

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

and the

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

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  
1988

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST AND SECOND SPECIAL SESSIONS  
and  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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This Act shall not apply to any action or proceeding pending on or filed after the effective date of this Act and which arises out of any action or failure to act occurring before the effective date of this Act.

All actions taken before the effective date of this Act which were in compliance with provisions repealed or amended by this Act shall be deemed to have been taken in compliance with the provisions of this Act. All ordinances, regulations, bylaws or other official action taken under provisions repealed or amended by this Act shall continue in effect until repealed or amended, except for those which are contrary to the provisions of this Act.

All officers, officials or other persons elected, appointed, hired or otherwise selected to act in any capacity under provisions repealed or amended by this Act shall continue in that capacity under the provisions of this Act.

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

Effective February 26, 1988.

## CHAPTER 584

H.P. 1461 — L.D. 1972

**AN ACT to Add the Commissioner of Public Safety to the Alcohol and Drug Abuse Planning Committee.**

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

**Sec. 1.** 22 MRSA §7131, sub-§2, ¶C and D, as enacted by PL 1983, c. 464, §19, are amended to read:

C. The Commissioner of Human Services; and

D. The Commissioner of Mental Health and Mental Retardation; and

**Sec. 2.** 22 MRSA §7131, sub-§2, ¶E is enacted to read:

E. The Commissioner of Public Safety.

Effective August 4, 1988.

## CHAPTER 585

S.P. 729 — L.D. 1988

**AN ACT Relating to the Powers of the Maine Youth Center Employees.**

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

Whereas, the authority provided by this bill is necessary to help preserve the public peace; 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:

34-A MRSA §3813 is enacted to read:

### §3813. Power of center employees

The Maine Youth Center employees have the same power as sheriffs in their respective counties to search for and apprehend escapees from the center, when authorized to do so by the superintendent.

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

Effective February 26, 1988.

## CHAPTER 586

H.P. 1491 — L.D. 2041

**AN ACT to Amend Reporting Deadlines under the Therapeutic Pharmaceutical Monitoring Panel.**

**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 may not expire until after the reporting deadline has passed; and

Whereas, it is imperative that the Therapeutic Pharmaceutical Monitoring Panel be given sufficient time to prepare its report to the Legislature; 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:

32 MRSA §2428, sub-§6, as enacted by PL 1987, c. 439, §15 and c. 542, Pt. K, §§15 and 20, is amended to read:

6. Report to the Legislature and Governor. The panel shall prepare and submit reports to the Governor, the President of the Senate, the Speaker of the House, the State Board of Optometry and the State Board of Registration in Medicine. The reports shall summarize the

findings of the panel regarding the use of therapeutic pharmaceutical agents and shall be signed by all members of the panel. A report shall be submitted on the following dates: ~~June~~ July 30, 1988; January 30, 1989; June 30, 1989; and January 30, 1990.

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

Effective February 26, 1988.

## CHAPTER 587

H.P. 1635 — L.D. 2234

### AN ACT to Prohibit Hunting, Trapping, Molesting or Harassing of Bear Near Dumps.

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

12 MRSA §7452, sub-§5, as enacted by PL 1979, c. 420, §1, is repealed and the following enacted in its place:

5. Hunting or trapping bear near dumps. The commissioner, or the commissioner's agent, shall establish a line of demarcation at least 200 yards from sites permitted or licensed for the disposal of solid waste. A person is guilty of hunting or trapping bear near dumps if that person hunts, traps, molests or harasses bear or releases dogs for the purpose of hunting bear within this area. The commissioner, or the commissioner's agent, is exempt from this prohibition for the purpose of live trapping nuisance bears.

Effective August 4, 1988.

## CHAPTER 588

H.P. 1446 — L.D. 1957

### AN ACT to Adequately Compensate Municipal Agents for Activities Undertaken on Behalf of the State in the Registration of Motor Vehicles.

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

29 MRSA §52-A, first ¶, as amended by PL 1987, c. 262, is further amended to read:

With the approval of the municipal officers of a municipality, the Secretary of State may appoint municipal tax collectors, or such other persons as a municipality may designate to collect excise taxes on vehicles, as agents to receive applications for the registration and the renewal of registrations of motor vehicles, trailers and semitrailers. Municipal agents so appointed may be authorized to issue both registrations and renewals of registrations, or their authority may be limited to the

issuance of renewals only. Those agents authorized to issue both registrations and renewals may issue registrations for trucks not registered for over 6,000 pounds g.v.w., automobiles, trailers, semitrailers and farm tractors, and may issue renewals for automobiles, trailers, semitrailers, trucks and farm tractors in which there is no change from the previous registration in the status of the vehicle to include the registered gross weight, axles or any other change in the status defined by the Secretary of State, provided these vehicles are not for hire. Those agents authorized to issue new registrations may also register trucks of greater gross weight after having satisfactorily participated in special training as prescribed by the Secretary of State. Agents authorized to issue renewals only may issue renewals for automobiles, trailers, semitrailers, trucks and farm tractors in which there is no change from the previous registration in the status of the vehicle to include the registered gross weight, axles or any other change in status defined by the Secretary of State, provided these vehicles are not for hire. Agents may also issue renewals for school buses operated by school administrative units or private contractors. The agents may charge any applicant a fee not to exceed \$1 \$2 over and above the required registration fee for each renewal issued and a fee not to exceed \$2 in the case of each new registration issued, the service charges to be retained by the municipality. In any municipality which provides agents who issue new registrations or renewals of registrations for applicants from another municipality or from unorganized territory, the agent may charge those applicants \$1 in addition to the fees enumerated in this paragraph for each new registration or renewal issued, the service charge to be retained by the municipality.

Effective August 4, 1988.

## CHAPTER 589

H.P. 1471 — L.D. 1982

### AN ACT to Exempt from Labeling Requirements Goods Produced Under Certification Issued by the United States Department of Justice Pursuant to the Prison Industries Enhancement Act.

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

34-A MRSA §1403, sub-§9, ¶C, as enacted by PL 1985, c. 821, §21, is amended to read:

C. All goods manufactured at a correctional facility for sale shall be distinctly labeled or branded with the words "Manufactured at a Maine State Correctional Facility", except those goods produced under a program certified by the United States Department of Justice pursuant to the Prison Industries Enhancement Act, Public Law 96-157, Section 827 (1979).

Effective Date August 4, 1988