

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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  
1991

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
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**1991**

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must be placed in a Dislocated Workers Fund to be used in fiscal year 1986-87 to provide training and supportive services for persons displaced from employment by imports in accordance with chapter 26. Eligibility for assistance shall is not be related to an individual's income or resources.

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

Effective March 14, 1991, unless otherwise indicated.

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## CHAPTER 10

H.P. 65 - L.D. 93

### An Act to Authorize Certified Reserve Officers to Enforce Motor Vehicle Registration Laws

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

**29 MRSA §102, 2nd ¶**, as amended by PL 1985, c. 429, §8, is further amended to read:

No vehicle may be operated, or remain upon any way, unless the same is registered and equipped in accordance with this Title, excepting that any officer of the State Police, any sheriff or full-time deputy sheriff or any full-time municipal police officer or certified reserve officer while on duty may, when in his the officer's opinion the same is necessary and not detrimental to the public safety, grant a permit in writing for an unregistered motor vehicle to be towed either by a regular service wrecker or by the use of a towbar. Further, any officer of the State Police, any sheriff or full-time deputy sheriff, any full-time municipal police officer or certified reserve officer while on duty and certain employees of the Motor Vehicle Division so designated by the Secretary of State shall issue a permit to allow the operation of an unregistered motor vehicle only to the owner's residence or to an office of the Motor Vehicle Division for the sole purpose of renewing the registration of that vehicle by the same owner as indicated on the expired registration certificate. For the purposes of this paragraph, a certified reserve officer is an officer who has attended the 100-hour reserve training program sponsored by the Maine Criminal Justice Academy and has received the academy's certification as a reserve officer. The permit shall may be issued only when the previous registration on the vehicle has expired within 30 days. The permit shall may not remain valid for more than 3 consecutive days including the date of issuance. Application for such the registration may be made by mail or otherwise to the Secretary of State upon blanks prepared under his the Secretary of State's authority. The application shall must be signed by the owner and shall contain such particulars as may be required by the Secretary of State, including the name, residence and address of the owner, current mileage, with a brief description of the vehicle, the name of its maker, vehicle identification

number, the amount of motive power, stated in figures of horsepower, the type of motor fuel if other than gasoline as defined in Title 36, section 2902, under the phrase "internal combustion engine fuel" and the actual gross weight of the vehicle if intended for commercial use.

See title page for effective date.

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## CHAPTER 11

H.P. 90 - L.D. 131

### An Act to Regulate Further Ozone-depleting Products

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

**38 MRSA §1608** is enacted to read:

#### §1608. Ozone-depleting products

After January 1, 1992, no person may sell or offer for sale in this State the following ozone-depleting products:

1. Cleaning sprays. CFC cleaning sprays for non-commercial or nonindustrial usage in cleaning electronic and photographic equipment;

2. Fire extinguishers. Hand-held halon fire extinguishers for residential use; and

3. Partystreamers and noisemakers. Partystreamers and noisemakers in aerosol containers that contain CFC.

For purposes of this section, "CFC" has the same meaning as in section 1606.

See title page for effective date.

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## CHAPTER 12

H.P. 130 - L.D. 186

### An Act to Continue Milk Pool Payments to Dairy Farmers Affected by the Newport Plant Closure

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

**Whereas,** the plant in Newport to which Boston market producers shipped their milk suddenly closed; and

**Whereas,** unless the method for calculating milk pool payments for those producers is immediately modified, many dairy farmers in this State will be adversely affected; 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:**

7 MRSA §3153, sub-§4, ¶A, as repealed and replaced by PL 1987, c. 447, §7, is amended to read:

A. If any Boston market producer whose farm is located within 140 miles of Boston receives a plant price, excluding deductions or additions imposed by the so-called Louisville Plan as defined by Part 1001, Federal Milk Order No. 1, Section 1001.61, Subsections c and d, or any amendment thereto, or imposed by any other seasonal balancing plan subsequently adopted by Federal Order No. 1, which is an amount greater than the amount initially payable to Maine market producers under subsection 2, paragraph A, the commissioner shall credit that additional amount against the redistribution from the Maine Milk Pool to which that producer would otherwise be entitled in order to avoid potential inequities arising from equal redistribution;

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

Effective March 22, 1991.

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## CHAPTER 13

H.P. 20 - L.D. 23

### An Act to Repeal the Sunset on Immediate Wage Withholding for Child Support Awards

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

**Whereas**, without emergency action by the Legislature, the law authorizing immediate wage withholding for child support awards will be repealed on April 1, 1991; and

**Whereas**, legislative action is immediately necessary in order to ensure continued wage withholding for child support awards beyond April 1, 1991; 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:**

**Sec. 1. 19 MRSA §498-C, sub-§9**, as enacted by PL 1989, c. 877, Pt. A, §1, is repealed.

**Sec. 2. 19 MRSA §777-A, sub-§16**, as enacted by PL 1989, c. 877, Pt. A, §3, is repealed.

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

Effective April 1, 1991.

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## CHAPTER 14

H.P. 889 - L.D. 1347

### An Act to Amend the Effective Date of the Real Estate Appraisal Laws

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

**Whereas**, billions of dollars in loans that are secured by real estate are advanced every year to Maine consumers; and

**Whereas**, Title XI of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989, Public Law 101-73, requires that, after July 1, 1991, all real estate appraisals in connection with federally related transactions must be performed by appraisers certified or licensed by the State; and

**Whereas**, the State must establish a process for licensing real estate appraisers in order to assure that uniform, competent guidelines are established for the rendering of real estate appraisals and to fulfill the federal mandate; and

**Whereas**, the State is unable to implement the licensing system by the April 1, 1991 deadline in current state law; 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:**

**PL 1989, c. 806, §7**, as amended by PL 1991, c. 2, §8, is further amended to read:

**Sec. 7. Effective date.** The Maine Revised Statutes, Title 32, section 13964 takes effect ~~April 1, 1991~~ July 1, 1991.