state police field office or to the sheriff's office within the county wherein the accident occurred or the office of the police department of the municipality wherein the accident occurred shall be deemed prima facie evidence of a violation of this section. Any person failing to comply with the requirements of this paragraph shall be guilty of a misdemeanor. Every such notice received by any such official or department shall be promptly investigated. If the accident results in serious bodily injury or death of any person, the investigation shall be conducted by an officer who has met the training standards of a full-time police officer.

Sec. 4. 29 MRSA §891, 7th ¶, as amended by PL 1979, c. 480, §3, is further amended to read:

The driver of any vehicle involved in an accident resulting in injury to or death of any person or property damage to the apparent amount of ~~§300~~ \$500 or more, or some person acting for him, shall, within 48 hours after the accident, make a written report of it to the Secretary of State, on forms provided by ~~said~~ the Secretary

of State. The Secretary of State may require drivers of vehicles involved in any such accident to file supplemental reports whenever the original report is insufficient in the opinion of the Secretary of State.

Effective September 29, 1987.

CHAPTER 47

S.P. 355 — L.D. 1072

AN ACT to Amend the Approval Deadlines for the Androscoggin and Aroostook County Budgets.

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

Whereas, under current law, the Legislature must act on the Androscoggin and Aroostook County budgets by April 1st; and

Whereas, the deadlines established by law must be changed to allow sufficient time to properly accomplish this work; and

Whereas, if this legislation is not effective immediately, Androscoggin and Aroostook Counties will be forced to operate under an outdated budget; 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. 30 MRSA §1425, sub-§5, as enacted by PL 1985, c. 737, Pt. A, §85-B, is amended to read:

5. **Final budget approval.** Prior to January 15th of the fiscal year for which the budget is prepared, the budget committee shall submit the proposed budget to the Legislature. The Legislature shall approve or disapprove the budget as submitted prior to ~~April 1st~~ May 1st of each year.

If the Legislature disapproves of the budget, the budget committee shall submit within 15 calendar days, new budget proposals in accordance with subsection 1 and the provisions of this section shall be followed until a budget is finally approved.

The budget as approved by the Legislature shall be the final authorization for the assessment of county taxes. The budget shall be transmitted to the county commissioners and the county tax authorized shall be apportioned and collected in accordance with section 254. The budget for the unorganized territories will be transmit-

ted to the State as provided by section 5903.

The county shall, until a budget is finally adopted, operate on an interim budget which shall not exceed the previous year's budget.

The county commissioners may transfer funds as provided in section 252.

Sec. 2. 30 MRSA §1455, sub-§6, as enacted by PL 1985, c. 806, is amended to read:

6. Final budget approval. Before January 15th of the fiscal year for which the budget is prepared, the budget committee shall submit the proposed budget to the Legislature. The Legislature shall approve or disapprove the budget as submitted before ~~April 1st~~ May 1st of each year.

If the Legislature disapproves of the budget, the budget committee shall submit, within 15 calendar days, new budget proposals in accordance with subsection 1 and the provisions of this section shall be followed until a budget is finally approved.

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

Effective April 13, 1987.

CHAPTER 48

S.P. 378 — L.D. 1143

AN ACT Relating to the Debt Limits which may be incurred by a Municipality for Water Purposes.

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

Whereas, the Maine Revised Statutes, Title 30, section 5061, may be interpreted to impose a limit of 3% of full state valuation on the power of municipalities to incur debt for water purposes; and

Whereas, it appears that the limitation is so low as to prevent otherwise unencumbered municipalities from providing for the needs of their residents to secure municipal water supplies; and

Whereas, flood damage caused by recent rainstorms of unprecedented size has made emergency repair and rebuilding of certain systems immediately necessary; 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:

30 MRSA §5061, first ¶, as amended by PL 1981, c. 322, §9, is further amended to read:

No municipality ~~shall~~ may incur debt which would cause its total debt outstanding at any time, exclusive of debt incurred for school purposes, for storm or sanitary sewer purposes, for energy facility purposes or for municipal airport purposes to exceed 7 1/2% of its last full state valuation. A municipality may incur debt for school purposes to an amount outstanding at any time not exceeding 10% of its last full state valuation, for storm or sanitary sewer purposes to an amount outstanding at any time not exceeding 7 1/2% of its last full state valuation, and for municipal airport, ~~water~~ and special district purposes to an amount ~~outstanding~~ outstanding at any time not exceeding 3% of its last full state valuation; provided, however, that in no event ~~shall~~ may any municipality incur debt which would cause its total debt outstanding at any time to exceed 15% of its last full state valuation.

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

Effective April 13, 1987.

CHAPTER 49

H.P. 104 — L.D. 114

AN ACT to Provide a Trade-in-credit for Camper Trailers.

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

Sec. 1. 36 MRSA §1752, sub-§22 is enacted to read:

22. Camper trailer. "Camper trailer" has the same meaning as in section 1481, but without any restriction on length.

Sec. 2. 36 MRSA §1764, as amended by PL 1975, c. 317, §2, is further amended to read:

§1764. Tax against certain isolated transactions

The tax imposed by chapters 211 to 225 shall be levied upon all isolated transactions involving the sale of camper trailers, motor vehicles or aircraft excepting those sold for resale, and excepting an isolated transaction involving the sale of camper trailers, motor vehicles or aircraft to a corporation when the seller is the owner of a majority of the common stock of ~~such~~ the corporation.

Sec. 3. 36 MRSA §1765, sub-§§5 and 6, as enacted by PL 1985, c. 519, are amended to read: