

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.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
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1987

suant to section 2296, until at least 3 years after the original date scheduled for eligibility to apply for relief of that status.

3. Presumption of identity. If the name and date of birth of the person being prosecuted under this section are the same as the habitual offender whose privilege to operate has been revoked, then there shall be a presumption that that person is the same person whose license was revoked under this chapter.

Effective August 4, 1988.

CHAPTER 592

S.P. 738 — L.D. 1997

AN ACT to Authorize the Bureau of Banking, Securities Division, to Adopt a Simplified Registration Statement for Limited Public Offerings.

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

32 MRSA §10404, sub-§5 is enacted to read:

5. Simplified statement. For purposes of simplifying the registration statement for smaller offerings and promoting uniformity with other states, the superintendent may adopt, by rule promulgated in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, a form to be used as the registration statement for securities being registered under this section and sold in offerings in which the aggregate offering price does not exceed the maximum amount specified in the rule. The form need not require all the information included in this section and may require information not included in this section.

Effective August 4, 1988.

CHAPTER 593

H.P. 1435 — L.D. 1952

AN ACT Relating to Disclosures when Selling Used Cars.

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

10 MRSA §1475, sub-§3, ¶D, as amended by PL 1987, c. 136, is further amended to read:

D. A statement identifying the type of damage, if any, that the vehicle has sustained, such as fire, water or substantial collision damage, if such information is known to the seller.

Effective August 4, 1988.

CHAPTER 594

H.P. 1647 — L.D. 2253

AN ACT Concerning Sanitary Conditions on Railroad Property.

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

Whereas, Public Law 1985, chapter 5, requires the Legislative Task Force on Railroads to submit its report, together with any necessary legislation to the Legislature prior to May 1, 1987; and

Whereas, the task force finds it necessary to continue this study to June 30, 1988, to identify the most effective role to be played by the State in retaining and enhancing rail transportation; 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:

Sec. 1. 26 MRSA c. 5, sub-c. III-A is enacted to read:

§351. Rules

The Commissioner of Labor shall adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, relating to sanitation on railroad property as it affects the safety and health of railroad employees, including, but not limited to, enginemen, trainmen, yardmen, maintenance-of-way employees, clerical employees, carmen and enginehouse employees.

§352. Scope

This subchapter applies to locomotives and caboose cars and other rolling stock, including camp cars and any other work area in which sanitation is not governed by a federal agency or another state agency. It does not apply to locomotives used only in yard switching service.

§353. Inspections

For the purposes of this subchapter, the Commissioner of Labor or the commissioner's designee may, at any reasonable time and upon presentation of appropriate identification, enter and inspect a workplace.

§354. Prohibition; penalty

A person who violates any rule that is adopted by the commissioner under this subchapter shall be subject to