

# 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.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

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

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Each year, no later than December 15th, the council shall report to the Governor, Commissioner of Human Services, Commissioner of Mental Health and Mental Retardation and the Legislature, presenting:

1. Forecast. A forecast of significant health care issues that are expected to face the State in the next 5 years;

2. Agenda. An agenda of major health policy issues for the coming year; and

3. Findings. The council's findings on issues it had raised in the previous year and on public and private health care delivery and financing goals and objectives.

§19107. Public participation and hearings

The council shall conduct at least 3 public meetings a year in different geographic areas of the State, seeking information and advice from individual citizens and interested organizations and shall hold at least one formal public hearing to obtain advice from interested parties on the council's draft of the annual report.

§19108. Staff

The council shall employ an executive director, a comprehensive health planner II and a clerk typist II.

§19109. Advisory committees

The council may from time to time appoint ad hoc advisory committees to support its work in studying particular health policy issues and public and private health care delivery and financing goals and objectives. Membership on those committees shall reflect a balance of appropriate geographic, economic, social, institutional and professional interests.

§19110. Funding

The cost of the council's mandated activities and advisory committee meetings shall be paid from appropriations from the General Fund. The council may accept gifts and grants to support activities consistent with the purposes of this chapter.

Effective September 29, 1987.

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**CHAPTER 499**

H.P. 1164 — L.D. 1590

**AN ACT to Clarify Certain Sections of the Motor Vehicle Laws.**

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

Sec. 1. 29 MRSA §246, 6th ¶, as repealed and

replaced by PL 1985, c. 506, Pt. A, §53, is amended to read:

The annual fee for registration of farm motor trucks, ~~having 2 or 3~~ equipped with axles other than so-called dolly axles falling under section 1652, subsection 4, paragraph A, subparagraph (6), or farm motor trucks ~~having 2 or 3~~ axles towing a trailer or semitrailer when those trucks are used primarily for transportation of agricultural commodities, supplies or equipment to be used in connection with the operation of a farm or farms owned, operated or occupied by the registrant, shall be as follows:

|   |       |
|---|-------|
| From 0 pounds gross weight to 6,000 pounds gross weight .....       | \$ 16 |
| From 6,001 pounds gross weight to 9,000 pounds gross weight .....   | \$ 19 |
| From 9,001 pounds gross weight to 11,000 pounds gross weight .....  | \$ 22 |
| From 11,001 pounds gross weight to 14,000 pounds gross weight ..... | \$ 34 |
| From 14,001 pounds gross weight to 16,000 pounds gross weight ..... | \$ 45 |
| From 16,001 pounds gross weight to 18,000 pounds gross weight ..... | \$ 67 |
| From 18,001 pounds gross weight to 20,000 pounds gross weight ..... | \$ 79 |
| From 20,001 pounds gross weight to 23,000 pounds gross weight ..... | \$ 96 |
| From 23,001 pounds gross weight to 26,000 pounds gross weight ..... | \$114 |
| From 26,001 pounds gross weight to 29,000 pounds gross weight ..... | \$139 |
| From 29,001 pounds gross weight to 32,000 pounds gross weight ..... | \$159 |
| From 32,001 pounds gross weight to 35,000 pounds gross weight ..... | \$235 |
| From 35,001 pounds gross weight to 38,000 pounds gross weight ..... | \$258 |
| From 38,001 pounds gross weight to 42,000 pounds gross weight ..... | \$281 |
| From 42,001 pounds gross weight to 46,000 pounds gross weight ..... | \$304 |
| From 46,001 pounds gross weight to 50,000 pounds gross weight ..... | \$327 |

From 50,001 pounds gross weight to 54,000 pounds gross weight . . . . . \$350

**Sec. 2.** 29 MRSA §1111, last ¶, as repealed and replaced by PL 1971, c. 354, is amended to read:

Removal of any part or accessory, or any item located in the interior or trunk compartment of such vehicle while it is in the possession or on the premises of such garage, parking lot or service station, without the express written permission of the owner or manager of such garage, parking lot or service station shall be considered a misdemeanor and the person doing the removing of such part or accessory shall be liable to prosecution. This shall apply to removal without written permission of the vehicle itself, and shall include any person or persons whatsoever, including the owner of the vehicle.

