

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

B. If the registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee and the lessor provides the investigating officer with a copy of the lease agreement containing the information required by Title 29, section 901, the lessee and not the lessor may be charged under this section.

C. If the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by a person other than the dealer or transporter and if the dealer or transporter provides the investigating officer with the name and address of the person who had control over the vehicle at the time of the violation, that person and not the dealer or transporter may be charged under this section.

D. If a report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the violation occurs, the registered owner may not be charged under this section.

Sec. 2. Costs not funded. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this Act that result in additional costs to local or county government are not state mandates subject to that section and the State is not required to fund those costs.

See title page for effective date.

CHAPTER 868

S.P. 831 - L.D. 2135

An Act to Amend the Laws Concerning the Maine Court Facilities Authority

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

4 MRSA §1606, sub-§2, as enacted by PL 1987, c. 438, §1, is amended to read:

2. Limitation on securities issued. The authority shall may not issue securities in excess of ~~\$15,000,000~~ \$25,000,000 outstanding at any one time except for the issuance of revenue refunding securities authorized by section ~~1609~~ 1610. The amount of securities ~~which can~~ that may be outstanding in the name of the authority may be increased ~~hereafter~~ by the Legislature; upon a showing by the authority that its available revenues are sufficient to support additional issuance of bonds and that the issuance of bonds will not materially impair the credit standing of the authority, the investment status of bonds issued by the authority or the ability of the authority to fulfill its commitments to bondholders. Noth-

ing in this chapter may be construed to authorize the authority to issue securities to fund the construction, reconstruction, purchase or acquisition of facilities for the use of the Supreme Judicial Court; without approval of the Legislature.

See title page for effective date.

CHAPTER 869

H.P. 1437 - L.D. 2049

An Act Regarding Special Plates

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

Whereas, Public Law 1991, chapter 600 contains provisions that are controversial relating to special plates for veterans; and

Whereas, in fairness to all veterans, Public Law 1991, chapter 600 should be repealed; and

Whereas, Public Law 1991, chapter 600 is now in effect and the changes contained in this legislation need to take effect immediately; 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. 29 MRSA §252-H, as enacted by PL 1991, c. 7, §1, is amended to read:

§252-H. United States flag plates

The Secretary of State is authorized to design and issue a special plate depicting the United States flag. A person may display the United States flag plate on a vehicle registered up to 9,000 pounds or on a motor home by covering, but not removing, the normal front registration plate. The Secretary of State shall charge a fee of \$5 for each United States flag plate issued. Municipal agents appointed pursuant to section 52-A may charge \$1 in addition to the fee required by this section for each United States flag plate issued, the service charge to be retained by the municipality. The authorization to display the United States flag plate on a registered vehicle expires March 30, ~~1992~~ 1993.

A person who displays the United States flag plate in place of the normal registration plate after March 30, ~~1992~~ 1993 violates section 2183.

Sec. 2. 29 MRSA §252-I, as enacted by PL 1991, c. 600, §1 and affected by §3, is repealed and the following enacted in its place:

§252-I. Special veterans registration plates

Beginning September 1, 1992, the Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 242 and a one-time additional fee of \$5, shall issue a registration certificate and a set of special veterans registration plates to be used in lieu of regular registration plates to any person who has served in the United States Armed Forces and who has been honorably discharged.

Each application must be accompanied by the applicant's Armed Forces Report of Transfer or Discharge, DD Form 214, or certification from the United States Veterans Administration or the appropriate branch of the United States Armed Forces verifying the applicant's military service and honorable discharge.

All surplus revenue collected for issuance of the special registration plates is retained by the Secretary of State to maintain and support this program.

Sec. 3. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1991-92	1992-93
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
All Other	(\$113,845)	(\$5,692)
Deallocates funds no longer required to manufacture the special license plates pursuant to Public Law 1991, chapter 600.		
Administration - Motor Vehicles		
All Other		\$113,845
Provides funds for materials and general operating expenses required to manufacture generic veterans plates for any veteran of the military service who has been honorably discharged.		
DEPARTMENT OF THE SECRETARY OF STATE TOTAL		
	(\$113,845)	\$108,153

Sec. 4. PL 1991, c. 758, §5 is repealed.

Sec. 5. Effective date. The section of this Act that repeals Public Law 1991, chapter 758, section 5 takes effect June 29, 1991.

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

Effective April 9, 1992, unless otherwise indicated.

CHAPTER 870

H.P. 1486 - L.D. 2098

An Act to Reform Unemployment Compensation Guidelines in Maine

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

Whereas, certain individuals who have earned enough wages to qualify for unemployment compensation benefits are found ineligible because the distribution of those wages does not satisfy the earned wage requirement; and

Whereas, these individuals have no option but to turn to general assistance, thereby placing a significant burden on municipalities and local property taxpayers; 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. 26 MRSA §1043, sub-§3-A is enacted to read:

3-A. Alternate base period. For benefit years effective on or after September 27, 1992 and prior to December 31, 1994, for any individual who fails to meet the eligibility requirements of section 1192, subsection 5, in the base period as defined in subsection 3, the Department of Labor shall make a redetermination of eligibility based on a base period that consists of the last 4 completed calendar quarters immediately preceding the first day of the individual's benefit year. This base period is known as the "alternate base period." If wage information for the most recent quarter of the alternate base period is not available to the department from regular quarterly reports of wage information that is systematically accessible, the department shall gather the necessary data in accordance with rules established for this purpose.