

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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wait 2 years before being able to resume their full operations; and

Whereas, 2 years can cause severe hardship and force some businesses to close; 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Sec. 1. 28 MRSA §101, next to the last paragraph, as repealed and replaced by PL 1977, c. 630, §2, is amended to read:

Where a municipality has voted in favor of accepting or not accepting a ballot question, the vote shall be effective until repealed according to the procedure established in the next paragraph. No local option vote shall be taken on the same question more often than once in any 2-year one-year period.

Sec. 2. 28 MRSA §103, 3rd ¶ is amended to read:

The affirmative or negative vote, as cast, on each such local option question, shall prevail in such unincorporated place, unless and until changed by another such local option vote, subsequently held, on petition to said Secretary of State as provided. No such local option vote shall be taken more often than once in any 2-year one-year period.

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

Effective April 15, 1987.

CHAPTER 55

S.P. 319 — L.D. 945

AN ACT to Require Age Limitations Used in Apprenticeship Programs to be Reasonably Related to Legitimate Job Criteria.

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

Sec. 1. 5 MRSA §4572, sub-§1, ¶C, as amended by PL 1977, c. 565, is further amended to read:

C. For any labor organization to exclude from apprenticeship or membership, or to deny full and equal membership rights, to any applicant for membership, because of race or color, sex, physical or mental handicap, religion, age, ancestry or national origin, or be-

cause of any such reason to deny a member full and equal membership rights, expel from membership, penalize or otherwise discriminate in any manner with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment, representation, grievances or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of such labor organization or by a collective labor agreement or other contract, or to fail or refuse to classify properly or refer for employment, or otherwise to discriminate against any member because of race or color, sex, physical or mental handicap, religion, age, ancestry or national origin or to cause or attempt to cause an employer to discriminate against an individual in violation of this section, except that it shall be lawful for labor organizations and employers to adopt a maximum age limitation in apprenticeship programs, provided that the employer or labor organization obtains prior approval from the Maine Human Rights Commission of any maximum age limitation employed in an apprenticeship program. The commission shall approve the age limitation if a reasonable relationship exists between the maximum age limitation employed and a legitimate expectation of the employer in receiving a reasonable return upon his investment in an apprenticeship program. The employer or labor organization bears the burden of demonstrating that such a relationship exists;

Sec. 2. Transition clause. This Act does not apply to any apprenticeship program that is governed by a collective bargaining agreement on the effective date of this Act until the expiration of the collective bargaining agreement in effect on that date.

Effective September 29, 1987.

CHAPTER 56

H.P. 135 — L.D. 176

AN ACT to Amend the Law Concerning Handicapped Motor Vehicle Registrations.

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

Sec. 1. 29 MRSA §252, first ¶, as amended by PL 1985, c. 325, is repealed and the following enacted in its place:

On annual application to the Secretary of State, any handicapped person shall be issued a special designating placard to be fixed to the sun visor of a motor vehicle properly registered in this State. In these cases, the placard may be displayed only during the time when the handicapped person is the driver of the vehicle, when the handicapped person is a passenger in a vehicle, when the driver of the vehicle is transporting the handicapped per-