**Sec. 3.** 29 MRSA §1652, sub-§4, ¶A, as amended by PL 1983, c. 818, §14, is further amended to read:

A. Every truck, tractor, truck tractor, trailer and semitrailer shall be equipped with adequate brakes acting on all wheels of all axles, except that:

- (1) Any truck, tractor or truck tractor having 3 or more axles need not have brakes on the front wheels, if manufactured prior to August 1, 1980, except when any such vehicle is equipped with 2 or more steerable axles the wheels of one such axle need not be equipped with brakes;
- (2) Any trailer or semitrailer not exceeding a gross weight of 3,000 pounds;
- (3) Any vehicle towed by use of a wrecker;
- (4) Any vehicle meeting braking requirements of the motor carrier safety regulations of the U.S. Department of Transportation shall be considered adequate;
- (5) Semitrailers designed and used exclusively for the dispensing of cable from reels attached thereto, commonly called reel trailers, and semitrailers designed and used exclusively to support the end of poles while being transported, commonly called pole dollies, with a gross weight of that semitrailer and load not to exceed 12,000 pounds shall be excluded from the provisions of this subsection; and
- (6) A dolly axle, so-called, on a farm truck transporting agricultural products and supplies on public ways while engaged in agricultural activities, providing such an axle shall not be considered in determining the legal gross weight or axle limits permitted on the vehicle. A 2-axle or 3-axle farm truck equipped with such an axle shall, for all weight proposed, be considered a 2-axle or 3-axle vehicle.

**Sec. 4.** 29 MRSA §1701, first ¶, as amended by PL 1985, c. 812, Pt. B, §4, is further amended to read:

No vehicle which, with or without load, is wider than 102 inches over all may be operated upon any way or bridge. In those cases in which firewood, pulpwood or bolts are piled in tiers from the front to rear of the body of a vehicle and the firewood, pulpwood or bolts are of a length such that the load will pitch to the center of the vehicle, a strip of wood or metal 3 inches thick shall extend along the sides of the platform, from front to rear, securely fastened to the platform of the vehicle in order that the load shall pitch to the center of that vehicle, except that those vehicles may substitute for this 3-inch strip, 2 chains, wire rope, steel cable binders or web straps, or any combination thereof. In those cases in which firewood, pulpwood or bolts are piled in tiers from the front to rear of the body of the vehicle and the firewood, pulpwood or bolts are of a length such that the load will not pitch to the center of the vehicle, then the load shall be bound from front to rear with 2 chains, wire ropes, steel cable binders or web strap or any combination thereof. These The chains, wire ropes, steel cables or web straps shall meet the specifications set forth in section 1751 and shall be held firmly in place and properly spaced to secure the load. Each vehicle so loaded shall carry a solid-boarded tailboard or 5 stakes evenly spaced of sufficient strength to maintain the weight of the load, and the load at no place along its length shall be higher than the tailboard or stakes. No vehicle any structural part of which, permanent or temporary, is more than 13 feet 6 inches in height, measured vertically from a plane and level surface of ground or pavement may be operated upon any way or bridge. The load on any vehicle may extend 6 inches above the maximum permissible structural height of the vehicle. No vehicle may be operated over any section of a way or bridge which does not afford adequate structural overhead clearance. No portion of any vehicle or load, except the reflecting mirror required by this Title, may project beyond the side of such vehicle to make a total width greater than specified in this section. This section shall not apply to snow plows and equipment used exclusively for the removal of snow from public ways or to construction equipment the uses of which are confined to the limits of highway and bridge construction projects. This section shall not be construed as limiting the width or height of a load of loose hay, pea vines or cornstalks or other loosely mounded loads that cannot damage structures or threaten public safety.

**Sec. 5.** 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 place, or cause to be placed and allow to remain on any public way, any snow or slush that has not accumulated there naturally.

