

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

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D. The date and manner of destruction or disposition of the property; and

E. The exact kinds, quantities and forms of the property.

The records shall be open to inspection by all federal and state officers responsible for enforcing federal and state drug control laws. Persons making final disposition or destruction of the property under court order shall report, under oath, to the court the exact circumstances or the disposition or destruction.

2. Department of Public Safety; centralized record. The Department of Public Safety shall maintain a centralized record of property seized, held by and ordered to the department. A report of the disposition of property previously held by the department and ordered by the court to any governmental entity shall be provided at least quarterly to the Commissioner of Finance and the Office of Fiscal and Program Review for review. These records shall include an estimate as to the fair market value of items seized.

Sec. 3. 22 MRSA §2387, as amended by PL 1985, c. 737, Pt. B, §19, is repealed.

Sec. 4. 29 MRSA §2374, sub-§4 is enacted to read:

4. Forfeiture of interest. If the interest of an owner in a vehicle is forfeited to the State under Title 15, chapter 517, the owner shall promptly mail or deliver to the Secretary of State his last certificate of title. If the owner is unknown, the State shall proceed to perfect title in accordance with Title 15, section 5823. If the forfeited vehicle is resold to another person, the Secretary of State shall issue a new certificate of title to the purchaser. If the forfeiting owner fails to comply with this subsection, the Secretary of State, pursuant to section 2378, shall revoke the owner's certificate of title and pursuant to section 2376, shall issue a new certificate of title to the purchaser.

Effective September 29, 1987.

CHAPTER 421

S.P. 631 — L.D. 1852

AN ACT to Authorize the State Bureau of Identification to Charge Fees to Nongovernmental Agencies for Services.

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

25 MRSA §1541, sub-§6 is enacted to read:

6. Establishment of fees. The State Bureau of Identification may charge nongovernmental organizations for services provided pursuant to this chapter. The commis-

sioner shall establish a schedule of fees which shall cover the cost of providing these services, 100% of which shall be credited to the General Fund.

Effective September 29, 1987.

CHAPTER 422

H.P. 522 — L.D. 702

AN ACT to Reduce the Retirement Age Requirement for Governors.

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

2 MRSA §1-A, sub-§1, as enacted by PL 1985, c. 801, §§1 and 7, is amended to read:

1. Terms and conditions. Any former Governor and any surviving spouse of a deceased Governor or former Governor is entitled, upon application and upon reaching age 65 60, to a retirement allowance under the following terms and conditions.

A. The amount of the retirement allowance is 3/8 of the annual salary being paid the current Governor on the date the retirement allowance becomes effective the former Governor reaches age 60 or leaves office, which ever comes later.

B. A surviving spouse of a deceased Governor or former Governor is entitled to receive the allowance beginning the day after the death of the Governor or former Governor. The surviving spouse of a Governor or former Governor shall be eligible to receive:

(1) If the spouse is age 60 or older:

(a) The retirement allowance the Governor was receiving or was entitled to receive if the deceased or former Governor died at age 60 or older; or

(b) A retirement pension equal to 3/8 of the salary paid to the Governor currently in office if the former Governor died before age 60; or

(2) If the spouse is under age 60:

(a) At the time the spouse reaches age 60, a retirement pension equal to 3/8 of the salary paid to the Governor currently in office; or

(b) Before the spouse reaches age 60, a reduced retirement pension actuarially equivalent to the benefit which he would have received under division (a).

C. Any person who succeeds to the office of Governor by means other than by election must serve as Governor a minimum of 6 months to qualify himself

or a surviving spouse for the retirement allowance.

D. Whatever adjustments are made under Title 5, sections 17806 and 18407 shall be applied to payments made under this section.

Effective September 29, 1987.

CHAPTER 423

H.P. 1080 — L.D. 1468

AN ACT to Allow Political Parties to Determine the Qualifications of Voters in Primary Elections.

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

Sec. 1. 21-A MRSA §1, sub-§32, as enacted by PL 1985, c. 161, §6, is amended to read:

32. Primary election. "Primary election" means the regular election ~~by the voters of a party~~ for the election of nominees of a party for the general election.

Sec. 2. 21-A MRSA §111, sub-§5, as enacted by PL 1985, c. 161, §6, is amended to read:

5. Enrollment. He must be enrolled in a party in that municipality to vote at a caucus, convention or primary election, unless otherwise permitted by a political party pursuant to section 340.

Sec. 3. 21-A MRSA §340 is enacted to read:

§340. Notice of parties of qualified primary voters

1. Notice to Secretary of State. No later than February 1st of the election year, each political party eligible to participate in a primary election shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's primary. If no notice is received by that date, only voters enrolled in a political party may vote in that party's primary.

2. Notice to municipal clerks. The Secretary of State shall inform all municipal clerks of the qualifications necessary for voters to participate in each party's primary. The clerks shall establish procedures to ensure that all qualified primary voters are offered ballots for each party in which primary election the voters are qualified to vote.

Effective September 29, 1987.

CHAPTER 424

H.P. 944 — L.D. 1267

AN ACT to Continue the Agricultural Viability Program.

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

Sec. 1. 7 MRSA Pt. 1-A, as enacted by PL 1985, c. 482, §2, is repealed.

Sec. 2. 7 MRSA §314, as enacted by PL 1985, c. 482, §2, is amended to read:

§314. Establishing a program for identifying regional opportunities

In response to these legislative findings, the commissioner shall establish a ~~pilot~~ program to review and identify the agricultural opportunities and constraints in ~~up to 4~~ selected regions of the State and, to the maximum extent possible, to administer the department's programs in these selected regions so as to address these opportunities and constraints. In this ~~pilot~~ program, the commissioner shall:

1. Public participation. Ensure that the agricultural community and public in general have the opportunity to participate in the assessment of regional opportunities and constraints and in any redirection of programs resulting from the assessment; ~~and~~

2. Local lead agencies. By rule establish criteria for selecting ~~up to 4~~ regions for inclusion in this ~~pilot~~ program and designating local lead agencies to coordinate public input and assist in this regional assessment, provided that preference shall be given to local soil and water conservation districts as lead agencies which meet designation criteria. Regions shall be selected so as to reflect the agricultural, geographic and demographic diversity of the State and the capacity of potential local lead agencies to participate in this ~~pilot~~ program. The commissioner shall provide, not later than August 1st each year, notice of the availability of funding and a schedule for accepting applications for selection of local lead agencies to review and assess regional agricultural opportunities in areas of the State in which the assessments have not yet been carried out.

A. The department shall provide the local lead agencies with current information about agricultural production, processing and marketing within the State, the demand for state agricultural products and the State's market position relative to its competitors.

B. Local lead agencies shall hold hearings and public meetings and shall collect and assess information on agricultural resources, problems and needs in their local areas, including at a minimum: