

# 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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**4. Duties.** The board has the following duties.

A. The board shall advise the department on the implementation of the rights of children in need of services from the department.

B. The board shall monitor the implementation of rules defining the rights of children in need of services and make recommendations to the department about improving the content and implementation of the rules.

C. The board shall submit a yearly report for the commissioner and the joint standing committee of the Legislature having jurisdiction over human resource matters regarding the implementation of the rights of children in need of services.

**5. Access.** Board members have access to all living areas and program areas and to all records directly relevant to monitoring the implementation of the rules, provided that the access is in conformity with the laws regarding confidentiality of mental health information.

**6. Expenses.** The members of the board must be reimbursed for their expenses as authorized in Title 5, chapter 379.

See title page for effective date.

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**CHAPTER 689**

**H.P. 1519 - L.D. 2104**

**An Act Concerning Operation of All-terrain Vehicles**

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

**12 MRSA §7857, sub-§18**, as enacted by PL 1983, c. 297, §§1 and 3, is repealed and the following enacted in its place:

**18. Unlawfully operating an ATV on railroad tracks.** Except as provided in subsection 24, paragraph E-2, a person is guilty of unlawfully operating an ATV on railroad tracks if that person:

A. Operates any ATV along or adjacent and parallel to the tracks of any railroad within the limits of any railroad right-of-way without written permission from the railroad owning the right-of-way; or

B. Operates any ATV across the tracks of any railroad after having been forbidden to do so by the railroad owning the railroad right-of-way, or by an agent of that railroad, either personally or by appropriate notices posted conspicuously along the railroad right-of-way.

See title page for effective date.

**CHAPTER 690**

**H.P. 1492 - L.D. 2065**

**An Act Concerning Warranty Rights of Mobile Home Owners**

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

**Sec. 1. 10 MRSA §9009, sub-§3** is enacted to read:

**3. Injunction on sales.** The board shall investigate all complaints made to it of noncompliance with or violation of chapter 213. If the board finds that a manufacturer or dealer has sold, or is making available for sale, mobile homes that pose a threat to public health or safety or has intentionally failed to comply with chapter 213, the board may petition the Attorney General to initiate legal action in Superior Court to enjoin the sale of mobile homes by that manufacturer or dealer. If the court finds that the manufacturer or dealer sold, or is making available for sale, mobile homes that pose a threat to public health or safety or has intentionally failed to comply with chapter 213, the court may enjoin the sale of mobile homes by that manufacturer or dealer.

**Sec. 2. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

1990-91

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Manufactured Housing Board**

Positions	(1)
Personal Services	\$23,375
All Other	1,650
Capital Expenditures	10,000

Provides funds for a full-time inspector to investigate complaints.

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATIONS**

**TOTAL** \$35,025

See title page for effective date.

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**CHAPTER 691**

**H.P. 1471 - L.D. 2056**

**An Act to Limit the Effect of Collateral Estoppel on Unemployment Insurance Decisions**

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