

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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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

**AN ACT Requiring Evaluation of New England
Electric Power Pool Membership.**

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

35 MRSA §13-D is enacted to read:

§13-D. New England Electric Power Pool Agreement

1. Utility review of the New England Electric Power Pool Agreement. The Public Utilities Commission shall require, by rule, that each Maine utility which is a member of the New England Electric Power Pool Agreement review that agreement at least every 3 years. The utilities may conduct that review jointly. That review shall address the following factors and concerns and any others which the commission finds relevant to participation in the New England Electric Power Pool Agreement:

- A. Capacity and reserve requirement;
- B. Energy requirements including reserve requirements;
- C. Reliability;
- D. Transmission and wheeling;
- E. Pooled purchases from outside the State;
- F. Treatment of cogeneration contracts;
- G. Allocation of interruptible credit;
- H. Whether the agreement and practices encourage efficient and economic decisions with respect to future electric supply options;
- I. Planning of generation, power purchases and transmission; and
- J. Operation and dispatch of supply.

The review shall evaluate whether participation in the New England Electric Power Pool Agreement is the best option for the particular Maine utility. It shall also investigate whether the allocation of costs and benefits and responsibility for planning decisions within the New England Electric Power Pool Agreement is reasonable.

2. Review by nonmembers. The Public Utilities Commission may require any Maine electric utility serving more than 20,000 customers, which is not a member of the New England Electric Power Pool Agreement, to conduct reviews of the possibility of joining the New England Electric Power Pool Agreement, similar to the review of subsection 1 at intervals of at least 3 years.

3. Public Utilities Commission review of the New England Electric Power Pool Agreement. The utility shall

submit to the commission a report of any review undertaken in accordance with this section together with supporting data and additional information as required for review by the commission. If the Public Utilities Commission finds, after consideration of a utility's submission under subsection 1 or 2, that further investigation by the commission is warranted, then the commission shall proceed under section 296. This shall not preclude the commission from conducting a review of a utility's participation or nonparticipation in the New England Electric Power Pool Agreement at any time on its own motion in accordance with section 296, even if the utility has filed no submission on the issue.

Effective September 29, 1987.

CHAPTER 225

H.P. 1205 — L.D. 1643

**AN ACT to Give Local Election Wardens
Authority Concerning Gathering
Petition Signatures.**

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

21-A MRSA §662, sub-§4 is enacted to read:

4. Collection of signatures. The warden may select and designate a specific location at the voting place, accessible and observable by the voters, where the collection of signatures may take place. The warden may limit the number of persons collecting signatures to one for each specific question, candidate or issue. Persons collecting signatures may not solicit a voter's signature until the voter has completed voting. The warden may direct the removal, under subsection 2, paragraph A, of any person collecting signatures who does not comply with the requirements of this subsection.

Effective September 29, 1987.

CHAPTER 226

H.P. 1248 — L.D. 1704

**AN ACT to Establish the First Full Week of
June as Garden Week.**

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 will not expire until after the first week of June; and

Whereas, the first full week of June has been proclaimed by the Governor as Garden Week every year

for many years; and

Whereas, the Maine Federation of Garden Clubs is an organization which has given countless volunteer hours beautifying the municipal, recreational and open spaces of Maine towns and cities; and

Whereas, the National Council of State Garden Clubs has asked the Maine Federation of Garden Clubs to join with other states in seeking legislation to establish the first full week of June as Garden Week by June, 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:

1 MRSA §128 is enacted to read:

§128. Garden Week

Garden Week shall be established as the first full week of June of each year and the Governor shall annually issue a proclamation inviting and urging the people of the State to observe the week with appropriate celebration and activities.

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

Effective June 5, 1987.

CHAPTER 227

H.P. 799 — L.D. 1073

AN ACT to Require that Loads of Gravel, Sand, Crushed Stone, Wood Chips, Building Debris or Rubbish be Secure to Prevent Spillage.

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

29 MRSA §1752, as amended by PL 1977, c. 32, is further amended by adding at the end a new paragraph to read:

No person may operate or cause to be operated upon any public way a vehicle with a load of gravel, sand, crushed stone, rubbish, wood chips, building debris or trash, unless the load is covered or otherwise secured or confined to prevent any portion of the load from falling from or spilling out of the vehicle.

Effective September 29, 1987.

CHAPTER 228

H.P. 1106 — L.D. 1498

AN ACT to Provide Special License Plates and Decals for People with Hearing Impairments.

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

29 MRSA §252-F is enacted to read:

§252-F. Hearing-impaired persons; special designating placards

The Secretary of State, on application, shall issue a hearing-impaired placard to any person who is hearing impaired when that application is accompanied by a form, available from the Division of Deafness, Bureau of Rehabilitation, certified by a physician or an audiologist stating that the applicant is hearing impaired and cannot hear or understand normal speech. The placard shall be displayed in a conspicuous location in the vehicle as near to the operator as possible without obstructing the view of the operator. The fee for the placard shall be \$1.

Effective September 29, 1987.

CHAPTER 229

S.P. 541 — L.D. 1636

AN ACT to Limit the Administrative Charge on Sales of New Motor Vehicles to the Actual Administrative Cost.

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

Sec. 1. 29 MRSA §345, sub-§3-A is enacted to read:

3-A. Additional charges. Vehicle dealers licensed pursuant to this subsection shall not charge for any extra charge, preparation service or optional equipment, as defined in this subsection, unless such charge is accurately described and clearly posted on the motor vehicle to which the charge applies.

A. "Extra charge" means any consumer charge listed or requested by the dealer for the purchase of a new motor vehicle which is not included in the manufacturer's suggested retail price of that vehicle.

B. "Preparation service" means any adjustment, inspection, testing, repair, replacement of parts, cleaning, polishing or other labor done with the purpose of preparing a new motor vehicle for sale that is performed by the dealer without prior written authorization of the purchaser.