

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
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ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

D. 4.29.3 Tactile Warnings on doors to Hazardous Areas; and

Sec. 3. 5 MRSA §4594, sub-§2, ¶E is enacted to read:

E. Handicapped parking spaces in adequate number, pursuant to section 4593, subsection 1, paragraph E.

Sec. 4. 5 MRSA §4594-A, sub-§2, ¶B, as enacted by PL 1983, c. 437, §5, is amended to read:

B. Plans to reconstruct, remodel or enlarge an existing place of public accommodation, when the estimated total cost exceeds \$150,000, shall be subject to this section when the proposed reconstruction, remodeling or enlargement will substantially affect that portion of the building normally accessible to the public.

Facilities subject to this section which are remodeled, enlarged or renovated on or after January 1, 1984, shall meet the requirements of the following 4 parts of the 1981 standards of construction adopted pursuant to Title 25, chapter 331:

- (1) 4.3 accessible route;
- (2) 4.13 doors;
- (3) 4.17 toilet stalls; and
- (4) 4.29.3 tactile warnings on doors to hazardous areas; and
- (5) Handicapped parking spaces in adequate number, pursuant to section 4593, subsection 1, paragraph E.

Sec. 5. 30 MRSA §2151, sub-§2, ¶K, as amended by PL 1983, c. 337, §2, is further amended to read:

K. Providing for the establishment and policing of parking spaces designated for handicapped persons. A municipality with off-street public parking areas may set aside an adequate number of these spaces for use by handicapped persons. A municipality with on-street public parking spaces may set aside an adequate number of these spaces in appropriate locations for use by handicapped persons. The municipality may post any of the signs authorized by this paragraph adjacent to and visible from each handicapped parking space. One sign shall consist of a profile view of a wheelchair with an occupant in white on a blue background with a printed inscription. The inscription shall read: "Handicapped Parking: Special Plate Required. Unauthorized vehicles are subject to a fine." The other signs authorized under this paragraph and which may be posted in lieu of the first sign shall consist of a profile view of a wheelchair with an occupant in white on a blue background which may bear an inscription. Any new sign erected or any sign replaced after the effective date of this paragraph shall conform to the signs authorized by this paragraph. Any ex-

isting posted signs that do not conform to the provisions of this paragraph and which were erected prior to the effective date of this paragraph shall be deemed to be valid for enforcement purposes. Any vehicle parked in a clearly marked parking space designated by a municipality as a handicapped parking space that does not bear a special registration plate or placard issued under Title 29, section 252, or a similar plate issued by another state, shall be cited for a penalty ~~not to exceed \$25~~ of not less than \$50 unless otherwise established by local ordinance. Owners of private off-street parking ~~may shall arrange for private enforcement or shall enter into agreements with local or county law enforcement agencies for the policing of stalls and spaces dedicated for handicapped persons' vehicles, under which agreements unauthorized vehicles shall be tagged. Where service facilities are established on the Maine Turnpike and on the interstate highway system in Maine, the State Police shall enforce this subsection. "Clearly marked" includes painted signs on pavement, vertical standing signs or barriers which are visible in existing weather conditions.~~

Under such agreements public law enforcement officials may exercise their vested authority to ensure that parking spaces designated for the handicapped are utilized appropriately by handicapped persons, irrespective of whether the designated handicapped parking spaces are located on public or private lots open to the public.

Effective September 29, 1987.

CHAPTER 391

H.P. 1318 — L.D. 1802

AN ACT to Revise the Salaries of Certain County Officers.

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

Whereas, it has become necessary to revise the salaries of certain county officials; and

Whereas, it is desired to have these revisions retroactive to January 1, 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:

30 MRSA §2, sub-§1, as repealed and replaced by PL

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1985, c. 799, is repealed and the following enacted in its place:

1. County officers' salaries. Notwithstanding other sections of this chapter, counties that are not required to obtain legislative approval of their budgets under section 253, shall not be required to obtain legislative approval of the salaries of county officers under this section. The county commissioners, treasurers, sheriffs, judges of probate, registers of probate and registers of deeds in those counties whose budgets require legislative approval under section 253, shall receive annual salaries from the county treasury, in weekly, biweekly or monthly payments, as follows:

A. Androscoggin County:

<u>(1) Commissioners</u>	
<u>(a) Chairman</u>	\$ 5,550
<u>(b) Members</u>	4,750
<u>(2) Treasurer</u>	16,050
<u>(3) Sheriff</u>	23,557
<u>(4) Judge of Probate</u>	10,774
<u>(5) Register of Probate</u>	12,000
<u>(6) Register of Deeds</u>	20,800

