

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

which require the new operator to select employees of the prior operator, and existing or future collective bargaining agreements;

B. Second, all employees, in seniority order for each craft or class, who hold or held seniority rights in, or in connection with, the railroad line when it was last operated by its prior operator;

C. Third, employees drawing benefits under the United States Railroad Unemployment Insurance Act, United States Code, Title 45, chapter 11, first in the geographical area in which the railroad line is located, and then elsewhere within the State; and

D. Fourth, any other individual;

2. Existing employment obligations and practices. Assume the existing employment obligations and practices of the railroad whose property is condemned, including all agreements governing rates of pay, rules and working conditions, until changes are made by agreement or otherwise, in accordance with applicable law; and

3. Employee protection. Agree to provide a fair arrangement to protect the interests of railroad employees who are affected by the condemnation which is at least as protective of the interests of those employees as the levels of protection established by regulation or decision of the Interstate Commerce Commission.

Any person who is entitled to priority of employment under this section shall be presumed to be physically and mentally qualified to perform the same or comparable work with the new employer.

Effective August 4, 1988.

CHAPTER 749

H.P. 1707 — L.D. 2344

AN ACT to Continue Professional Forestry Supervision of Biomass Fuel Wood Harvesting Operations.

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

Sec. 1. 12 MRSA §5012, as amended by PL 1987, c. 308, §§6 to 8, is further amended by adding at the end a new paragraph to read:

The department shall publish a compendium of laws affecting forestry including, without limitation, laws regarding boundary lines, trespass, timber harvest, wood measurement, forest fire prevention, forest land taxation, shoreland zoning and the site location of development law. The department shall publish the first compendium by January 1, 1989, and subsequent editions by 90 days after the adjournment of the 2nd regular ses-

sion of the Legislature. The department shall make the compendium available to the public at cost. The department may use the revolving fund established under this section for printing and distribution.

Sec. 2. 12 MRSA §8864, as enacted by PL 1987, c. 286, is amended to read:

§8864. Repeal

This article is repealed 90 days after the end of the Second Regular Session of the 113th Legislature on August 15, 1990.

Effective August 4, 1988.

CHAPTER 750

S.P. 955 — L.D. 2533

AN ACT to Provide Regulatory Oversight of Over-the-Road and Over-the-Rail Transportation of Hazardous Materials and to Increase Revenue to the Maine Hazardous Waste Fund and the Maine Coastal and Inland Surface Oil Clean-Up Fund.

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

Sec. 1. 29 MRSA §§246-B and 246-C are enacted to read:

§246-B. License for transportation of hazardous materials

1. License required. As of January 1, 1989, any person, including a private carrier or a common or contract carrier, who transports certain hazardous materials as specified in this section by highway, such that the motor vehicle used in that transportation, transports more than 2,000 pounds of any of those hazardous materials at any one time shall first obtain from the Secretary of State an annual license or single-trip license for each motor vehicle used in that transportation. This license shall be available for examination and displayed in accordance with rules adopted by the Commissioner of Public Safety. Annual licenses shall expire one year following the date of issuance. The license shall be in such form as the Secretary of State by rule prescribes. No license may be transferable to another motor vehicle.

2. Hazardous materials covered. Hazardous materials subject to the requirements of this section shall mean those substances identified pursuant to the United States Superfund Amendments and Reauthorization Act of 1986, Title III, Sections 302 and 313.

3. Exceptions. This section shall not apply to: