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

feet of litter for a commercial purpose, in violation of Title 17, section 2264, is subject to a civil penalty, payable to the State, of not less than $100 nor more than $10,000 for each day of that violation or, if the violation relates to hazardous waste, of not more than $25,000 for each day of the violation.

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

Effective April 10, 1990.

CHAPTER 821

S.P. 958 - L.D. 2422

An Act to Allow Certain School Secretaries to Elect Not to Be Members of the Maine State Retirement System

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

PL 1989, c. 550, §3 is amended by adding at the end a new paragraph to read:

Notwithstanding other provisions of this section, employees of public schools on June 30, 1989, who were employed as school secretaries and who, due to error or oversight, were not members of the Maine State Retirement System on June 30, 1989, or for any period of time prior to that date, may elect not to be members by giving written notice to the Executive Director of the Maine State Retirement System on or before January 1, 1991. This election is irrevocable.

See title page for effective date.

CHAPTER 822

H.P. 1645 - L.D. 2278

An Act to Amend the Definition of Public Way

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

Sec. 1. 29 MRSA §530, sub-§1, ¶A, as enacted by PL 1977, c. 692, §3, is amended to read:

A. ~~No~~ A resident of the State ~~shall~~ may not operate a motor vehicle on any way or parking area unless licensed by the State to operate that motor vehicle. ~~No~~ A license ~~shall~~ may not be issued until the Secretary of State is satisfied that the applicant is a proper person to receive it. For the purposes of this section, the term "parking area" means any area designed for use as access or parking for patrons and customers of establishments to which the public is invited.

Sec. 2. 29 MRSA §2184, sub-§1, as amended by PL 1987, c. 791, §25, is further amended to read:

1. Offense; penalty. ~~No~~ A person may not operate a motor vehicle on any public way or parking area in this State at a time when ~~his~~ that person's license or permit to operate, ~~his~~ right to operate or ~~his~~ right to apply for or obtain a license or permit has been suspended or revoked, except for a revocation as an habitual offender under chapter 18-A or former chapter 18, when that person:

A. Has received written notice of a suspension or revocation pursuant to section 1312-D, subsection 1, or section 2241-H or other written notice from the Secretary of State;

B. Has been orally informed of the suspension or revocation by a law enforcement officer who is aware of the information as a result of records maintained by the Secretary of State, including those obtainable by telecommunications;

C. Has actual knowledge of ~~his~~ the suspension or revocation;

D. Is a person to whom written notice was sent by ordinary mail at the last known address shown by the records maintained by the Secretary of State; or

E. Has failed to appear in court pursuant to any notice or order specified in section 2301-A.

For the purposes of this section, the term "parking area" means any area designed for use as access or parking for patrons and customers of establishments to which the public is invited.

Violation of this section is a Class D crime, provided that, notwithstanding Title 17-A, section 1301, the maximum fine ~~shall be~~ is $2,500.

See title page for effective date.

CHAPTER 823

S.P. 886 - L.D. 2262

An Act Relating to Pharmacy Services to Nursing Home Residents

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

22 MRSA §1829 is enacted to read:

§1829. Pharmaceutical services in nursing homes

1. Notice. Each nursing home must post a notice in a place within the nursing home where notices for residents are ordinarily posted stating that each resident