

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 SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

H. Director, Bureau of Highway Safety;

Sec. 2. 25 MRSA §2901, as repealed and replaced by PL 1987, c. 769, Pt. A, §103, is amended to read:

§2901. Department; commissioner

There is created and established the Department of Public Safety to coordinate and efficiently manage the law enforcement and public safety responsibilities of the State, to consist of the Commissioner of Public Safety, in this chapter called "commissioner," who shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government and to confirmation by the Legislature, to serve at the pleasure of the Governor, and the following as created and established: the Bureau of State Police, the Bureau of Liquor Enforcement, the Office of the State Fire Marshal, the Maine Criminal Justice Academy, the Maine Highway Safety Commission, the Bureau of Highway Safety and the Bureau of Intergovernmental Drug Enforcement.

Sec. 3. 25 MRSA §2902, sub-§4, as amended by PL 1989, c. 503, Pt. B, §106, is further amended to read:

4. Maine Highway Safety Commission. The Maine Highway Safety Commission, as authorized by Title 5, section 12004-I, subsection 83, which shall be under the direction of the Commissioner of Public Safety and advisory to the Governor. The commission shall consist of not more than 25 members selected by the Governor from state, civic and industrial organizations and individuals with interests relating to highway safety. The Commissioner of Public Safety, the Commissioner of Transportation, the Commissioner of Human Services and the Commissioner of Educational and Cultural Services, the Secretary of State and the Attorney General shall serve as ex officio members. The ex officio members shall appoint persons in major policy-influencing positions as their designees to represent them at meetings of the commission with voting privileges. The commission members shall serve at the pleasure of the Governor and shall be compensated in accordance with Title 5, chapter 379. The commission shall stimulate active support for highway safety measures and programs and shall advise the Department of Public Safety regarding these issues. The commission shall annually report its findings and recommendations, including any necessary implementing legislation, to the Governor and to the joint standing committee of the Legislature having jurisdiction over state and local government; ~~and~~

Sec. 4. 25 MRSA §2902, sub-§6, as amended by PL 1987, c. 666, §5, is further amended to read:

6. Bureau of Intergovernmental Drug Enforcement. The Bureau of Intergovernmental Drug Enforcement, which shall be under the direction of the Director of the Bureau of Intergovernmental Drug Enforcement; and

Sec. 5. 25 MRSA §2902, sub-§7 is enacted to read:

7. Bureau of Highway Safety. The Bureau of Highway Safety which shall be under the direction of the Director of the Bureau of Highway Safety. The bureau is responsible for the State's highway safety program. The bureau is authorized to develop and implement a process for obtaining information about highway safety programs administered by other state and local agencies and to provide and facilitate the provision of financial and technical assistance to other state agencies and political subdivisions for the purpose of developing and carrying out highway safety programs.

See title page for effective date.

CHAPTER 649

S.P. 881 - L.D. 2251

An Act to Provide for Wider Production of Certain Deer for Food

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

Sec. 1. 7 MRSA §1331, sub-§1, ¶A, as enacted by PL 1987, c. 685, §1, is amended to read:

A. "Domesticated deer" means fallow deer, family Cervidae, sub-family Cervinae, genus Dama; red deer, family Cervidae, sub-family Cervinae, genus Cervus, species Elaphus; and any other species specified under subsection 1-A, kept as domestic animals for the purpose of either breeding stock or for sale as food.

Sec. 2. 7 MRSA §1331, sub-§1-A is enacted to read:

1-A. Specification of species. The commissioner may, by rule, specify other species of deer as domesticated deer. Additional species may be specified only with the written concurrence of the Commissioner of Inland Fisheries and Wildlife.

See title page for effective date.

CHAPTER 650

S.P. 814 - L.D. 2078

An Act to Prevent Retaliatory Evictions of Mobile Park Tenants

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

10 MRSA §9097, sub-§1-A is enacted to read:

1-A. Retaliation. The court may not order the termination of any tenancy if the tenant proves that the eviction action is primarily in retaliation for:

A. The tenant's participation in establishing, or membership in, an organization concerned with landlord-tenant relationships; or

B. The tenant's assertion of any right under this chapter.

See title page for effective date.

CHAPTER 651

H.P. 1569 - L.D. 2174

An Act to Require Notice of Charges for Use of Telephones Made Available for Public Use

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

Sec. 1. 35-A MRSA §7102, sub-§3 is enacted to read:

3. Public telephone. "Public telephone" means a telephone made available for voice message use by members of the transient or general public for compensation, including pay telephones and any telephones provided for the use of lodgers in or patrons of hotels, motels, hospitals, medical and convalescent care facilities, academic institutions, transportation terminals, government offices, public buildings, restaurants or other places of public accommodation or prisons and other confinement facilities.

Sec. 2. 35-A MRSA §7305 is enacted to read:

§7305. Notice of charges for use of public telephones

1. Notice of charges. Any person who owns, controls, operates or manages a public telephone shall provide a written notice within the immediate vicinity of the telephone and plainly visible to any person using the telephone. The notice must:

A. Identify the name, address and telephone number of the person who owns, controls, operates or manages the public telephone to whom complaints regarding that telephone may be directed;

B. Inform the person using the public telephone how to contact a local telephone company operator or "911" service operator in case of emergency;

C. Specify the rates or charges for use of the public telephone, including charges for local calls, intrastate calls, "800" or other toll-free calls, uncompleted calls, incoming calls, collect calls, 3rd-party calls and credit card calls; and

D. Contain the identity of the long-distance company that serves the public telephone, explain how the user of the public telephone may, at no charge, obtain information on the rates or charges imposed by the long-distance company, and any additional charges imposed on the user for long distance services.

2. Charges limited when no notice. Any person who owns, controls, operates or manages a public telephone and fails to provide the notice required by subsection 1 may not demand or receive compensation for use of the telephone in excess of charges imposed by the local exchange telephone utility serving that area with respect to that use.

See title page for effective date.

CHAPTER 652

S.P. 815 - L.D. 2079

An Act Regarding Evictions from Mobile Home Parks

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

10 MRSA §9097, sub-§2, ¶B, as enacted by PL 1987, c. 737, Pt. B, §1 and Pt. C, §106; and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. The park owner entitled under subsection 1 to the mobile home space giving at least 45 days' notice of termination in writing to the tenant. If the landlord or the landlord's agent has made at least 3 witnessed good faith efforts made on 3 separate days to serve the tenant, service may be accomplished by both mailing the notice by first class mail to the tenant's last known address and by leaving the notice at the tenant's space in the park.

(1) In cases where the reason for eviction is nonpayment of rent, the tenancy may be terminated by 30 days' notice given in the same manner provided that the notice for eviction contains notice of the amount owed and a statement indicating that the tenant can negate the effect of the notice of termination as it applies to rent arrearage if the tenant pays the full amount of rent due before the expiration of the notice.

See title page for effective date.

CHAPTER 653

H.P. 1568 - L.D. 2173

An Act to Permit the Sale of Consumer Education Materials by the Attorney General