

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 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

covered with snow to prevent direct damage to the vegetation.

Sec. 72. 12 MRSA §7857, sub-§24, ¶E-1, as enacted by PL 1985, c. 762, §22 is amended to read:

E-1. Notwithstanding subsection 16, ATV's manufactured prior to January 1, 1991, without a headlight or taillight are exempt from the provisions of that subsection while being operated between the hours of sunrise and sunset.

Sec. 73. 12 MRSA §7863, sub-§4, as amended by PL 1981, c. 414, §39, is further amended to read:

4. Illegal use of firearm during training or field trials. A Except as otherwise provided in subsection 5, a person is guilty of illegal use of a firearm during training or field trials if, during the training or field trials permitted in section 7862, subsection 1, and section 7861, subsection 1 sections 7861 and 7862, he that person uses or possesses any firearm other than a pistol or shotgun loaded with blank ammunition, except during open season for hunting.

Sec. 74. 12 MRSA §7910, sub-§5, as enacted by PL 1979, c. 420, §1, is repealed.

Sec. 75. PL 1989, c. 52 is repealed.

Sec. 76. Effective date. The Maine Revised Statutes, Title 12, section 7463-A, subsection 4, as amended in this Act and Title 12, section 7463-A, subsection 4-A, as enacted in this Act, shall take effect January 1, 1990.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except for section 19 and sections 51 to 54 which shall take effect on January 1, 1990.

Effective June 29, 1989, unless otherwise indicated.

CHAPTER 494

H.P. 196 - L.D. 276

An Act to Provide a Special Adjustment for Border Hospitals Experiencing Economic Hardship

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

Whereas, certain border hospitals are experiencing economic hardship that may result in the loss of valuable health services in border communities unless special relief is provided rapidly through the hospital regulatory system; and

Whereas, the necessary relief cannot be provided without changes in the current law; 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:

22 MRSA §396-D, sub-§9-B is enacted to read:

9-B. Special relief for border hospitals. In determining financial requirements for a border hospital's 5th payment year, the commission shall make a special adjustment in accordance with the following provisions:

A. As used in this subsection, the following terms have the following meanings:

(1) "Border hospital" means a Maine hospital located within 10 miles of the New Hampshire border.

(2) "Economic hardship" means an excess of reasonably budgeted, noncapital, acute care operating expenses over noncapital financial requirements.

(3) "5th payment year" means a hospital's payment year beginning or deemed to begin on or after October 1, 1988, and before October 1, 1989.

B. In considering an adjustment under this subsection, the commission shall determine the extent to which the hospital has demonstrated that its economic hardship is attributable to unique circumstances affecting border hospitals. In no event may an adjustment under this subsection exceed the portion of a hospital's economic hardship attributed to the unique circumstances of border hospitals.

C. This adjustment may be made during the course of the 5th payment year. An adjustment under this subsection shall become part of payment year financial requirements for purposes of computing subsequent payment year financial requirements pursuant to section 396-C.

D. This subsection is repealed October 1, 1991.

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

Effective June 29, 1989.

CHAPTER 495

H.P. 124 - L.D. 161

An Act to Amend the Maine Income Tax Laws