

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

OF THE

STATE OF MAINE

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

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

34-A MRSA §7002, sub-§2, as enacted by PL 1983, c. 459, §6, is repealed and the following enacted in its place:

2. Planning. The department shall carry out planning for identifying, evaluating and meeting the service needs for prevention of juvenile crime and rehabilitation of juveniles adjudicated as having committed juvenile crimes. To ensure that the department's efforts to plan for and deliver prevention programs avoid duplication of the efforts of other state departments which serve juveniles and promote access to services, the commissioner shall:

A. Constitute an interdepartmental coordinating committee on primary prevention, which shall be chaired by the commissioner or his designee and shall include representation from the Department of Educational and Cultural Services, Department of Human Services, Department of Labor, Department of Mental Health and Mental Retardation, Department of Public Safety, the Juvenile Justice Advisory Group and such other public or private agencies as the commissioner may wish to nominate, which have responsibilities associated with preventing not only delinquency, but also child abuse, substance abuse, running away from home, truancy and failing to complete school and other destructive behavior which affects juveniles. This coordinating committee shall:

(1) Develop a state primary prevention plan which provides for the use of state resources in ways that will strengthen the commitment of local communities to altering conditions which contribute to delinquency and other destructive behaviors which affect juveniles, so that the burden of state-funded treatment and crisis-responsive service programs will be reduced. The plan shall provide for the coordination and consolidation of the primary prevention planning efforts of each of the state agencies specified in this section. The plan shall set forth quantifiable and time-limited goals, objectives and strategies and shall include proposals to integrate and build upon successful primary prevention programs;

(2) Provide for the evaluation of policies and programs developed and implemented pursuant to the plan; and

(3) Prepare, annually by November 1st, an appraisal of the State's primary prevention activities during the previous year and its recommendations for programs and activities relating to primary prevention.

Effective September 29, 1987.

CHAPTER 199

H.P. 654 — L.D. 882

AN ACT to Amend the Truck Size and Weight Laws.

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

Sec. 1. 29 MRSA §244, sub-§2, as repealed and replaced by PL 1985, c. 812, Pt. A, §1, is amended to read:

2. Combination tractor-trailer; exceptions. A combination of truck tractor and full trailer or truck tractor and semitrailer shall not exceed 65 feet in length, including all structural parts thereof, permanent or temporary and any load carried on or in the vehicle. Trailers or semitrailers shall not exceed 48 feet in length, including all structural parts thereof, permanent or temporary, and provided that for trailers or semitrailers in excess of 45 feet the distance as measured between the center of the rear most truck tractor axle and the center of the rear most trailer axle shall not exceed 38 feet in length.

A. The load on any vehicle combination utilized exclusively for the transportation of tree length logs may extend rearward beyond the body of the vehicle by 8 1/2 feet, provided that not more than 25% of the length of the logs may extend beyond the body of the vehicle combination.

B. A combination of truck tractor and full trailer or truck tractor semitrailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that the trailer or semitrailer shall not exceed 48 feet in length.

C. A combination of truck tractor, semitrailer and full trailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that no semitrailer or trailer operating in such vehicle combination may exceed 28.5 feet in length.

D. Notwithstanding any other provision of the law, combination vehicles designed for the transportation of automobiles shall be permitted a front overhang of not more than 3 feet and a rear overhang of not more than 4 feet. These overhangs shall be in addition to the length limits authorized in this section.

E. The overall length of trailers and semitrailers shall not include the space occupied by refrigeration units

or other nonload carrying appurtenances which may be permitted by federal regulation.

~~F. The overall length of trailers and semitrailers shall not include the space occupied by refrigeration units or other nonload carrying appurtenances which may be permitted by Federal regulation.~~

Sec. 2. 29 MRSA §1652, sub-§1, ¶D, as repealed and replaced by PL 1975, c. 237, §4, is amended to read:

D. The following vehicles are permitted on the Interstate Highway System:

(1) All 3-axle trucks with brakes on the wheels of all axles, hauling forest products or raw ore from mine or quarry to place of processing, may be operated with a gross weight of 48,000 pounds with a distance between extreme axles of not less than 18 feet; and

(2) All 3-axle trucks with brakes on the wheels of all axles, hauling construction materials, may be operated with a gross weight of 48,000 pounds with a distance between extreme axles of not less than 16 feet; and

(3) A combination comprised of a motor vehicle hauling any tank trailer, dump trailer or ocean transport container with a combined weight of 68,000 pounds on the tandems of the tractor and the trailer, provided that the distance between the first and last axles of those tandems is 30 feet or more. This subparagraph is void on and after September 1, 1988.

Sec. 3. 29 MRSA §1654, first ¶, as repealed and replaced by PL 1985, c. 812, Pt. B, §§2 and 9, is amended to read:

Any person who violates any weight provision for any axle or group of axles or gross weight, if convicted, shall be guilty of a misdemeanor on account of each such violation and for each violation of which convicted shall be punished by a fine. When both gross and axle weights are exceeded, the fine shall be imposed on whichever excess is the greater penalty imposed shall be on the violation that results in the higher fine.

Effective September 29, 1987.

CHAPTER 200

H.P. 681 — L.D. 922

AN ACT to Permit the Annual Filing of Certain Fuel Use Reports.

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

Sec. 1. 36 MRSA §2965, as amended by PL 1983, c.

94, Pt. C, §16, is further amended by adding at the end a new paragraph to read:

Notwithstanding the other provisions of this section, when the annual tax liability is expected to be \$100 or less, a motor carrier, with the approval of the State Tax Assessor, may file an annual return with payment on or before the last day of January each year covering the prior year.

Sec. 2. 36 MRSA §3209, as amended by PL 1985, c. 127, §1, is further amended by adding at the end a new paragraph to read:

Notwithstanding the other provisions of this section, when the annual tax liability is expected to be \$100 or less, a user, with the approval of the State Tax Assessor, may file an annual return with payment on or before the last day of January each year covering the prior year.

Sec. 3. **Effective date.** This Act shall become effective on January 1, 1988.

Effective January 1, 1988.

CHAPTER 201

H.P. 693 — L.D. 934

AN ACT to Facilitate the Transfer of Information Between the Department of Human Services and the Bureau of Taxation.

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

Sec. 1. 36 MRSA §191, sub-§2, ¶J, as amended by PL 1985, c. 764, §4, is further amended to read:

J. The disclosure to a state agency seeking setoff of a liquidated debt against a tax refund pursuant to section 5276-A of information necessary to effectuate the intent of that section; and

Sec. 2. 36 MRSA §191, sub-§2, ¶K, as enacted by PL 1985, c. 764, §5, is amended to read:

K. The disclosure by a municipal assessor, or by the State Tax Assessor with regard to the unorganized territory, of information contained on the declaration of value form required by section 4641-B, to a person who has filed an application for abatement pursuant to section 841. Information which may be disclosed is limited to information which is relevant to the determination of just value of the property for which the form was filed; and

Sec. 3. 36 MRSA §191, sub-§2, ¶L is enacted to read: