

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

amount of any weekly or monthly payment, the point-of-sale placard must state, in numerals and lettering at least as prominent as the payment price, the following:

A. The number of weekly or monthly payments necessary to acquire ownership of the item; and

B. The total amount of payments necessary to acquire ownership of the item.

3. An owner or the personnel of a medium in which an advertisement appears or through which an advertisement is disseminated is not liable under this section.

This section does not apply to an advertisement that does not refer to or state the amount of any payment.

§11-119. Collection activity

The Maine Fair Debt Collection Practices Act applies to the debt collection practices of merchants under this Article.

§11-120. Enforcement; penalties

A merchant who violates this Article or any rule issued by the administrator is subject to the following:

1. After notice and hearing, a cease and desist order and order of restitution from the administrator;

2. A civil action, by the administrator through the Attorney General, after which a court, upon a finding of repeated or willful violations or of violation of an assurance of discontinuance, may assess a civil penalty of not more than \$5,000; and

3. A civil action by an aggrieved consumer in which the consumer may recover actual damages or \$250, whichever is greater, plus costs of the action and reasonable attorney's fees.

§11-121. Effective date

This Article takes effect January 1, 1993.

See title page for effective date.

CHAPTER 788

H.P. 1598 - L.D. 2260

**An Act Concerning the Registration of
Truck Campers**

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

Sec. 1. 29 MRSA §1, sub-§18-A is enacted to read:

18-A. Truck camper. “Truck camper” means a slide-in camper designed to be mounted on a truck body to provide temporary living quarters for recreational, camping, travel or other use.

Sec. 2. 29 MRSA §109, as amended by PL 1975, c. 252, §6, is further amended to read:

§109. — excise; personal property and real property

No motor vehicle, mobile home or, camp trailer shall or truck camper may be registered under this Title until the excise tax or personal property tax or real estate tax has been paid in accordance with Title 36, sections 551, 602, 1482 and 1484.

Sec. 3. 29 MRSA §203, first ¶, as enacted by PL 1975, c. 702, §4, is amended to read:

No An application for registration shall may not be granted in respect to any vehicle or truck camper whose sale or use may be subject to tax under Title 36, chapters 211 to 225, except in the case of a renewal of registration by the same owner, unless and until one of the following conditions has been satisfied:

Sec. 4. 29 MRSA §261 is enacted to read:

§261. Truck campers

Upon receiving an application and the payment of a fee of \$10, the Secretary of State may issue an annual registration permit for truck campers.

Any resident person, firm or corporation, or owner as defined in section 1, who fails to register a truck camper is guilty of an infraction with a minimum fine of \$100. Any person stopped for a violation of this section during the initial 12 months after this section takes effect must be issued a warning that a violation of this section has occurred. Failure to register the truck camper within 5 work days following the warning constitutes a violation of this section.

Sec. 5. 36 MRSA §1752, sub-§20-A is enacted to read:

20-A. Truck camper. “Truck camper” means a slide-in camper designed to be mounted on a truck body to provide temporary living quarters for recreational, camping, travel or other use.

Sec. 6. 36 MRSA §1760, sub-§23, as amended by PL 1985, c. 691, §11, is repealed and the following enacted in its place:

23. Certain vehicles purchased by nonresidents. Sales of the following vehicles purchased by a nonresi-

dent and intended to be driven or transported outside the State immediately upon delivery by the seller:

A. Motor vehicles;

B. Semitrailers;

C. Aircraft;

D. Truck bodies and trailers manufactured in the State; and

E. Camper trailers, including truck campers.

If the vehicles are registered for use in the State within 12 months of the date of purchase, the person seeking registration is liable for use tax on the basis of the original purchase price.

Sec. 7. 36 MRSA §1760, sub-§23-A, as amended by PL 1989, c. 533, §5, is repealed.

Sec. 8. 36 MRSA §1760, sub-§23-B, as enacted by PL 1989, c. 533, §6, is repealed.

Sec. 9. 36 MRSA §1760, sub-§27, as amended by PL 1985, c. 691, §14, is repealed.

Sec. 10. Application. Notwithstanding any other provision of law, an application for registration of a truck camper purchased or put in use prior to the effective date of this Act is not conditioned by showing proof of payment of sales or use tax.

Sec. 11. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1992-93

FINANCE, DEPARTMENT OF

Bureau of Taxation

All Other \$1,980

Provides funds to notify sellers of camper trailers and truck campers and to revise bulletins.

Sec. 12. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1992-93

**SECRETARY OF STATE,
DEPARTMENT OF THE**

Administration - Motor Vehicles

All Other \$5,750

Provides funds for the issuance of permit decals.

See title page for effective date.

CHAPTER 789

S.P. 884 - L.D. 2256

An Act Regarding County Contingent Account Limits

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

Sec. 1. 30-A MRSA §922, sub-§2, as amended by PL 1989, c. 6; c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Contingent fund. There is established a contingent account in each county in an amount not to exceed \$50,000 annually, except in Sagadahoc County where the contingent account may not exceed 4% of the annual budget. Any funds that are available to each county may be used for this purpose. This fund may be used at the discretion of the county commissioners for emergency purposes only. At the end of each fiscal year there shall must be transferred from unencumbered county funds an amount sufficient to restore the established county contingent account.

See title page for effective date.

CHAPTER 790

H.P. 1616 - L.D. 2277

An Act to Broaden and Specify Conduct for Which the Certificate of a Law Enforcement Officer May Be Suspended or Revoked

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

Sec. 1. 25 MRSA §2806, sub-§1, ¶B, as amended by PL 1989, c. 521, §89 and 17, is repealed and the following enacted in its place:

B. May suspend or revoke the certificate issued pursuant to former section 2803, 2805 or 2805-A or section 2803-A, 2804-B, 2804-C or 2804-D of any person who:

(1) Has been found guilty of murder or any crime classified in state law as a Class A, Class B, Class C or Class D crime or a viola-