B. Aroostook County:

<u>(1) Commissioners</u>	\$ 0
<u>(2) Treasurer</u>	6,930
<u>(3) Sheriff</u>	18,850
<u>(4) Judge of Probate</u>	9,818
<u>(5) Register of Probate</u>	14,000
<u>(6) Register of Deeds</u>	
<u>(a) Northern District</u>	13,730
<u>(b) Southern District</u>	13,730

C. Franklin County:

<u>(1) Commissioners</u>	
<u>(a) Chairman</u>	\$ 4,401
<u>(b) Members</u>	4,174
<u>(2) Treasurer</u>	4,555
<u>(3) Sheriff</u>	22,873

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<u>(4) Judge of Probate</u>	10,500
<u>(5) Register of Probate</u>	15,000
<u>(6) Register of Deeds</u>	16,000

D. Hancock County:

<u>(1) Commissioners</u>	
<u>(a) Chairman</u>	\$ 6,170
<u>(b) Members</u>	5,711
<u>(2) Treasurer</u>	14,277
<u>(3) Sheriff</u>	24,000
<u>(4) Judge of Probate</u>	12,633
<u>(5) Register of Probate</u>	13,167
<u>(6) Register of Deeds</u>	14,277

E. Kennebec County:

<u>(1) Commissioners</u>	
<u>(a) Chairman</u>	\$ 6,150
<u>(b) Members</u>	5,773
<u>(2) Treasurer</u>	8,159
<u>(3) Sheriff</u>	23,626
<u>(4) Judge of Probate</u>	14,055
<u>(5) Register of Probate</u>	18,020
<u>(6) Register of Deeds</u>	18,020

F. Knox County:

<u>(1) Commissioners</u>			
	1987	1988	1989
<u>(a) District 1</u>	\$3,611	\$3,611	\$3,611
<u>(b) District 2</u>	3,439	3,439	3,611
<u>(c) District 3</u>	3,439	3,439	3,611
<u>(d) Chairman differential</u>	250	250	250
<u>(2) Treasurer</u>	6,000	6,000	6,000
<u>(3) Sheriff</u>	22,500	22,500	22,500
<u>(4) Judge of Probate</u>	11,000	11,000	11,000

<u>(5) Register of Probate</u>	<u>13,425</u>	<u>13,425</u>	<u>15,000</u>	<u>J. Piscataquis County:</u>	
<u>(6) Register of Deeds</u>	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>	<u>(1) Commissioners</u>	
<u>G. Lincoln County:</u>				<u>(a) Chairman</u>	<u>\$ 5,000</u>
<u>(1) Commissioners</u>				<u>(b) Members</u>	<u>4,200</u>
<u>(a) Chairman</u>			<u>\$ 5,292</u>	<u>(2) Treasurer</u>	<u>5,200</u>
<u>(b) Members</u>			<u>4,515</u>	<u>(3) Sheriff</u>	<u>20,000</u>
<u>(2) Treasurer</u>			<u>4,935</u>	<u>(4) Judge of Probate</u>	<u>11,700</u>
<u>(3) Sheriff</u>			<u>24,532</u>	<u>(5) Register of Probate</u>	<u>13,450</u>
<u>(4) Judge of Probate</u>			<u>11,907</u>	<u>(6) Register of Deeds</u>	<u>13,900</u>
<u>(5) Register of Probate</u>			<u>14,430</u>	<u>K. Sagadahoc County:</u>	
<u>(6) Register of Deeds</u>			<u>18,428</u>	<u>(1) Commissioners</u>	
<u>H. Oxford County:</u>				<u>(a) Chairman</u>	<u>\$ 4,120</u>
<u>(1) Commissioners</u>				<u>(b) Members</u>	<u>3,605</u>
<u>(a) Chairman</u>			<u>\$ 5,152</u>	<u>(2) Treasurer</u>	<u>7,017</u>
<u>(b) Members</u>			<u>4,694</u>	<u>(3) Sheriff</u>	<u>19,055</u>
<u>(2) Treasurer</u>			<u>6,205</u>	<u>(4) Judge of Probate</u>	<u>12,929</u>
<u>(3) Sheriff</u>			<u>23,148</u>	<u>(5) Register of Probate</u>	<u>14,125</u>
<u>(4) Judge of Probate</u>			<u>12,934</u>	<u>(6) Register of Deeds</u>	<u>15,073</u>
<u>(5) Register of Probate</u>			<u>14,820</u>	<u>L. Somerset County:</u>	
<u>(6) Register of Deeds</u>				<u>(1) Commissioners</u>	
<u>(a) Eastern District</u>			<u>15,236</u>	<u>(a) Chairman</u>	<u>\$ 4,296</u>
<u>(b) Western District</u>			<u>11,700</u>	<u>(b) Members</u>	<u>3,681</u>
<u>I. Penobscot County:</u>				<u>(2) Treasurer</u>	<u>8,850</u>
<u>(1) Commissioners</u>				<u>(3) Sheriff</u>	<u>25,400</u>
<u>(a) Chairman</u>			<u>\$ 7,176</u>	<u>(4) Judge of Probate</u>	<u>14,307</u>
<u>(b) Members</u>			<u>6,864</u>	<u>(5) Register of Probate</u>	<u>15,089</u>
<u>(2) Treasurer</u>			<u>2,808</u>	<u>(6) Register of Deeds</u>	<u>15,500</u>
<u>(3) Sheriff</u>			<u>22,932</u>	<u>M. Washington County:</u>	
<u>(4) Judge of Probate</u>			<u>18,720</u>	<u>(1) Commissioners</u>	
<u>(5) Register of Probate</u>			<u>18,044</u>	<u>(a) Chairman</u>	<u>\$ 4,872</u>
<u>(6) Register of Deeds</u>			<u>18,044</u>	<u>(b) Members</u>	<u>4,061</u>

