

# 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

**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**

---

---

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**Sec. 7. 36 MRSA §1760, sub-§23-A**, as amended by PL 1989, c. 533, §5, is repealed.

**Sec. 8. 36 MRSA §1760, sub-§23-B**, as enacted by PL 1989, c. 533, §6, is repealed.

**Sec. 9. 36 MRSA §1760, sub-§27**, as amended by PL 1985, c. 691, §14, is repealed.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

tion of any provision of the Maine Criminal Code, chapter 15, 19, 25 or 45;

(2) Has engaged in conduct that is prohibited or penalized by state law as murder or a Class A, Class B, Class C or Class D crime or by any provision of the Maine Criminal Code, chapter 15, 19, 25 or 45;

(3) Has been found guilty of conduct specified in subparagraph (2) in another state or other jurisdiction, unless that conduct is not punishable as a crime under the laws of that state or other jurisdiction in which it occurred;

(4) Has engaged in conduct specified in subparagraph (2) in another state or other jurisdiction, unless that conduct is not punishable as a crime under the laws of that state or other jurisdiction in which it occurred; or

(5) Has falsified or misrepresented material facts in obtaining or maintaining the certificate; and

**Sec. 2. 25 MRSA §2806, sub-§1-A** is enacted to read:

**1-A. Investigation and notice of complaints.** Before proceeding with a hearing to suspend or revoke a law enforcement officer's certification under subsection 1, paragraph B, subparagraph (2) or (4), the board shall notify the chief administrative officer of the agency employing the officer that the board is contemplating suspension or revocation of the officer's certification. The chief administrative officer shall investigate that alleged conduct and shall report its findings to the board within 30 days of receiving notice of the board's contemplation of suspension or revocation. The board shall proceed with any suspension or revocation action it determines appropriate after receiving the chief administrative officer's report. This subsection does not prevent a chief administrative officer from investigating conduct that may give rise to grounds for suspension or revocation before receiving a request for an investigation from the board, provided the chief administrative officer notifies the board following that investigation if the investigation reveals reasonable cause to believe that an officer has engaged in conduct described in subsection 1, paragraph B, subparagraph (2) or (4). Nothing in this subsection prevents the board from investigating conduct of a law enforcement officer on its own or referring a matter of such conduct to another agency for investigation.

**Sec. 3. 25 MRSA §2806, sub-§2, ¶A,** as repealed and replaced by PL 1983, c. 244, §7, is amended to read:

A. For paragraph A and paragraph B, subparagraph (2), (4) or (5), in accordance with Title 5, chapter 375, subchapter IV;

**Sec. 4. 25 MRSA §2806, sub-§2, ¶B,** as amended by PL 1991, c. 451, is further amended to read:

B. For paragraph B, subparagraph (1) or (3), if the officer is employed as a law enforcement officer, in accordance with Title 5, section 10004; and

**Sec. 5. 25 MRSA §2806, sub-§7** is enacted to read:

**7. Recertification.** A person whose certificate has been revoked under subsection 1, paragraph B, may apply to the board for reinstatement of certification if:

A. The certificate was revoked for a cause other than engaging in conduct that is prohibited or penalized by state law as murder; or as a Class A, Class B or Class C crime; or for equivalent conduct in another state or other jurisdiction;

B. At least 3 years have elapsed since revocation of the certificate; and

C. A law enforcement agency has indicated a commitment to hire the officer if the officer is certified.

The granting of certification under this subsection is governed by Maine Criminal Justice Academy rules relating to certification. The officer is subject to all training requirements applicable to persons whose certification has lapsed.

See title page for effective date.

---

## CHAPTER 791

S.P. 890 - L.D. 2283

### An Act Regarding the Purchase of Spirits at Agency Liquor Stores

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

**Sec. 1. 28-A MRSA §352,** as repealed and replaced by PL 1991, c. 376, §50 and amended by c. 591, Pt. VV, §4 is repealed and the following enacted in its place:

**§352. Purchase of liquor in state and agency liquor stores; purchase from commission**

**1. Methods of payment.** This subsection governs the methods of payment permitted for purchases of li-