

# 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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resources of coastal harbors, bays, estuaries and other coastal waters and to manage and conserve the land and water resources of coastal watersheds within the jurisdictions of these districts.

2. Administration. The coastal watershed district is governed according to the requirements of chapter 23 except that:

A. The purposes are those stated in this section;

B. Section 2007 does not apply;

C. The term coastal watershed district is used in place of the terms watershed district and lake watershed district in chapter 23;

D. The trustees shall include a representative of any sanitary districts, as defined in chapter 11, and any sewer districts, as defined in chapter 12, that operate within the proposed coastal watershed district; and

E. The costs of any public hearing held by the department pursuant to section 2002, subsection 3, must be borne by the applicants.

3. Overlap of territory with watershed district. If a watershed district has been established within the proposed territory of a coastal watershed district, the coastal watershed district shall submit as part of an application under section 2002, an agreement with the watershed district stating how this overlap of jurisdiction is to be resolved.

**§2022. Powers**

A coastal watershed district has the following powers.

1. General. Any district organized under this chapter may sue and be sued; make contracts; accept gifts; purchase, lease, devise or otherwise acquire, hold or dispose of real or personal property; disburse money; contract debt; adopt rules; and do other acts necessary to carry out the purposes of the district.

2. Security required. The coastal watershed district may require that a contracting party give adequate security to ensure performance of the contract and to pay all damages that may arise from inadequate performance.

3. Responsibilities. The coastal watershed district is responsible for:

A. Initiating and coordinating research and surveys to gather data on coastal harbors, bays, estuaries and other coastal waters, related shorelands, watersheds and aquatic resources within the territory of the district;

B. Planning coastal restoration projects to improve water quality and enhance aquatic resources within the district;

C. Contacting and attempting to secure the cooperation of municipal officials and state agencies to enact and enforce ordinances and regulations necessary to further the purposes of the district;

D. Adopting and implementing coastal protection, management and restoration plans; and

E. Adopting and implementing plans and programs to facilitate coordination of water level management.

4. Limits of jurisdiction. The limits on jurisdiction are as follows:

A. The district has no authority to set a water level regime for a body of water impounded by a dam that is exempt from the authority of the board to set water level regimes under section 840, subsection 1.

B. The district's authority to set a water level regime for any water body within its boundaries and over any dams within its boundaries is subordinate to the authority of the department under chapter 5, subchapter I, article 1, subarticle 1-B and article 3-A.

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

	<b>1990-91</b>
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
<b>Bureau of Water Quality Control</b>	
All Other	\$1,000
Provides funds for anticipated public hearing costs associated with the formation of a coastal watershed district.	

See title page for effective date.

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**CHAPTER 901**

**H.P. 1613 - L.D. 2230**

**An Act to Clarify the Negotiability of Sabbatical Leave Agreements**

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

**Sec. 1. 20-A MRSA §13604**, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

**§13604. Leaves of absence**

**1. Leaves of absence granted by school board.** To increase the efficiency of the public schools and to permit teachers, principals or other persons to pursue a further course of study or to travel to be better qualified by education and culture for the position they hold in the schools, a school board may grant a leave of absence to any teacher, principal or other person regularly employed by the school board.

**2. Maximum length; years of service.** A leave of absence may not exceed one year and may be granted only after 7 years of service.

**3. Other terms and conditions.** All other terms and conditions of a leave of absence, including, but not limited to, compensation during a leave of absence, may be determined by a collective bargaining agreement negotiated under Title 26, chapter 9-A. In the absence of or to the extent not inconsistent with any applicable collective bargaining agreement, the school board may establish these terms and conditions.

**Sec. 2. Applicability.** Section 1 applies to leaves of absence granted on or after the effective date of this Act and includes leaves of absence granted under collective bargaining agreements entered into before the effective date of this Act.

See title page for effective date.

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## CHAPTER 902

S.P. 731 - L.D. 1930

### An Act to Amend the Motor Vehicle Title Laws

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

**Sec. 1. 29 MRSA §2352, sub-§1, ¶C**, as amended by PL 1985, c. 401, §16, is further amended to read:

C. §10:

- (1) For a corrected certificate of title or certificate of salvage; ~~and~~
- (2) For a duplicate certificate of title or certificate of salvage pursuant to section 2377; and
- (3) For a duplicate certificate of lien;

**Sec. 2. 29 MRSA §2364, sub-§2**, as amended by PL 1987, c. 485, §9, is further amended to read:

**2. Purchased from the dealer.** If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder or assignee holding a security interest created or reserved at the time of sale and the date of ~~his~~ the security agreement and be signed by the owner and the dealer. ~~If there is no lienholder or assignee, the~~ The dealer shall, within 20 days after the time of sale, mail or deliver the application to the Secretary of State. ~~If there is a security interest created or reserved at the time of sale, the dealer shall, within 20 days after the time of sale, mail or deliver the original application to the lienholder or assignee. The lienholder or assignee shall mail or deliver that original application to the Secretary of State within 20 days after receiving it from the dealer.~~

**Sec. 3. 29 MRSA §2368**, as amended by PL 1981, c. 110, §22, is repealed and the following enacted in its place:

**§2368. Mailing certificate**

The certificate of title or certificate of salvage must be mailed to the owner named on either certificate. A certificate of lien must be mailed to the first lienholder named on the certificate of title or certificate of salvage. The certificate of lien must contain the same information required to be on the certificate of title by section 2367, subsection 1, and a place for the release of each lien.

**Sec. 4. 29 MRSA §2371, sub-§1**, as amended by PL 1981, c. 110, §25, is further amended to read:

**1. Application.** If a certificate is lost, stolen, mutilated or destroyed or becomes illegible, ~~the first lienholder or, if none, the~~ owner or legal representative of the owner named in the certificate, as shown by the records of the Secretary of State, shall promptly make application for and may obtain a duplicate upon furnishing information satisfactory to the Secretary of State. The duplicate certificate of title or certificate of salvage shall contain the legend, "This is a duplicate certificate and may be subject to the rights of a person under the original certificate." It shall be mailed to ~~the first lienholder named on it or, if none, to the owner~~ named on the certificate unless that owner gives written authorization to mail the certificate to another person. If a certificate of lien has been lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder shown on the certificate may apply for and obtain a duplicate upon furnishing information satisfactory to the Secretary of State.

**Sec. 5. 29 MRSA §2372, sub-§1**, as amended by PL 1989, c. 481, Pt. A, §30, is further amended to read:

**1. Transfer; owner.** If an owner transfers interest in a vehicle, other than by the creation of a security interest, the owner shall, at the time of delivery of the vehicle, execute an assignment and warranty of title to the transferee in the space provided therefor on the certificate or as the Secretary of State prescribes, including the odometer information required by section 364-A, and