

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

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Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
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Natural Resources joint standing committee of the Legislature having jurisdiction over natural resources and to confirmation by the Legislature, for staggered 4-year terms. Among the public members, there shall be 4 who shall be knowledgeable in at least one of each of the following areas: Commerce and industry; fisheries and wild-life; forestry; and conservation. Of the potential appointees to the commission, the Governor shall actively seek and give consideration to persons residing in or near the unorganized areas of the State and at least one member 2 members shall be a resident of a town or plantation residents within the commission's jurisdiction.

Of the initial appointees, 2 shall be appointed for one-year terms, 2 shall be appointed for 2-year terms and 2 3 shall be appointed for 3-year terms. Thereafter, appointees shall be appointed to serve 4-year terms. One of the members shall be elected annually by the members as chairman.

Effective September 29, 1987.

CHAPTER 133

H.P. 1042 — L.D. 1404

AN ACT Relating to the Relocation of the Southern Division of the 10th District Court.

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

Sec. 1. 4 MRSA §153, sub-§30, as amended by PL 1979, c. 663, §§8 and 8-A, is further amended to read:

30. Southern York. Southern York consists of the municipalities of Eliot, Kittery, Ogunquit, South Berwick and York. The Until February 1, 1989, the District Court for Southern York shall be held at Kittery Eliot, Kittery, Ogunquit, South Berwick or York, the exact site to be determined by the Chief Judge. Beginning February 1, 1989, the District Court for Southern York shall be held at York.

Sec. 2. 4 MRSA §154, sub-§10 is amended to read:

10. Tenth District. The 10th district consists of the divisions of Eastern York (Biddeford or Saco) as above determined, Western York (Sanford) and Southern York (Kittery) (Eliot, Kittery, Ogunquit, South Berwick or York) as above determined.

Effective September 29, 1987.

CHAPTER 134

H.P. 1020 — L.D. 1373

AN ACT to Clarify Residency Requirements for Servicemen.

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

12 MRSA §7076, sub-§6, as amended by PL 1985, c. 369, §4, is further amended to read:

6. Armed Forces domiciled in Maine. A combination fishing and hunting license shall be issued upon payment of \$11 in 1985, \$13 in 1986 and \$15 in 1987 and thereafter, plus the issuing fee, to a Maine resident serviceman on active duty in the Armed Forces of the United States who is permanently stationed outside of the State, his spouse and children, provided that he can show proof that his home of record, as recorded in his service records, is Maine. These persons shall be issued all other licenses or permits at resident fees. The license will be valid during the year of issue.

Effective September 29, 1987.

CHAPTER 135

S.P. 317 — L.D. 919

AN ACT Relating to the Issuance of Bonds or Notes for Union Schools.

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

Sec. 1. 20-A MRSA §2102, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

2. Construction aid. Municipalities which are parties to a union school agreement shall be eligible for school construction aid on school construction projects for union schools in accordance with this section.

Sec. 2. 20-A MRSA §2102, sub-§§3 and 4 are enacted to read:

3. School construction projects. Municipalities which are parties to a union school agreement may undertake school construction projects for union schools in accordance with chapter 609 whether or not that school construction is expressly authorized by the union school agreement. If the union school agreement provides for the establishment of a joint union school committee, that committee shall have the responsibilities of a building committee and a municipal school board under chapter 609. If no provision is made for a joint union school committee, the school boards of the municipalities which are parties to the union school agreement shall carry out those responsibilities by concurrent action.

4. Borrowing. Notwithstanding any provision of a union school agreement to the contrary, each municipi-

pality participating in a union school construction project shall pay the percentage of the cost of the project which corresponds to that municipality's percentage of union school operating costs in the year in which the project receives concept approval; be entitled to the debt service allocation attributable to the bonds or notes which that municipality has issued for the project; and own, as a tenant in common with the other participating municipalities, the percentage of the buildings and real property constructed or acquired in conjunction with the project which corresponds to that municipality's percentage of the original cost of the project. A referendum vote shall be conducted by each municipality to authorize the issuance of its percentage of the bonds or notes for a school construction project for a union school in accordance with section 15904, subsection 1. Subject to the requirements of chapter 609, each municipality which is a party to a union school agreement may issue bonds or notes pursuant to Title 30, sections 5152 and 5153 for school construction purposes to finance its percentage share of the cost of a school construction project for a union school. In the event that a union school agreement is terminated, no provision of the termination formula or agreement nor the decision of the Commissioner of Educational and Cultural Services regarding termination may impair the obligations of the municipalities to their bond holders.

Effective September 29, 1987.

CHAPTER 136

S.P. 295 — L.D. 845

AN ACT Relating to Disclosures When Selling Used Cars.

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

10 MRSA §1475, sub-§3, as enacted by PL 1975, c. 770, §57, is amended to read:

3. Written statement. A dealer shall obtain from the seller of a used motor vehicle a written statement containing the following information:

- A. The make, model, model year and any identification or serial numbers of the motor vehicle;
- B. The name and address of the seller, the principal use to which the motor vehicle was put by the seller, such as personal transportation, police car, daily rental car, taxi or other descriptive term;
- C. A statement identifying any and all mechanical defects known to the seller at the time of sale; and
- D. A statement identifying the type of damage, if any, that the vehicle has sustained, such as fire, water or substantial collision damage, if such information is known to the seller.

The seller of the used motor vehicle shall sign this written statement and the dealer who buys the vehicle shall maintain a record of it for one year following the sale of the motor vehicle.

The word "seller," as used in this subsection, includes any person who sells a used motor vehicle to a dealer, including, but not limited to, individuals, other new or used motor vehicle dealers and insurance companies.

Effective September 29, 1987.

CHAPTER 137

S.P. 398 — L.D. 1217

AN ACT to Improve Court Security.

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

Sec. 1. 4 MRSA §17, sub-§13, as amended by PL 1977, c. 544, §6, is further amended to read:

13. Implement preservice and inservice educational and training programs. Develop and implement preservice and inservice educational and training programs for nonjudicial personnel of the Judicial Department; and

Sec. 2. 4 MRSA §17, sub-§14, as enacted by PL 1975, c. 408, §5-A, is amended to read:

14. Perform duties and attend other matters. Perform such other duties and attend to such other matters consistent with the powers delegated herein assigned to him by the Chief Justice and the Supreme Judicial Court; and

Sec. 3. 4 MRSA §17, sub-§15 is enacted to read:

15. Provide for court security. Plan and implement arrangements for safe and secure court premises to ensure the orderly conduct of judicial proceedings. This includes the authority to contract for the services of qualified deputy sheriffs as needed on a per diem basis to perform court security-related functions and services. "Qualified deputy sheriffs" means those individuals who hold valid certification as law enforcement officers, as defined by the Maine Criminal Justice Academy, pursuant to Title 25, chapter 341, to include successful completion of such additional training in court security as provided by the academy. When under such contract and then only for the assignment specifically contracted for, the qualified deputy sheriffs shall have the same duties and powers throughout the counties of the State as sheriffs have in their respective counties. The persons performing such contractual services shall not be considered employees of the State for any purpose. They shall be paid a reasonable per diem fee plus reimbursement of their actual, necessary and reasonable expenses incurred in the performance of their duties,