

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.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
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D. "Private passenger motor vehicle" means a motor vehicle of the private passenger, sedan, station wagon or private passenger minivan type.

E. "Rental company" means any person or organization, including franchisees, in the business of providing private passenger motor vehicles to the public.

2. Rental vehicle coverage required. A personal automobile insurance policy that provides liability and collision, liability and comprehensive or liability, comprehensive and collision coverage must provide coverage for the obligation of the insured for actual damage to a covered rental vehicle, including charges for verifiable and actual loss of use not to exceed 30 days, rented by an insured in the United States, its territories or possessions, or Canada under a covered rental agreement. The deductible applicable to the covered rental vehicle may not exceed the highest of the deductibles for the collision coverage in the event of a collision loss or for the comprehensive coverage in the event of a comprehensive loss, applicable to the insured vehicle.

3. Notice to insureds. Every policy to which this section applies, either upon policy issuance or upon the first renewal after January 1, 1992, must be accompanied or supplemented by a notice, in a form prescribed or approved by the superintendent, advising the insured of the rental vehicle coverage provided pursuant to this section.

4. Application. This subchapter applies to all personal automobile policies issued for delivery in this State or renewed on or after January 1, 1992.

See title page for effective date.

CHAPTER 336

H.P. 1177 - L.D. 1718

An Act to Provide for Administrative Correction of Certain Errors and Inconsistencies in the Maine Revised Statutes and to Establish the Commission to Study Resolution of Conflicting Enactments

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

Whereas, this Act provides a mechanism for remedying certain statutory errors during the annual update of the statutory data base; and

Whereas, the annual update will be well under way before the expiration of the 90-day period; 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 legisla-

tion 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:

1 MRSA c. 4 is enacted to read:

CHAPTER 4

STATUTORY MAINTENANCE

§91. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Conflicting enactments. "Conflicting enactments" means multiple enactments, amendments, repeals, reallocations or reenactments, or any combination of these actions, that affect the same statutory unit and that have been adopted by Acts of the Legislature that do not refer to each other.

2. Executive director. "Executive director" means the Executive Director of the Legislative Council appointed under Title 3, section 162.

3. Revisor. "Revisor" means the Revisor of Statutes, or the person under Title 3, section 162 who is responsible for the form and format of legislative instruments.

4. Revisor's change. "Revisor's change" means a change made in the course of update under the authority of section 93.

5. Revisor's report. "Revisor's report" means the post-update report made by the revisor pursuant to section 95. This report may be cited as Revisor's Report 19XX, c. X, §X or RR 19XX, c. X, §X.

6. Revision clause. "Revision clause" means a section of a law that is not allocated to the Maine Revised Statutes and that changes a term throughout the laws and instructs the revisor to implement the revision as part of update.

7. Statutory unit. "Statutory unit" means a title, chapter or section or a part of a title, chapter or section of the laws of Maine.

8. Update. "Update" means the process by which enactments, amendments, repeals, reallocations or reenactments from a legislative session or sessions are integrated into the statutory data base of the Maine Revised Statutes.

§92. Statutory data base; update

The executive director shall ensure that the legislative staff maintains a statutory data base that contains the

text of the Maine Revised Statutes and the appropriate history of each statutory unit.

The revisor shall update the statutory data base at least annually after the close of each regular legislative session and may update the data base more frequently.

The Legislative Council shall adopt policies governing access to and publication of the data contained in the statutory data base.

§93. Administrative changes and corrections

The revisor may make the following changes or corrections, when the corrections do not alter the sense or meaning of the laws, without specific legislative action as part of the statutory data base update.

1. Misspellings. Misspelled words may be corrected.
2. Histories. Erroneous enacting clauses or statutory histories may be corrected.
3. Cross-references. Cross-references to statutory units may be changed to agree with renumbered or reallocated statutory units.
4. Obsolete dates. Obsolete temporal references may be removed.
5. Capitalization. Improper capitalization may be corrected.
6. Headnotes. Descriptive headings of titles, chapters, sections or subsections may be edited or added to briefly and clearly indicate the subject matter of the title, chapter, section or subsection.
7. Renumbering. The numbering of statutory elements, including duplicative numbering created by conflicting enactments, may be corrected or properly arranged.
8. Punctuation. Punctuation, including hyphenization, may be corrected.
9. Revision clauses. Changes in nomenclature or terminology authorized by a revision clause must be made in accordance with the instructions of the revision clause.
10. Typographical errors. Obvious clerical or typographical errors may be corrected.

Any change made by the revisor may not change the substantive meaning of any statutory unit. Any error or inadvertent substantive change made by the revisor must be construed as a clerical error and given no effect. If the revisor is in doubt whether a specific change is authorized by this section, the revisor may not make the change but shall incorporate the proposed change into the legislation authorized by section 94.

§94. Omnibus errors and inconsistencies bill

The revisor shall prepare legislation containing proposed changes and consolidations identified but not made under section 93. The legislation may also contain any other statutory errors or inconsistencies identified by the revisor. The legislation must be submitted to the joint standing committee of the Legislature having jurisdiction over judiciary matters, with a copy to the executive director.

§95. Report and publication

The revisor shall submit an annual revisor's report containing a description of all changes made pursuant to section 93 to the joint standing committee of the Legislature having jurisdiction over judiciary matters by October 1st of the year in which the changes have been made and shall provide copies of the report to the Secretary of State, to the executive director and to the publisher of the Maine Revised Statutes Annotated. The publisher shall incorporate the changes made in the report in all subsequent publications of the laws. The revisor's report must be published annually in the Laws of Maine.

If the joint standing committee of the Legislature having jurisdiction over judiciary matters disagrees with any change contained in the revisor's report, the committee may instruct the revisor to make appropriate corrections during the next update, may amend the legislation authorized by section 94 to reverse the change or may report out legislation overriding any revisor's change.

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

Effective June 18, 1991.

CHAPTER 337

H.P. 901 - L.D. 1298

An Act to Strengthen the Prohibition Against Illegal Transportation of Alcohol by Minors

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

Sec. 1. 28-A MRSA §2052, sub-§3, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

3. Violation. Any minor who violates this section commits a traffic infraction for which a forfeiture may be adjudged of not more than \$500. A forfeiture must be adjudged of not less than \$200 for a 2nd offense and not less than \$400 for a 3rd or subsequent offense, none of which may be suspended.