**Sec. 6.** 29 MRSA §1756, as enacted by PL 1965, c. 246, is repealed.

**Sec. 7.** 29 MRSA §2708, as repealed and replaced by PL 1983, c. 642, is amended to read:

§2708. Indemnity bonds

The Secretary of State shall not register any motor vehicle required to obtain an operating permit subject to this chapter and the bureau shall not issue a permit covering the operation of any such motor vehicle or vehicles, until the applicant for that permit has procured a good and sufficient insurance policy or indemnity bond, in such amount as the bureau prescribes, having as surety thereon, a surety company authorized to transact business in this State or 2 responsible individuals, which bond shall be approved by the bureau, or a declaratory judgment issued by the Interstate Commerce Commission authorizing the motor carrier to self-insure. The insurance policy or bond or self-insurance shall adequately provide for cargo insurance and for the collection of damages for which the holder of a permit may be liable by reason of the operation of any motor vehicle or vehicles subject to the operation of this chapter. Notwithstanding this section, any person, firm or corporation transporting logs or pulpwood, garbage, refuse, sludge, junk or unserviceable vehicles, manure, wood chips, bark or hogged fuel is not required to provide cargo insurance. Any person, firm or corporation transporting freight between points within this State and points without the State or between points without the State, but passing through this State, is not required to provide cargo insurance.

**Sec. 8. Effective date.** Section 4 of this Act shall take effect on March 1, 1988.

Effective September 29, 1987, unless otherwise indicated.

## CHAPTER 500

H.P. 1312 — L.D. 1790

### AN ACT to Delineate Areas of Economic Distress and to Create Job Opportunity Zones to Alleviate Distress.

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

**Sec. 1.** 5 MRSA §7002, sub-§3 is enacted to read:

3. Assistance to municipalities to generate economic growth. The director shall administer a program of assistance to municipalities to generate jobs and business development. Potential uses of this money include infrastructure development, planning and technical assistance, marketing and other types of capacity building.

A. This program may consist of a fund consisting of money derived from any general obligation bonds issued for the purposes of generating economic development and jobs. This fund with money not exceeding \$1,000,000 shall be administered by the State Development Office to provide assistance as defined in this subsection. Money available for the purpose of this subsection shall not be used to provide financial assistance to business.

B. At least 20% of the money available to implement this program shall be provided to opportunity zones pursuant to chapter 403.

**Sec. 2.** 5 MRSA §12004, sub-§10, ¶A, sub-¶(5-A) is enacted to read:

|                                   |  |  |                      |
|-----------------------------------|--|--|----------------------|
| <u>(5-A) Economic Development</u> | <u>Commission on Job Opportunity Zones</u> | <u>Legislative Per Diem for Legislative Members Only</u> | <u>5 MRSA §15136</u> |
|-----------------------------------|--|--|----------------------|

**Sec. 3.** 5 MRSA c. 403 is enacted to read:

## CHAPTER 403

### JOB OPPORTUNITY ZONES ACT

§15131. Short title

This chapter shall be known and may be cited as the "Job Opportunity Zones Act."

§15132. Findings

The creation of job opportunities for Maine citizens is one of the highest priorities to maintain a healthy and balanced economy. Certain parts of the State do not enjoy the same level of economic development as other areas. Differences in geographical location, variations in the amount of natural or built resources and population, among other factors, have an impact on the ability of these areas to compete in a global economy and expand job opportunities.

Recognizing the need to assist certain areas of the State to address this economic disparity, it is appropriate to establish a program of economic development incentives targeted to areas of the State which are not sharing in the economic growth or job opportunities associated with that growth.

The responsibility for enhancing the development potential of any area must be a partnership between the locality and the State to create a local strategy, build capacity, improve infrastructure and services, identify and provide appropriate development incentives and effective market and promote the community.

§15133. Purpose

Job opportunity zones are created to enhance the partnership between the State and areas which are found to be economically distressed or impacted by sudden or severe dislocation of the economy. By targeting state and local resources and selected incentives, within the context of a local economic development strategy, job opportunity zones can be an effective tool to encourage balanced economic growth.

§15134. Definitions