

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

for trustees representing water districts whose term is set by section 2002, subsection 6-A, the terms shall be determined by lot in accordance with the following table:

| Total number of trustees | TERM | | |
|--------------------------|--------|---------|---------|
| | 1 year | 2 years | 3 years |
| 5 | 1 | 2 | 2 |
| 6 | 2 | 2 | 2 |
| 7 | 2 | 2 | 3 |
| 8 | 2 | 3 | 3 |
| 9 | 3 | 3 | 3 |
| 10 | 3 | 3 | 4 |
| 11 | 3 | 4 | 4 |
| 12 | 4 | 4 | 4 |
| 13 | 4 | 4 | 5 |
| 14 | 4 | 5 | 5 |
| 15 | 5 | 5 | 5 |
| 16 | 5 | 5 | 6 |
| 17 | 5 | 6 | 6 |
| 18 | 6 | 6 | 6 |

The trustees shall enter on their records the determination so made. The trustees shall serve their terms as determined at the organizational meeting, except that, in the case of trustees representing a municipality, those trustees shall serve an additional period until the next regular election of the municipality and, thereafter, those trustees' terms of office shall date from the time of each regular municipal election; and except that, in the case of trustees representing residents of unorganized territory, those trustees shall serve until an election to fill the vacancies caused by the expiration of their terms shall be called by the county commissioners. The commissioners shall call the election in the same manner provided for the initial election of trustees and cause that election to be held on a date as closely following the date upon which the terms expire.

Sec. 7. 38 MRSA §2005, as enacted by PL 1987, c. 711, is amended by adding after the 2nd paragraph a new paragraph to read:

At the first organizational meeting, the trustees shall determine the percentage of the watershed district's operating budget to which each participating water district shall contribute. Any contributions paid by a participating water district shall be recovered, with carrying costs, in the district's next rate case. The agreed upon contribution of a participating water district may not be changed during the fiscal year unless the participating water district approves the change. The percentage contribution of a participating water district may be reviewed and changed by the trustees at the end of the fiscal year.

Sec. 8. 38 MRSA §2008, sub-§4, as enacted by PL 1987, c. 711, is amended to read:

4. Budget approval. The trustees shall thoroughly explain the proposed budget and the voters of the district shall be given an opportunity to be heard. ~~A budget must be approved by the voters of the district at the district budget meeting.~~ At the district budget meeting, only those items

dealing with the expenses necessary to operate the district, appropriations for a reserve fund and capital outlay shall be subject to change by the voters. ~~If a budget for the operation of the district is not approved prior to July 1st in any year, the budget as submitted by the trustees for operational expenses, reserve fund and capital outlay purposes shall be automatically considered the budget approved for operational expenses in the ensuing fiscal year. The initial budget submitted by the trustees of the watershed district following the district's formation and organization must be approved by the voters at the district budget meeting. If the initial budget is not approved by July 1st, the trustees shall make as many revisions and conduct as many meetings as necessary to secure budget approval by the voters. If a budget for the operation of the district is not approved prior to July 1st in any following year, the previous fiscal year's budget shall automatically be considered the approved budget for that fiscal year.~~

Sec. 9. 38 MRSA §2010, sub-§1, as enacted by PL 1987, c. 711, is amended to read:

1. Method. Following adoption of the district budget, the trustees shall issue their warrants, in substantially the same form as the warrant of the Treasurer of State, for taxes to each participating municipality requiring it to pay its proportionate part of the district budget. Each municipality's proportionate part of the budget shall be based upon its percentage of shoreline frontage on the great ponds within the district's territory, or an alternative method unanimously agreed upon by all the municipalities.

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

Effective May 5, 1989.

CHAPTER 107

H.P. 471 - L.D. 636

An Act to Amend the Truck Laws

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

29 MRSA §244, sub-§4, as amended by PL 1987, c. 781, §§2 and 15, and as repealed and replaced by PL 1987, c. 789, §8, is repealed and the following enacted in its place:

4. Maximum length limits. The following maximum length limits shall apply.

A. No vehicle may exceed a length of 45 feet overall, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle.

B. A combination of truck tractor and full trailer or truck tractor and semitrailer shall not exceed 65 feet

in length, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle. Trailers or semitrailers shall not exceed 48 feet in length, including all structural parts of the vehicle, permanent or temporary, and provided that for trailers or semitrailers in excess of 45 feet the distance as measured between the center of the rearmost truck tractor axle and the center of the rearmost trailer axle shall not exceed 38 feet in length.

(1) The load on any vehicle combination utilized exclusively for the transportation of tree-length logs may extend rearward beyond the body of the vehicle by 8 1/2 feet, provided that not more than 25% of the length of the logs extend beyond the body of the vehicle combination.

(2) A combination of truck tractor and full trailer or truck tractor semitrailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that the trailer or semitrailer does not exceed 48 feet in length.

(3) A combination of truck tractor, semitrailer and full trailer, or a combination of truck tractor and 2 semitrailers, with the 2 trailing units connected with a "B-train" assembly, may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that no semitrailer or trailer operating in either vehicle combination may exceed 28.5 feet in length.

(4) A stinger-steered autotractor may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length not to exceed 75 feet.

Notwithstanding any other provision of the law, combination vehicles designed for the transportation of automobiles shall be permitted a front overhang of not more than 3 feet and a rear overhang of not more than 4

feet. These overhangs shall be in addition to the length limits authorized in this section.

(5) The overall length of trailers and semitrailers shall not include the space occupied by refrigeration units or other nonload-carrying appurtenances which may be permitted by federal regulation.

C. Fire department vehicles and disabled motor vehicles being towed to a repair facility are exempted from the length restrictions set out in this subsection.

D. The Commissioner of Transportation shall promulgate rules, not inconsistent with the provisions of the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, to ensure reasonable access to vehicles, as set forth in paragraph B, subparagraphs (2), (3) and (4), between the Interstate Highway System and any other qualifying federal aid primary system highways, as designated by the Secretary of the United States Department of Transportation, and terminals, facilities for food, fuel, repairs and rest and points of loading and unloading for household goods carriers.

Any permits required pursuant to this paragraph shall be issued by the Secretary of State with the advice and consent of the Commissioner of Transportation.

See title page for effective date.

CHAPTER 108

H.P. 454 - L.D. 619

An Act Relating to Highway Construction and Maintenance Signs and Advertising Signs

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

Whereas, it is desired to make the changes proposed in this bill before the summer maintenance 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:

Sec. 1. 23 MRS §654, as amended by PL 1975, c. 771, §251, is repealed and the following enacted in its place: