

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.

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

effect under this section, to prosecute violators of this chapter and those rules and to aid in the enforcement of the provisions of this chapter.

PART D

Sec. D-1. 29 MRSA §119-A is enacted to read:

§119-A. Altered vehicle

1. Registration. The registration of an altered vehicle must be on a form prescribed by the Secretary of State. Any person registering an altered vehicle shall furnish and carry in the vehicle proof that the vehicle meets the inspection standards established by the Chief of the State Police under section 2502, subsection 4-A.

2. Registration plates. The Secretary of State shall design and issue registration plates for altered vehicles. These plates shall bear the inscriptions "Altered Vehicle" and "Maine." The fee for registration of an altered vehicle is \$27.

3. Temporary permits. Any officer of the State Police and any designated employee of the Division of Motor Vehicles may issue a temporary 3-day permit allowing the operation of an unregistered altered vehicle only for the purpose of having the vehicle inspected prior to registration.

The officer of the State Police who performs the inspection pursuant to section 2502 may issue a permit allowing the operation of an unregistered altered vehicle for a single trip to the owner's residence or to an office of the Division of Motor Vehicles for the sole purpose of registering that vehicle.

Any permit issued under this subsection must contain such information as the Chief of the State Police requires.

4. Inspection standards. The Chief of the State Police shall adopt rules to establish standards for vehicles to qualify for registration as altered vehicles. These standards must include the equipment and condition of the equipment and the specifications for permissible modifications. Those specifications must require that the installation be inspected and verified by the State Police.

5. Violation. Any person who operates or causes the operation on any public way of an altered vehicle that is not registered as required by this section is guilty of a Class E crime.

Sec. D-2. 29 MRSA §2502, sub-§4-A is enacted to read:

4-A. Altered vehicles. In addition to any other inspection required by this chapter, any altered vehicle registered in this State is subject to an annual inspection conducted by the State Police. An altered vehicle that satisfies the inspection requirements must be issued an altered vehicle certificate of inspection that expires on the

last day of the month one year from the day of issuance. The fee for each inspection of an altered vehicle is \$15, payable whether or not the vehicle passes inspection.

Sec. D-3. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1989-90	1990-91
PUBLIC SAFETY, DEPARTMENT OF		
Motor Vehicle Inspection		
Personal Services	(\$11,250)	(\$33,750)
Provides for the deallocation of funds to adjust the allocation enacted pursuant to Public Law 1989, chapter 515, due to the proposed postponement of the implementation of the altered vehicle registration and inspection program from March 1, 1990, to a new effective date of March 1, 1991.		

Sec. D-4. Effective date. Sections D-1 and D-2 of this Act take effect March 1, 1991.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved, except as otherwise indicated.

Effective March 30, 1990, unless otherwise indicated.

CHAPTER 755

H.P. 1439 - L.D. 2009

An Act to Promote Judicial Economy by Allowing Corporate Self-representation in Traffic Cases

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

Whereas, corporations that regularly use the roads of the State may be financially burdened and substantially inconvenienced by the requirement that a corporation be represented by an attorney in all proceedings for violations of the motor vehicle laws; 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:

4 MRSA §807, as amended by PL 1989, c. 104, Pt. C, §§2 and 10 and c. 265, §1, is repealed and the following enacted in its place:

§807. Unauthorized practice of law

1. Prohibition. No person may practice law or profess to practice law within the State or before its courts, or demand or receive any remuneration for those services rendered in this State, unless that person has been admitted to the bar of this State and has complied with section 806-A, or unless that person has been admitted to try cases in the courts of this State under section 802.

2. Violation. Any person who practices law in violation of these requirements is guilty of the unauthorized practice of law, which is a Class E crime.

3. Application. This section shall not be construed to apply to:

A. Practice before any Federal Court by any person admitted to practice therein;

B. A person pleading or managing that person's own cause in court;

C. An officer or authorized employee of a corporation, partnership, sole proprietorship or governmental entity, who is not an attorney, but is appearing for that organization:

(1) In an action cognizable as a small claim under Title 14, chapter 738; or

(2) For the purposes of entering a plea or answer and paying the fine or penalty for a violation by that organization of Title 23, chapter 24 or Title 29;

D. A person who is not an attorney, but is representing a municipality under:

(1) Title 30-A, section 2671, subsection 3;

(2) Title 30-A, section 4221, subsection 2;

(3) Title 30-A, section 4452, subsection 1; or

(4) Title 38, section 441, subsection 2;

E. A person who is not an attorney, but is representing the Department of Environmental Protection under Title 38, section 342, subsection 7;

F. A person who is not an attorney, but is representing the Bureau of Employment Security or the Bureau of Taxation under section 807-A;

G. A person who is not an attorney, but is representing a party in any hearing, action or proceeding

before the Workers' Compensation Commission as provided in Title 39, section 110-A; or

H. A person who is not an attorney, but has been designated under Title 34-B, section 1204, subsection 7, to represent the Department of Mental Health and Mental Retardation in Probate Court.

4. Evidence. In all proceedings, the fact, as shown by the records of the Board of Overseers of the Bar, that that person is not recorded as a member of the bar shall be prima facie evidence that that person is not a member of the bar licensed to practice law in the State.

Notwithstanding any of the other provisions of this chapter and under such terms, conditions, limitations, qualifications and supervision as the Supreme Judicial Court shall by rule require, a senior law student who is enrolled in a law school which is approved by the American Bar Association, may appear in the courts of the State on behalf of the State or an agency thereof, or under the supervision of an organization providing legal services to the indigent approved by the Supreme Judicial Court on behalf of an individual receiving services through such organization.

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

Effective March 30, 1990.

CHAPTER 756

H.P. 1437 - L.D. 2007

An Act to Strengthen and Fund Organic Food Certification in Maine

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

Sec. 1. 7 MRSA §553, sub-§1, ¶A, as amended by PL 1985, c. 329, §2, is further amended to read:

A. A raw agricultural commodity. Microbiological products, botanical pesticides and materials ~~consisting~~ whose active ingredients consist only of, or are derived or extracted solely from, plant, animal or mineral-bearing rock substances may be used in the production, storing, processing or packaging of raw agricultural commodities in order to meet the requirements of this paragraph. For the purposes of this subsection, "synthetically compounded" means those products formulated by a process which chemically changes a material or substance extracted from naturally occurring plant, animal or mineral sources, excepting microbiological processes. Microbiological products shall include, but are not limited to, raw manures, composted manures and inoculants and shall exclude chemically contaminated and uncomposted sludge.