

# MAINE STATE LEGISLATURE

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**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.

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**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**

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performed and the area that may be used for that purpose. The commission may not refuse to accept, under this paragraph, a permit application for any prohibited activity if the owner or lessee of land adjoining a great pond has made a diligent effort to locate the record owner or owners of the flowed land in question and has been unable to do so; and

E. For a new or expanded development requiring an annual supply of wood or wood-derived materials in excess of 150,000 tons green weight, a wood supply plan for informational purposes to the Maine Forest Service at the time of application. The wood supply plan must include, but is not limited to, the following information:

- (1) The expected operational life of the development;
- (2) The projected annual wood consumption of wood mill residue, wood fiber and recycled materials from forest products during the entire operational life of the development;
- (3) The expected market area for wood supply necessary to supply the development; and
- (4) Other relevant wood supply information.

**Sec. 2.** 38 MRSA §485-A, sub-§1-A is enacted to read:

1-A. Wood supply. For a new or expanded development requiring an annual supply of wood or wood-derived materials in excess of 150,000 tons green weight, the applicant shall submit a wood supply plan for informational purposes to the Maine Forest Service concurrent with the application required in subsection 1. The wood supply plan must include, but is not limited to, the following information:

- A. The expected operational life of the development;
- B. The projected annual wood consumption of wood mill residue, wood fiber and recycled materials from forest products during the entire operational life of the development;
- C. The expected market area for wood supply necessary to supply the development; and
- D. Other relevant wood supply information.

See title page for effective date.

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## CHAPTER 682

H.P. 1412 - L.D. 1964

**An Act to Amend the Educational Qualifications for Licensure as a Social Worker**

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

**32 MRSA §7053, sub-§3**, as amended by PL 1985, c. 736, §11, is repealed and the following enacted in its place:

**3. Licensed social worker.** To be qualified to be licensed as a social worker an applicant must meet one of the following requirements.

A. The applicant must have received a bachelor's degree in social work or social welfare from an accredited educational institution; demonstrated to the satisfaction of the board adherence to the ethics of the social worker profession; and successfully completed the examination prescribed by the board.

B. The applicant must have received a bachelor's degree in a related field from an institution that, at the time the degree was received, did not have a program accredited by the Council on Social Work Education but subsequently offered such a program; demonstrated to the satisfaction of the board adherence to the ethics of the social worker profession; and successfully completed the examination prescribed by the board.

The board shall issue rules, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, by which an individual who has a bachelor's degree that does not qualify under paragraph A or B may be eligible for a license.

See title page for effective date.

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## CHAPTER 683

H.P. 1385 - L.D. 1915

**An Act to Repeal the Prohibition on Phantom House Lot Valuation**

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

**36 MRSA c. 105, sub-c. V-A**, as enacted by PL 1989, c. 411, §§1 and 2, is repealed.

See title page for effective date.

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## CHAPTER 684

S.P. 717 - L.D. 1892

**An Act to Amend the Definition of Dealer Under the Used Car Information Laws**

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

**Sec. 1. 10 MRSA §1471, sub-§2**, as amended by PL 1989, c. 198, §1, is further amended to read:

**2. Dealer.** "Dealer" means and includes a natural person, firm, corporation, partnership and any other legal entity that is engaged in the business of selling, offering for sale or negotiating the sale of used motor vehicles, except ~~auctioneers~~ auction businesses licensed by the Secretary of State and includes the officers, agents and employees thereof. "Dealer" also includes, but is not limited to, persons licensed to engage in the business of selling, offering for sale or negotiating the sale of used motor vehicles in states other than this State, finance companies; and banks, except when the finance company or bank engages in the wholesale sale of a repossessed vehicle through an auction business licensed by the Secretary of State or to a vehicle dealer licensed by the Secretary of State, car rental companies and insurance companies that sell or transfer title to used motor vehicles within the State at licensed auction locations in this State or by any other means. "Dealer" does not include departments or agencies of the State when selling, offering for sale or negotiating the sale of used state-owned motor vehicles.

**Sec. 2. 10 MRSA §1475, sub-§2, ¶F**, as amended by PL 1985, c. 265, §2, is further amended to read:

F. A statement, if applicable, disclosing that the vehicle was returned to the manufacturer, its agent or authorized dealer, for its nonconformity with express warranties. The statement ~~shall~~ must identify the nature of the nonconformities; ~~and~~

**Sec. 3. 10 MRSA §1475, sub-§2, ¶G**, as enacted by PL 1985, c. 265, §3, is amended to read:

G. The Division of Motor Vehicles may promulgate rules related to this section including, but not limited to, rules establishing uniform disclosure forms and stickers. The Division of Motor Vehicles may include in any such rule establishing uniform disclosure forms and stickers any information ~~which~~ that the Federal Trade Commission requires to be disclosed on a sticker pursuant to the Motor Vehicle Trade Regulation Rule, published in 16 Code of Federal Regulations, Part 455, except that the Division of Motor Vehicles ~~shall~~ may not include in any such uniform disclosure form or sticker information from the Federal Trade Commission rule ~~which~~ that conflicts in any manner with the information required by this section; and

**Sec. 4. 10 MRSA §1475, sub-§2, ¶H** is enacted to read:

H. Any dealer who offers for sale to the consuming public a repossessed vehicle that has been obtained by the dealer through a wholesale transaction and who meets the warranty and disclosure requirements of section 1474 and subsection 1 and this subsection, has no other liability under this chapter,

except for any additional warranties negotiated between the dealer and the consumer.

**Sec. 5. 10 MRSA §1475, sub-§3**, as amended by PL 1989, c. 198, §2, is further amended to read:

**3. Written statement.** A dealer shall obtain from the seller of a used motor vehicle a written statement containing the following information:

- A. The make, model, model year and any identification or serial numbers of the motor vehicle;
- B. The name and address of the seller, the principal use to which the motor vehicle was put by the seller, such as personal transportation, police car, daily rental car, taxi or other descriptive term;
- C. A statement identifying any and all mechanical defects known to the seller at the time of sale; and
- D. A statement identifying the type of damage, if any, that the vehicle has sustained, such as fire, water or substantial collision damage, if such information is known to the seller.

Any dealer who offers for sale to consumers a repossessed vehicle that has been obtained by the dealer through a wholesale transaction is not subject to the provisions of this subsection.

The seller of the used motor vehicle shall sign this written statement and the dealer who buys the vehicle shall maintain a record of it for one year following the sale of the motor vehicle.

The word "seller," as used in this subsection, includes any person who sells a used motor vehicle to a dealer, including, but not limited to, individuals, other new or used motor vehicle dealers and insurance companies.

As used in subsections 2 and 3, "substantial collision damage" means any damage to a motor vehicle from a collision when the costs of repair of that damage, at the time of repair, including replacement of mechanical and body parts, exceeded by 3 times the amount of damage that would at the time of the collision have required a report of the collision to a law enforcement agency under the provisions of Title 29, section 891.

See title page for effective date.

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## CHAPTER 685

S.P. 757 - L.D. 1982

### An Act Concerning the Sale of Land Owned by Consumer-owned Water Utilities

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