(2) <u>Treasurer</u>	15,600
(3) <u>Sheriff</u>	22,381
(4) <u>Judge of Probate</u>	13,834
(5) <u>Register of Probate</u>	13,696
(6) <u>Register of Deeds</u>	13,696

N. York County:

(1) <u>Commissioners</u>	\$ 0
(2) <u>Treasurer</u>	3,900
(3) <u>Sheriff</u>	27,000
(4) <u>Judge of Probate</u>	11,463
(5) <u>Register of Probate</u>	15,935
(6) <u>Register of Deeds</u>	17,563

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved and shall be applied retroactively to January 1, 1987.

Effective June 22, 1987.

CHAPTER 392

H.P. 1322 — L.D. 1805

AN ACT to Amend Certain Probate Laws.

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

Sec. 1. 18-A MRSA §1-602, ¶(2), as repealed and replaced by PL 1983, c. 262, §1, is repealed and the following enacted in its place:

(2) For receiving and entering each petition or application for all estates, testate and intestate, including foreign estates, and the filing of a notice by a domiciliary foreign personal representative when the value of the estate is:

- (i) For filing a will without probate, no fee;
- (ii) For filing a will to be probated and without an appointment, \$10;
- (iii) \$10,000 and under, \$15;
- (iv) \$10,001 to \$20,000, \$30;
- (v) \$20,001 to \$30,000, \$45;
- (vi) \$30,001 to \$40,000, \$60;

(vii) \$40,001 to \$50,000, \$75;

(viii) \$50,001 to \$75,000, \$100;

(ix) \$75,001 to \$150,000, \$150;

(x) \$150,001 to \$250,000, \$200;

(xi) \$250,001 to \$500,000, \$300

(xii) \$500,001 to \$1,000,000, \$400;

(xiii) \$1,000,001 to \$2,000,000, \$500; or

(xiv) More than \$2,000,000, \$600.

Sec. 2. 18-A MRSA §1-602, ¶(5), as enacted by PL 1979, c. 540, §1, is amended to read:

(5) For filing a petition for appointment as guardian or conservator, or for other protective proceedings, \$5, \$10.

Sec. 3. 18-A MRSA §1-602, ¶¶(7) and (8), as enacted by PL 1983, c. 262, §2, is amended to read:

(7) For filing a joint joined petition for appointment as guardian and conservator, \$10 \$20.

(8) For filing any other formal proceeding, \$5 \$10.

Sec. 4. 18-A MRSA §1-602, ¶(9) is enacted to read:

(9) For filing a petition for appointment of conservator, \$10.

Sec. 5. 18-A MRSA §4-204, as enacted by PL 1979, c. 540, §1, is amended to read:

§4-204. Proof of authority; bond

If no local administration or application or petition therefor is pending in this State, a domiciliary foreign personal representative may file with a court in this State in a county in which property belonging to the decedent is located, authenticated copies of his appointment and, of any official bond he has given and a certificate, dated within 60 days, proving his current authority.

Sec. 6. 18-A MRSA §5-432, as enacted by PL 1979, c. 540, §1, is amended to read:

§5-432. Foreign conservator; proof of authority; bond; powers

If no local conservator has been appointed and no petition in a protective proceeding is pending in this State, a domiciliary foreign conservator may file with a court in this State in a county in which property belonging to the protected person is located, authenticated copies of his appointment and, of any official bond he has given and a certificate, dated within 60 days, proving his cur-