

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

sioners 1958 Standard Ordinary Mortality Table, using actual age of the insured for male risks and an age more than 3 years younger than the actual age of the insured for female risks;

(2) For annuity and pure endowment certificates, excluding any disability and accidental death benefits in such certificates: The 1937 Standard Annuity Mortality Table or the Annuity Mortality Table for 1949, ultimate, or any modification of either of these tables approved by the superintendent;

(3) For total and permanent disability benefits in or supplementary to life insurance certificates: Hunter's Disability Table, or the class III disability table (1926) modified to conform to the contractual waiting period, or the tables of period 2 disablement rates and the 1930 to 1950 termination rates of the 1952 disability study of the Society of Actuaries with due regard to the type of benefit. Any such table shall, for active lives, be combined with a mortality table permitted for calculating the reserves for life insurance certificates;

(4) For accidental death benefits in or supplementary to life insurance certificates: The Intercompany Double Indemnity Mortality Table or the 1959 Accidental Death Benefits Table. Either table shall be combined with a mortality table permitted for calculating the reserves for life insurance certificates; and

(5) For noncancellable accident and health benefits: The class III disability table (1926) with conference modifications or, with the consent of the superintendent, tables based upon the society's own experience.

Effective August 4, 1988.

CHAPTER 607

H.P. 1696 — L.D. 2329

AN ACT to Control Vehicle Speeds on Public Easements.

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

29 MRSA §1251, first ¶, as amended by PL 1987, c. 257, §2, is further amended to read:

Except as provided in section 1255 and notwithstanding section 1252, subsection 2, the Commissioner of Transportation, with the consent and approval of the Chief of the Maine State Police, shall have the authority to restrict the maximum rate of speed allowed by law or established by the commissioner with the consent and approval of the Chief of the Maine State Police at any and all points on the highway where in the opinion of the

commissioner, with the consent and approval of the Chief of the Maine State Police, an adjusted speed limit will minimize the danger of accident, promote the free flow of traffic, conserve motor fuel or respond to changes in federal laws, and in each such place shall fix the rate of speed in accordance with his own judgment. For the purposes of this section and section 1252, the Department of Transportation may fix the rate of speed upon any discontinued or abandoned town way over which a municipality has retained a public easement and the posted rate of speed upon that public easement may be enforced in the same manner as upon any public way, street or highway. The Department of Transportation, with the consent and approval of the Chief of the Maine State Police, shall have authority to increase the speeds of all motor vehicles at any and all points on the highway where, in its opinion, higher speeds are warranted to promote the normal and reasonable movement of traffic, provided that such increased speed shall not exceed 60 miles per hour for vehicles, except on the interstate system or other divided controlled-access highways such increased speed shall not exceed 65 miles per hour for vehicles. Any adjustment to the rate of speed established pursuant to this section shall be exempt from the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375. This section shall not apply to that portion of the interstate system which is part of the Maine Turnpike.

Effective August 4, 1988.

CHAPTER 608

H.P. 1711 — L.D. 2348

AN ACT to Regulate the Taking of Turtles for Commercial Purposes.

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

Whereas, snapping turtles are harvested during the summer months; and

Whereas, the inhumane disposal of unwanted snapping turtles in the past has created a nuisance and public health hazard; and

Whereas, rules regarding snapping turtles should be promulgated by the Department of Inland Fisheries and Wildlife before the next season; 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:

12 MRSA §7470 is enacted to read:

§7470. Commercial harvest of snapping turtles

1. Commercial snapping turtle permit. Persons harvesting snapping turtles for purposes of resale are required to obtain a permit from the commissioner.

2. Rules. The commissioner shall promulgate rules pertaining to harvest methods, confinement and disposal of snapping turtles.

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

Effective March 4, 1988.

CHAPTER 609

S.P. 734 — L.D. 1993

AN ACT to Bring the Computer Services Section of the Department of Professional and Financial Regulation into the Division of Administrative Services.

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

Sec. 1. 10 MRSA §8003, sub-§1, as amended by PL 1985, c. 785, Pt. B, §55, is further amended to read:

1. Division of Administrative Services. There is created a Division of Administrative Services, which shall constitute a division within the department, to provide assistance to the commissioner and to the agencies within the department in personnel civil service matters, budgeting and financial matters, purchasing, and clerical and support services, and to perform such other duties as the commissioner may designate. The commissioner may employ a Director of Administrative Services and such clerical and technical assistants as are necessary to discharge the duties of the division, and shall outline their duties and fix their compensation, subject to the Civil Service Law.

A. Within the Division of Administrative Services, there shall be a computer services section. It shall be the responsibility of the computer services section to process and issue original and renewal licenses for the department and for those bureaus, boards and commissions within the department as the commissioner may direct. The licenses shall be processed and issued only upon authorization of the appropriate bureau, board or commission, or upon the authorization of the commissioner in the case of those licenses granted directly by the department. The computer services section shall maintain a central register containing the name and address of each person or firm licensed by profession, occupation or industry and such other information as the commissioner may direct for

administration, information or planning purposes. The commissioner, with the advice of the respective bureaus, boards and commissions, may determine the type and form of licenses issued by all agencies within the department. The computer services section shall perform such other administrative services for the agencies within the department as the commissioner may direct.

Sec. 2. 10 MRSA §8003, sub-§2, ¶A, as enacted by PL 1983, c. 553, §13, is repealed.

Sec. 3. Transition. The following provisions shall apply to the transfer of the Computer Services Section to the Division of Administrative Services.

1. Funds transferred. Notwithstanding the Maine Revised Statutes, Title 5, sections 1585 and 1586, all accrued expenditures, assets, liabilities, balances, appropriations or allocations, transfers, revenues or other available funds in any account or subdivision of an account of the Computer Services Section affected by this Act shall remain with the Computer Services Section following transfer to the Division of Administrative Services.

2. Personnel transferred. The employees of the Computer Services Section shall remain with the Computer Services Section following their transfer to the Division of Administrative Services. The accrued fringe benefits, including vacation and sick leave, health and life insurance and retirement of the personnel shall remain with them.

3. Rules and procedures. All rules and procedures currently in effect and operations pertaining to the Computer Services Section and which are in compliance with the provisions of this Act shall remain in effect until rescinded or amended as provided by state law.

4. Equipment and property transferred. All equipment and property of the State used by employees and officials of the Computer Services Section affected by this Act shall remain with that unit upon transfer to the Division of Administrative Services.

5. Contracts and agreements. All contracts and agreements currently in effect with respect to the Computer Services Section affected by this Act shall remain in effect until rescinded, terminated or modified as provided by state law.

6. Organization and operation. Notwithstanding any other provision of law, any preparation work may occur prior to the appropriate effective date of this Act, but shall not become binding until the appropriate effective date.

Effective August 4, 1988.
