

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

of a thorough and practical character commensurate with the responsibilities of the prospective license holder.

Applications for a first examination shall be received by the board at least 15 days prior to a scheduled meeting of the board.

The passing grade on any examination shall be not less than 70%. A candidate failing one examination may apply for reexamination, which may be granted upon payment of a fee established by the board. Any candidate for registration having an average grade of less than 50% may not apply for reexamination for one year.

When the unexpired term of license of an applicant is or will be more than one year at the time of licensure, the board may require the applicant to pay an additional fee not to exceed 1/2 the biennial license fee.

Sec. 13. 32 MRSA §3507, as repealed and replaced by PL 1983, c. 468, §21, is amended to read:

§3507. Corporations, firms and partnerships

The board may issue a master plumber license to a corporation, firm or partnership which submits an application therefor on a form prescribed by the board. Such a license shall not be issued unless the applicant provides satisfactory evidence that it has a licensed master plumber directly in charge of its plumbing business activities who is an officer or full-time employee, in the case of a corporation, or a partner, member or full-time employee, in the case of a firm or partnership, and the license shall be issued in the name of that master plumber. A master plumber can only be affiliated with one corporation. Upon the death or severance from the company of the licensed master plumber in whose name the company licensed is held, the company license shall automatically terminate 30 days from the date of that death or severance, unless the company applies for reissuance of its license in the name of another licensed master plumber who is qualified under this section.

Sec. 14. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

| | |
|---|----------|
| | 1988-89 |
| <u>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</u> | |
| Plumbers' Examining Board | |
| Positions | (1.0) |
| Personal Services | \$25,515 |
| All Other | 4,000 |
| Total | \$29,515 |

Sec. 15. Transition. Members of the Plumber's Examining Board who have been appointed to terms extending beyond the effective date of this Act shall continue

to serve for their appointed terms of office and shall serve until their successors are appointed and qualified.

Effective August 4, 1988.

CHAPTER 598

H.P. 1509 — L.D. 2059

AN ACT to Amend Procedures Under the Unclaimed Motor Vehicle Laws.

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

Sec. 1. 29 MRSA §895-B, as amended by PL 1987, c. 72, §§1 and 2, is repealed.

Sec. 2. 29 MRSA §1111, 5th ¶, as amended by PL 1985, c. 152, is repealed and the following enacted in its place:

An officer may cause any vehicle parked, disabled or abandoned on any way so as to interfere with or hinder the removal of snow or the normal movement of traffic, or parked within the limits of a highway right-of-way, or any vehicle in connection with the physical arrest of the driver or owner, and the Department of Transportation may cause any vehicle parked or standing on property under its jurisdiction, to be removed from the way and placed in a suitable parking place, at the expense of the person in whose name the vehicle is registered. Neither the State nor political subdivisions of the State nor the officer is liable for any damages that may be caused by the removal.

Sec. 3. 29 MRSA §2444, sub-§3, as amended by PL 1981, c. 437, §30, is repealed.

Sec. 4. 29 MRSA §2610 is enacted to read:

§2610. Abandoned vehicles

1. Application. If a vehicle has been abandoned after being brought to or left at the premises of any place of business for garaging, repairing, parking or storing; if a vehicle has been abandoned after being towed to a place of business either at the request of the owner or driver or pursuant to section 1111; or if a vehicle is abandoned on private property, the owner of the premises or property shall comply with this section. For the purposes of this section, a vehicle shall be considered abandoned 30 days after authorized repair work is done or authorized garaging, parking or storing is completed, or after a vehicle has remained on a property for 30 days if no repair work, garaging, storing or parking was authorized by the vehicle's driver or owner.

2. Owner and lien holder unknown. If the owner of a vehicle described in subsection 1 is unknown, the owner of the premises or property where the vehicle is lo-

cated shall inquire of the Secretary of State in writing whether the Secretary of State's records contain information as to the owner and lienholder, if any, of the vehicle. That inquiry shall be made no later than 30 days after receipt of the vehicle and shall include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. Upon receipt of the inquiry, the Secretary of State shall provide the holder of the vehicle with any information on record as to the name and address of the vehicle's owner and lienholder or shall state that no record of the vehicle is on file.

A. If the Secretary of State provides the name of the owner or lienholder, the holder of the vehicle shall comply with subsection 3.

B. If the Secretary of State finds no record of the vehicle, the owner of the premises or property where the vehicle was brought or abandoned shall publish, at least twice in a newspaper of general circulation in the county where the premises or property is located, a notice which shall clearly describe the vehicle and state that if the owner of the vehicle or lienholder has not properly claimed it and paid all reasonable costs and charges for its towing and storage within 14 days from the date of last publication, ownership of the vehicle shall pass to the owner of the property or premises where the vehicle is located. The notice shall clearly state how the owner of the premises or property may be contacted.

Removal of the vehicle or any part, accessory or personal item from the vehicle without the written consent of the owner or person in charge of the premises or property where the vehicle is located is a Class E crime.

3. Owner or lienholder known. If the owner or lienholder of a vehicle described in subsection 1 is known, the owner of the premises or property where the vehicle is located shall mail notice to the owner and lienholder, if any. Such notice shall be mailed not later than 30 days after receipt of the vehicle if no repair work, garaging, storing or parking was authorized by the vehicle's owner or driver, or not later than 30 days following completion of any authorized repair work, garaging, storing or parking. The notice shall give the location of the vehicle and the storage fee, if any, and state that if the owner or lienholder has not properly claimed the vehicle and paid all reasonable costs and charges for its towing, storage and authorized repair work within 14 days of receipt of the notice, ownership of the vehicle shall pass to the owner of the premises or property where the vehicle is located, as provided in subsection 4. The notice shall be sent by certified mail, return receipt requested.

4. Evidence of compliance. A person who has complied with subsection 2 or 3 may present evidence of compliance to the Secretary of State. The Secretary of State shall issue certificates of title or letters of ownership as follows.

A. For vehicles not required to be titled, upon presentation of sufficient evidence and payment of a \$5 fee, the Secretary of State may issue a letter of ownership indicating compliance with subsection 2 or 3.

B. For vehicles subject to chapter 21, upon presentation of sufficient evidence and application for certificate of title in accordance with section 2364, and payment for a fee set forth in section 2352, the Secretary of State may issue a certificate of title in accordance with chapter 21.

5. Forfeit and penalty. The holder of a vehicle, as described in subsection 1, who fails to comply with subsection 2 or 3 shall forfeit all claims and liens for garaging, parking or storing of the vehicle and shall be punished by a fine of not more than \$25 for each day the failure to comply continues.

6. Rules. The Secretary of State may adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, necessary to implement this section to assure the validity of submitted claims.

Effective August 4, 1988.

CHAPTER 599

S.P. 732 — L.D. 1991

AN ACT Concerning Marine Recreational Fisheries.

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

Sec. 1. 12 MRSA §6051, as enacted by PL 1977, c. 661, §5, is amended to read:

§6051. General department activities

The department, under the direction of the commissioner, may conduct or sponsor programs for research and development of commercial, marine recreational and anadromous fishery resources and other marine resources of the State which may include biological, chemical, technological, hydrological, processing, depuration, marketing, financial, economic and promotional research and development. The department may carry out these programs within the department, in cooperation with other state agencies, and federal, regional and local governmental entities, or with private institutions or persons.

Sec. 2. 12 MRSA §6052, sub-§4, ¶¶A and B, as enacted by PL 1977, c. 661, §5, are amended to read:

A. Providing information on stock levels and environments of commercially and recreationally valuable marine and anadromous fish organisms;