

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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C. Where a right-of-way passes through an area of high-value property and the right-of-way contains sufficient flammable material so that a fire starting on the right-of-way could travel to and threaten the high-value property, the minimum 7-foot standard is extended to 25 feet.

**3. Communications.** The bureau shall inform annually a railroad company operating within the State of the 5-year fire-start areas and the areas that are high-value property along its right-of-way. In addition, the bureau shall notify a railroad company of new forest fire occurrence and changes in high-value property as they are observed.

A railroad company shall notify the bureau of the name and mailing address of its authorized railroad representative on the effective date of this section and thereafter whenever the name or mailing address changes.

**4. Failure to maintain.** Failure to maintain a railroad right-of-way as provided in this section constitutes a violation. For the purposes of this section, every day from January 1st of the calendar year in which the violation occurred and continuing until full compliance is achieved is a separate offense.

**5. Legal service.** Legal service of a summons under this section occurs when a legal summons is delivered in person or by certified mail, return receipt requested, to the railroad company's authorized representative.

**Sec. 3. 12 MRSA §9703**, as amended by PL 1991, c. 591, Pt. E, §12, is further amended to read:

**§9703. Partial payment of costs of suppressing forest fires**

Any person who intentionally or negligently causes a fire that burns forest, brush, grass or other lands or intentionally fails to take reasonable action to control a fire on that person's own land is liable civilly for restitution of costs incurred by state or municipal government entities in the suppression of that fire, up to the maximum amount of restitution permitted under section 9321. Compliance with ~~an approved plan pursuant to section 9405~~ 9405-A does not relieve a railroad company of liability under this section.

**Sec. 4. Effective date.** This Act takes effect January 1, 1994.

Effective January 1, 1994.

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**CHAPTER 272**

**H.P. 396 - L.D. 509**

**An Act to Clarify the Management of Real Estate Leases**

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

**Sec. 1. 5 MRSA §1742-D, sub-§9** is enacted to read:

**9. Exception.** The land leases of the various departments and agencies of State Government are exempted from the provisions of this section.

See title page for effective date.

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**CHAPTER 273**

**H.P. 798 - L.D. 1084**

**An Act Repealing Advisory Boards on Aging, Retirement and Veterans' Matters**

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

**Sec. 1. 5 MRSA §12004-J, sub-§8**, as enacted by PL 1989, c. 547, §1 and affected by §5, is repealed.

**Sec. 2. 37-B MRSA §505, sub-§4**, as amended by PL 1991, c. 626, §18, is further amended to read:

**4. Vietnam and atomic veterans.** In addition to subsections 1 to 3, the following applies to Vietnam and atomic veterans.

A. Unless the context indicates otherwise, the following definitions in section 522 apply to this subsection.

(1) "Atomic veteran" means a person who:

(a) Participated in the occupation of Japan between August 1, 1945 and August 1, 1946;

(b) Was an American prisoner of war used by the Japanese to clean up Hiroshima or Nagasaki before the surrender of the Japanese empire or a prisoner of war who transited through either Hiroshima or Nagasaki following repatriation;

(c) Is a veteran of the Armed Forces of the United States who participated in the atmospheric testing of nuclear weapons; or

(d) Is a veteran in the Armed Forces of the United States who was exposed to radiation as a result of that person's