

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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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,

consistent with policies established by the State Court Administrator.

Effective September 29, 1987.

CHAPTER 138

H.P. 577 — L.D. 775

AN ACT Relating to Cancellation of Insurance Coverage as a Result of a New Driver's Suspension.

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

24-A MRSA §2914, sub-§4, as enacted by PL 1973, c. 339, §1, is amended to read:

4. The named insured or any operator who either resides in the same household or customarily operates an automobile insured under the policy has his driver's license suspended, other than a first or 2nd suspension under Title 29, section 2241-G, subsection 1 and subsection 2, paragraph A, or revoked during the policy term or, if the policy is a renewal, during its term or the 180 days immediately preceding its effective date.

Effective September 29, 1987.

CHAPTER 139

H.P. 1102 — L.D. 1493

AN ACT to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1988, and June 30, 1989.

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the department will become due and payable on or immediately after July 1, 1987; 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. 37-B MRSA §956, sub-§1, as enacted by PL

1983, c. 460, §3, is amended to read:

1. Fee. The license holder for any nuclear power reactor operating in this State shall be assessed a fee of \$75,000 for the 1982 fiscal year and ~~\$50,000~~ \$100,000 for each year thereafter. License fees shall be paid to the committee and, upon receipt by it, credited to the fund. The committee may waive all or part of this fee if a reactor is shut down for extended periods of time.

Sec. 2. 37-B MRSA §957, as enacted by PL 1983, c. 460, §3, is amended to read:

§957. Disbursements from fund

Moneys in the fund shall be disbursed only for the preparation and implementation of emergency planning related to nuclear power plants and their fuel-cycle activities. Expenditures shall be limited to support of state agency activities, grants to counties, municipalities, interjurisdictional or regional civil emergency preparedness agencies and contractual services necessary to carry out the purposes of this chapter. Except as provided in section 959, disbursements from the fund may not exceed ~~\$50,000~~ \$100,000 each year.

Sec. 3. **Allocation of Maine Nuclear Emergency Planning Fund.** Income to the Maine Nuclear Emergency Planning Fund for the next 2 fiscal years, from July 1, 1987, to June 30, 1988, and from July 1, 1988, to June 30, 1989, shall be segregated, apportioned and disbursed as designated in the following schedule:

| | <u>1987-88</u> | <u>1988-89</u> |
|---|----------------|----------------|
| <u>DEFENSE AND VETERANS' SERVICES,</u> | | |
| <u>DEPARTMENT OF</u> | | |
| Radiological Emergency Preparedness Committee | | |
| All Other | \$100,000 | \$100,000 |

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1987.

Effective July 1, 1987.

CHAPTER 140

H.P. 1105 — L.D. 1497

AN ACT to Establish Maine Merchant Marine Day.

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

Whereas, Maine Merchant Marine Day is proposed to be a commemorative day to be observed on May 22nd each year; and

Whereas, observance of Maine Merchant Marine Day