

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
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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

AN ACT Pertaining to the Placing of Bear Bait.

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

Sec. 1. 12 MRSA §7001, sub-§1-C is enacted to read:

1-C. Bear bait. "Bear bait" means any animal or plant or derivative of an animal or plant used to attract bear.

Sec. 2. 12 MRSA §7451, sub-§3 is enacted to read:

3. Placing of bear bait. Placing of bear bait shall be in conformity with the following provisions.

A. Bait may not be used to hunt black bear, unless:

(1) The bait is placed at least 50 yards from any travel way that is accessible by a conventional 2-wheel or 4-wheel drive vehicle;

(2) The stand, blind and bait area are tagged by a 2-inch by 4-inch tag with the name and address of the baiter;

(3) The bait is placed more than 500 yards from any dump or campground;

(4) The bait is placed more than 500 yards from an occupied dwelling, unless written permission is granted by the owner or leasee;

(5) The bait is placed not more than 30 days before the opening day of the season;

(6) The bait areas will be cleaned up by November 10, as defined by the state litter laws; and

(7) The person hunting from any stand or blind of another person has permission of the owner of that stand or blind.

Effective September 29, 1987.

CHAPTER 213

H.P. 257 — L.D. 340

AN ACT to Amend the Law to Allow Security Officers to be on Duty for Dances at Which Minors are Admitted.

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

8 MRSA §161, first ¶, as repealed and replaced by PL 1967, c. 265, is amended to read:

No public dances at which minors are admitted shall may be held in any pavilion, hall or other buildings un-

less there shall be on hand at all times, when such dances are being held, an officer of the law or, if permitted under local regulation or ordinance, a private security guard licensed under Title 32, chapter 93, and unless there shall be in such pavilion, hall or other building separate toilets for men and women. This paragraph shall not apply to dances conducted by and for students in either public, private or state-owned school buildings or municipally-owned buildings.

Effective September 29, 1987.

CHAPTER 214

H.P. 517 — L.D. 690

AN ACT to Require that Candidates' Petitions be Sworn.

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

Sec. 1. 21-A MRSA §336, sub-§3 is enacted to read:

3. Residence and party declared. The consent must contain a declaration of the candidate's place of residence and party designation which the candidate must verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the declaration is true. If any part of the declaration is found to be false by the Secretary of State prior to the date of the general election, the consent and the primary petition are void, pursuant to challenge procedures in section 337.

Sec. 2. 21-A MRSA §355, sub-§3 is enacted to read:

3. Residence and party declared. The consent must contain a declaration of the candidate's place of residence which the candidate must verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the declaration is true. If any part of the declaration is found to be false by the Secretary of State prior to the date of the general election, the consent and the nomination petition are void, pursuant to challenge procedures in section 356.

Effective September 29, 1987.

CHAPTER 215

H.P. 626 — L.D. 849

AN ACT to Limit the Penalty a Landlord can Charge a Tenant for Late Payment of Rent.

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

14 MRSA §6028 is enacted to read:

§6028. Penalties for late payment of rent

A landlord may assess a penalty against a tenant for late payment of rent according to this section.

1. Late payment. A payment of rent is late if it is not made within 15 days from the time the payment is due.

2. Maximum penalty. A landlord may not assess a penalty for the late payment of rent which exceeds 4% of the amount due for one month.

3. Notice in writing. A landlord may not assess a penalty for the late payment of rent unless the landlord gave the tenant written notice at the time they entered into the rental agreement that a penalty, up to 4% of one month's rent, may be charged for the late payment of rent.

Effective September 29, 1987.

CHAPTER 216

H.P. 657 — L.D. 890

AN ACT to Require the Use of Seat Belts in Driver Education Programs.

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

Sec. 1. 20-A MRSA §4604, sub-§5 is enacted to read:

5. Use of seatbelts. The instructor and students are required to use seat belts during the behind-the-wheel instruction portion of the course.

Sec. 2. 32 MRSA §9602, sub-§4, as enacted by PL 1981, c. 456, Pt. A, §113, is amended to read:

4. Curriculum at Class A schools. The Class A school curriculum shall consist of at least 30 hours of classroom instruction and 6 hours of behind the wheel instruction before a student may be issued a course completion certificate. Classroom instruction shall be limited to not more than 4 hours in any one 24-hour period. Instruction in motorcycle safety shall conform to standards which are established by the board. The instructor and students are required to use seat belts during the behind-the-wheel instruction.

Effective September 29, 1987.

CHAPTER 217

H.P. 915 — L.D. 1227

AN ACT to Create a Statewide Reservation System for State Parks that have Overnight Camping Facilities.

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

Sec. 1. 12 MRSA §602, sub-§19 is enacted to read:

19. State Park Reservation System. A State Park Reservation System shall be established and funded as provided in this subsection.

A. The director shall establish a statewide reservation system for overnight camping at state parks with overnight camping facilities incorporating a deposit system and a mechanism for accepting payments by credit card. Baxter State Park, the Allagash Wilderness Waterway and the Public Reserved Lands System are excluded from this system.

B. The money for this program shall be appropriated from the General Fund. A surcharge shall be collected on all reservations to be deposited in the General Fund.

C. The Bureau of Parks and Recreation shall submit a report detailing the effectiveness of the reservation system to the joint standing committee having jurisdiction over energy and natural resources in the Second Regular Session of the 114th Legislature. The committee shall report its findings no later than March 1, 1990.

Sec. 2. **Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88 1988-89

CONSERVATION, DEPARTMENT OF

Bureau of Parks and Recreation

Positions	(1)	(1)
Personal Services	\$9,750	\$13,000
All Other	10,985	11,385
Capital Expenditures	8,500	
Total	\$29,235	\$24,985

These funds are for a full-time employee for 6 months in fiscal year 1987-88 and for 8 months in fiscal year 1988-89; 1 in-state WATS line; and equipment to implement the reservation system.

Sec. 3. **Effective date.** This Act shall take effect on January 1, 1988.

Effective January 1, 1988.