

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 58

H.P. 302 - L.D. 423

An Act to Amend the Laws Governing Disclosure of Information in Medical Support Recoupment and Child Support Cases

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

Sec. 1. 22 MRSA §3755-A, sub-§§6 and 9, as enacted by PL 1989, c. 255, are amended to read:

6. Immunity from liability. Any person may disclose to the department any of the information described in subsection 2 or 3 that is sought in a request or demand by the department, ~~to the extent if the disclosure of which is not confidential or prohibited by federal or state statute or which is not privileged under the Maine Rules of Evidence,~~ without incurring any liability to any other person because of the disclosure.

9. Notice. At the time that the department makes a request or demand, it shall notify the responsible parent or alleged responsible parent ~~in the manner set forth in subsection 4~~ by regular mail to the last known address.

Sec. 2. 22 MRSA §3755-A, sub-§10, as enacted by PL 1989, c. 255, is repealed and the following enacted in its place:

10. Penalty for knowing failure to respond or for knowing failure or knowing refusal to disclose. The penalty for knowing failure to respond or for knowing failure or knowing refusal to disclose is governed as follows.

A. Knowing failure to respond to a demand for information within 10 days following the date of service of the demand is a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged.

B. Knowing refusal or knowing failure to disclose to the department any of the information described in subsection 2 or 3 that is sought in a demand for information by the department, the disclosure of which is not prohibited by federal or state statute, or which is not privileged under the Maine Rules of Evidence, is a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged.

Sec. 3. 22 MRSA §3755-A, sub-§11 is enacted to read:

11. Confidentiality of information; unlawful dissemination; penalty. All information collected in connection with the department's child support enforcement activity and medical support recoupment pursuant to this section is confidential and available only for the use of

appropriate departmental personnel and legal counsel for the department in carrying out their functions. A person is guilty of unlawful dissemination if that person knowingly disseminates information in violation of this subsection. Unlawful dissemination is a Class E crime, which, notwithstanding Title 17-A, section 1252, subsection 2, paragraph E, is punishable by a fine of not more than \$500 or by imprisonment for not more than 30 days.

See title page for effective date.

CHAPTER 59

H.P. 396 - L.D. 570

An Act to Abolish the Pheasant Stamp Program

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

Sec. 1. 12 MRSA §7076, sub-§4, as amended by PL 1989, c. 493, §11, is further amended to read:

4. Resident disabled war veterans. A complimentary license to hunt or fish, or a combination hunting and fishing license, ~~and, if requested, a pheasant hunting permit~~ and a muzzle-loading hunting license under section 7107-A ~~shall~~ must be issued to any resident of Maine who:

- A. Is a veteran, as defined in Title 37-B, section 505, subsection 1, paragraph A, subparagraph (5);
- B. Has a service-connected disability evaluated at 70% or more as a result of honorable military service;
- C. Has served in a combat zone during either World War I, World War II, the Korean War or the Vietnam War; and
- D. Applies for that license to the commissioner.

This application ~~shall~~ must be accompanied by a photo copy of the applicant's final DD form 214 or other evidence satisfactory to the commissioner that the applicant meets the requirements of this subsection. Each license issued under this subsection ~~shall remain~~ remains valid through December 31st of the 2nd complete calendar year following the year of issuance.

Sec. 2. 12 MRSA §7106, as amended by PL 1979, c. 543, §11, is repealed.

Sec. 3. 12 MRSA §7405, as enacted by PL 1979, c. 420, §1, is repealed.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Resource Management Services - Inland Fisheries and Wildlife		
All Other	(\$5,880)	(\$9,860)
Provides for a deappropriation of funds for the abolishment of the pheasant stamp program.		

See title page for effective date.

CHAPTER 60

S.P. 313 - L.D. 851

An Act to Modify the Law Relating to Continuing Deliberation by a Civil Jury in the Face of Disagreement

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

14 MRSA §1106, is amended to read:

§1106. Disagreement by jury; instructions

When a jury, not having agreed, returns into court stating the fact, the presiding justice may, in ~~his~~ the exercise of judicial discretion, explain any questions of law if proposed ~~to him~~ or restate any particular testimony and send them out again for further consideration. ~~They shall not be sent out a 3rd time in consequence of their disagreement unless on account of difficulties not stated when they first came into court.~~

See title page for effective date.

CHAPTER 61

H.P. 424 - L.D. 607

An Act Regarding Amber Lights on Snowplows and Sanding Equipment

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

Sec. 1. 29 MRSA §1367-B, sub-§5, ¶A, as enacted by PL 1987, c. 644, §8, is amended to read:

A. Vehicles equipped and used for plowing snow on other than public ways may be equipped with an auxiliary rotary flashing light, which ~~shall~~ must be mounted on top of the vehicle in such a manner as to emit an

amber beam of light over a ~~360 degree~~ 360° angle, or an amber strobe, or combination of strobes, that emits as a minimum a beam of 1,000,000 candlepower and that provides visible light coverage over a 360° range. The lighting ~~shall~~ must be in use only on a public way when the vehicle is entering the public way in the course of plowing private driveways and other off-highway locations.

Sec. 2. 29 MRSA §1462, sub-§1, as enacted by PL 1989, c. 50, is amended to read:

1. Amber lights required on vehicles. All vehicles, while being used for the express purpose of plowing snow or sanding on public ways ~~shall~~ must be equipped with at least 2 auxiliary lights to be mounted on the highest practical point on the vehicle, one showing to the front and one to the rear of the vehicle. The lights ~~shall~~ must emit an amber beam of light ~~and shall~~ be at least 6 inches in diameter and ~~shall~~ be equipped with blinker attachments. In lieu of the lights specified, vehicles may be equipped with ~~at least one~~ either an auxiliary rotary flashing light having 4-inch sealed beams and showing amber beams of light over a 360° range or an amber strobe, or combination of strobes, that emits as a minimum a beam of 1,000,000 candlepower and that provides visible light coverage over a 360° range. When the left wing of the plow is in operation and extends over the center of the road, an auxiliary light ~~shall~~ must show the extreme end of the left wing. This light may be attached to the vehicle with the beam of light pointed at the left wing. These lights may be controlled by a separate switch or may be controlled by the regular lighting system and ~~shall~~ must be in operation whenever the vehicles are used for plowing snow and sanding on public ways in either the nighttime or daytime. The use of these auxiliary lights ~~shall~~ does not relieve the owner or operator from conforming to section 1366.

Sec. 3. 29 MRSA §1462, sub-§2, as enacted by PL 1989, c. 50, is amended to read:

2. Display required during operations. Any vehicle, while engaged in snow removal or sanding operations on a public way, ~~shall~~ must display the ~~flashing or rotating~~ amber lights or strobes required by subsection 1 or authorized by section 1367-B, subsection 5.

See title page for effective date.

CHAPTER 62

H.P. 600 - L.D. 860

An Act to Amend the Warranty and Disclosure Requirements Applicable to Certain Sellers of Repossessed Vehicles

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