

# 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.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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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**Sec. 1.** 28 MRSA §101, next to the last paragraph, as repealed and replaced by PL 1977, c. 630, §2, is amended to read: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a municipality has voted in favor of accepting or not accepting a ballot question, the vote shall be effective until repealed according to the procedure established in the next paragraph.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.

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## 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.

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## 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-

son or when the driver is waiting for a service to be rendered to the handicapped person. The placard issued under this section shall bear the name of the handicapped person. A \$1 fee shall be charged for the placard.

Sec. 2. 29 MRSA §252, next to the last ¶, as amended by PL 1977, c. 194, §2, is further amended to read:

Any person other than a handicapped person ~~or the spouse of a handicapped person~~ issued a ~~set of~~ special designating ~~plates or~~ placard under this section shall be subject to a \$100 fine for use of the special designating ~~plates or~~ placard. The special designating ~~plates or~~ placard shall be suspended if improper use is permitted.

Sec. 3. 29 MRSA §252, last ¶, as enacted by PL 1975, c. 16, §4, is amended to read:

These special designating ~~plates~~ placards shall bear the International Handicap Symbol, ~~easily recognizable at a distance, which indicates that the vehicle is owned by a handicapped person.~~

Sec. 4. 29 MRSA §252-A, as enacted by PL 1979, c. 371, §1, is amended to read:

§252-A. Disabled veterans; special free license plates

The Secretary of State on application and upon evidence of payment of the excise tax required by Title 36, section 1482 shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any 100% disabled veteran who served in the United States Armed Forces in a combat zone at any time during his tenure of service when that application is accompanied by certification from the United States Veterans Administration as to the veteran's disability and receipt of 100% service-connected benefits and that the veteran is permanently confined to a wheelchair or restricted to the use of crutches or braces or otherwise handicapped in such a way that his mobility is seriously restricted and a copy of the appropriate military form certifying combat duty service.

These special designating plates shall bear the ~~International Symbol, easily recognizable at a distance, and~~ the letters VET which indicates that the vehicle is owned by a disabled veteran.

Sec. 5. 29 MRSA §252-C, 3rd ¶, as repealed and replaced by PL 1985, c. 737, Pt. A, §79, is amended to read:

Temporary handicapped placards shall be of a design and color established by the Secretary of State and the placards shall show the expiration date specified by the physician who prepared the prescription request.

Sec. 6. 29 MRSA §252-C, last ¶, as repealed and replaced by PL 1985, c. 737, Pt. A, §79, is amended to read:

A person to whom a temporary placard has been issued under this section is entitled to the same rights and privileges as a person to whom a ~~plate or~~ placard is issued under section 252, during the term of that temporary placard.

Sec. 7. 29 MRSA §255, last ¶, as enacted by PL 1985, c. 406, §1, is amended to read:

No registration ~~or license~~ may be required for a converted motor vehicle used as a woods tractor when the woods tractor is used solely for logging purposes, and the woods tractor may be operated, without registration ~~or license~~, from or to the premises where the woods tractor is kept, to or from a wood lot and between wood lots, used for logging purposes by the owner of the woods tractor. The woods tractor may be operated, without registration ~~or license~~, from or to a filling station garage for gas, oil or repairs.

Sec. 8. 29 MRSA §259, as enacted by PL 1975, c. 85, is amended to read:

§259. Change of location or status; motor vehicle

Whenever any person, firm or corporation, after applying for and receiving a registration for any motor vehicle, trailer or semitrailer, shall move from the address named in such application or in the registration issued, or when the name of the holder of such registration is changed by marriage or otherwise, such person, firm or corporation shall within 30 10 days thereafter notify the Secretary of State, in writing, of the old and new address or of such former and new names and of the number of registrations then held by such person, firm or corporation.

Effective September 29, 1987.

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## CHAPTER 57

H.P. 347 — L.D. 446

### AN ACT to Amend the Divorce Laws Regarding Custody to the Department of Human Services.

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

19 MRSA §752, sub-§9, as enacted by PL 1983, c. 813, §5, is repealed and the following enacted in its place:

9. Department of Human Services. When the Department of Human Services has been granted parental rights and responsibilities for a child under this section, Title 22, chapter 1071, shall apply regarding subsequent reviews and shall govern further rights and responsibilities of the department, the parents, the child and any other party.