

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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

**STATE OF MAINE**

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

---

---

badge, or other item of equipment issued to him by an employer;

B. To make any representation which suggests, or which would reasonably cause another person to believe, that he is a sworn peace officer of this State, any political subdivision thereof, or of any other state or of the Federal Government;

C. To wear or display any badge, insignia, device, shield, patch or pattern which indicates or suggests that he is a sworn peace officer, or which contains or includes the word "police" or the equivalent thereof, or is similar in wording to any law enforcement agency; or

D. To possess or utilize any vehicle or equipment displaying the words "police," "law enforcement officer," or the equivalent thereof, or have any sign, shield, marking, accessory or insignia that may indicate that the vehicle is a vehicle of a public law enforcement agency.

Paragraph A does not apply to any proprietary security organization or any employee or agent thereof.

Sec. 18. 32 MRSA §9412, sub-§§5 and 6 are enacted to read:

5. Dangerous weapons at labor disputes and strikes. It is a Class D crime for any person, including, but not limited to, security guards and persons involved in a labor dispute or strike, to be armed with a dangerous weapon, as defined in Title 17-A, section 2, subsection 9, at the site of a labor dispute or strike. A person holding a valid permit to carry a concealed firearm is not exempt from this subsection. A security guard is exempt from this subsection to the extent that federal laws, rules or regulations require the security guard to be armed with a dangerous weapon at the site of a labor dispute or strike.

6. Class E crimes. It is a Class E crime for any person licensed under this chapter or for any employee of such a person, to knowingly commit any of the following acts:

A. To perform or attempt to perform security guard functions at the site of a labor dispute or strike while not physically located on property leased, owned, possessed or rented by the person for whom the licensee is providing security guards.

Sec. 19. 32 MRSA §9418 is enacted to read:

§9418. Confidentiality of application and information collected by the commissioner

Notwithstanding Title 1, sections 401 to 410, all applications for a license to be a contract security company and any documents made a part of the application, refusals and any information of record collected by the

commissioner during the process of ascertaining whether an applicant is of good moral character and meets the additional requirements of sections 9405 and 9411-A, and all information of record collected by the commissioner during the process of ascertaining whether a natural person meets the requirements of section 9410-A, are confidential and may not be made available for public inspection or copying. The applicant or natural person may waive this confidentiality by written notice to the commissioner. All proceedings relating to the issuance of a license to be a contract security company are not public proceedings under Title 1, chapter 13, unless otherwise requested by the applicant.

The commissioner or his designee shall make a permanent record of each license to be a contract security company in a suitable book or file kept for that purpose. The record shall include a copy of the license and shall be available for public inspection. Upon a specific request, the commissioner or his designee shall provide a list of names and current addresses of security guards employed by licensed contract security companies.

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

Effective May 27, 1987.

## CHAPTER 171

H.P. 189 — L.D. 233

### AN ACT Concerning the Open Season on Bear.

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

12 MRSA §7451, sub-§1, ¶A, as repealed and replaced by PL 1981, c. 224, §1, is amended to read:

A. There shall be an open season on hunting bear from the first Monday preceding September 1st to November 30th annually.

Effective September 29, 1987.

## CHAPTER 172

H.P. 712 — L.D. 963

### AN ACT to Provide for Removal and Sale of Abandoned Motor Vehicles on Public Property.

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

Sec. 1. 29 MRSA §895-B, sub-§2-A is enacted to read:

2-A. Removal of abandoned vehicles from public ways or public parking areas. If an abandoned vehicle is ordered removed from a public way or public parking area by a police officer in the line of duty and brought to the premises of any garage, auto body repair shop, service station or auto dealership for storage and the vehicle remains on the property or premises for 30 days or more:

A. If the identity and location of the owner or holder of a security interest is known, the owner of the premises or property where the vehicle was brought or abandoned may notify the owner of the vehicle or holder of a security interest by registered mail, in accordance with subsection 3, of the place where the vehicle may be reclaimed; or

B. If the identity and location of the owner or holder of a security interest is not known, the owner of the premises or property where the vehicle was brought or abandoned shall publish, at least once in a newspaper of general circulation in the county where the premises or property is located, a notice, in accordance with subsection 3, of the place where the vehicle may be reclaimed.

Sec. 2. 29 MRSA §895-B, sub-§4, as enacted by PL 1981, c. 437, §18, is amended to read:

4. Evidence of compliance. A person who has complied with subsections 2, 2-A and 3 may present evidence of compliance to the Secretary of State.

Effective September 29, 1987.

## CHAPTER 173

H.P. 1153 — L.D. 1568

### AN ACT Concerning the Taking of Smelts.

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

12 MRSA §6552, as amended by PL 1985, c. 217, is repealed.

Effective September 29, 1987.

## CHAPTER 174

H.P. 1142 — L.D. 1552

### AN ACT to Prohibit Sale of Foods Processed with Radiation.

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

Sec. 1. 22 MRSA §2152, sub-§5-A is enacted to read:

5-A. Irradiated food. "Irradiated food" means:

A. Any food which has been treated with gamma radiation or other ionizing radiation; or

B. Any food which contains any ingredient that has been treated with gamma radiation or other ionizing radiation.

Spices which have been treated with gamma radiation or other ionizing radiation and are sold as spices are irradiated food, but another food which contains as an ingredient spices which have been so treated shall not be considered irradiated food solely because of the presence of those spices.

Sec. 2. 22 MRSA §2155, sub-§8, as amended by PL 1981, c. 470, Pt. A, §86, is further amended to read:

8. Alteration, etc. of label. The alteration, mutilation, destruction, obliteration or removal of the whole or any part of the labeling of, or the doing of any other act with respect to a food, if the act is done while the article is held for sale and results in the article being misbranded; or

Sec. 3. 22 MRSA §2155, sub-§9 is amended to read:

9. Forging, etc. of label. Forging, counterfeiting, simulating or falsely representing, or without proper authority using any mark, stamp, tag, label or other identification device authorized or required by regulations promulgated under this subchapter; or

Sec. 4. 22 MRSA §2155, sub-§10 is enacted to read:

10. Irradiated food. For any person to knowingly sell irradiated food.

Effective September 29, 1987.

## CHAPTER 175

H.P. 506 — L.D. 679

### AN ACT to Further Protect Bald Eagles and Other Endangered Species.

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

Whereas, feeding and harassing endangered and threatened species disrupts their natural state and engenders dependency on the party feeding the animals; and

Whereas, there are tour boat operators that have in the past fed bald eagles to enhance viewing from the boats; and

Whereas, it is likely that such activities will increase