

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

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(2) The ladder or observation stand is removed by the beginning of the 10th day following the close of the hunting season for use during which the ladder or observation stand was erected.

Effective September 29, 1987.

CHAPTER 162

H.P. 341 — L.D. 440

AN ACT Relating to Bail Commissioners.

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

14 MRSA §5541, as amended by PL 1983, c. 688, §8, is repealed and the following enacted in its place:

§5541. Bail commissioners appointed by the court

The District Court Judge resident in each district, with the concurrence of the Chief Judge of the District Court, may appoint one or more residents of the district as bail commissioners. A bail commissioner shall serve at the pleasure of the District Court Judge resident in the district or the Chief Judge of the District Court, but no term for which a bail commissioner is appointed may exceed 5 years. The District Court Judge or the Chief Judge of the District Court may require bail commissioners to complete any necessary training requirements. The unexpired term of any bail commissioner appointed prior to September 14, 1979, shall terminate on December 31, 1987. Bail commissioners shall have the powers of notaries public to administer oaths or affirmations in carrying out their duties.

A person appointed and serving as a bail commissioner is immune from any civil liability for negligent acts described in section 8111, subsection 1, performed within the scope of the bail commissioner's duties.

Effective September 29, 1987.

CHAPTER 163

H.P. 730 — L.D. 982

AN ACT to Regulate Discharges from Vehicular Holding Tanks.

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

38 MRSA §423-A is enacted to read:

§423-A. Discharge of waste from motor vehicles

No person, firm, corporation or other legal entity may

discharge, spill or permit to be discharged sewage, garbage or other pollutants from motor vehicles or motor vehicle trailers into the inland or coastal waters, or on the ice of the inland or coastal waters, or onto the land in such a manner that the sewage, garbage or other pollutants may fall or be washed into these waters, or in such manner that the drainage from the discharge may flow into these waters. A person who violates the provisions of this section commits a civil violation subject to the provisions of section 349, subsection 2.

Effective September 29, 1987.

CHAPTER 164

H.P. 821 — L.D. 1112

AN ACT Relating to the Narcotics Laws.

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

Sec. 1. 17-A MRSA §1103, sub-§3, as amended by PL 1979, c. 127, §128, is further amended to read:

3. A person shall be presumed to be unlawfully trafficking in scheduled drugs if he intentionally or knowingly possesses more than 2 pounds of marijuana or one ounce or more of cocaine.

Sec. 2. 17-A MRSA §1103, sub-§4 is enacted to read:

4. As used in this section, "cocaine" means cocaine or any salt, compound, isomer, derivative or preparation which is chemically equivalent or identical to any of these substances and any active or inactive ingredient used as a diluent.

Sec. 3. 17-A MRSA §1106, sub-§3, as enacted by PL 1975, c. 499, §1, is amended to read:

3. A person shall be presumed to be unlawfully furnishing a scheduled drug if he intentionally or knowingly possesses more than 1 1/2 ounces of marijuana or 1/2 ounce or more of cocaine.

Sec. 4. 17-A MRSA §1106, sub-§4 is enacted to read:

4. As used in this section, "cocaine" shall have the same meaning as defined in section 1103, subsection 4.

Effective September 29, 1987.

CHAPTER 165

S.P. 402 — L.D. 1242

AN ACT to Modify the Definition of Sexually Explicit Conduct.