

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**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**  
**1995**

**Whereas**, under current law, provisions authorizing insurance coverage for certain mental health treatments are scheduled to be repealed on July 1, 1995; and

**Whereas**, this legislation eliminates those repealers; 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. 24 MRSA §2325-A, sub-§5-C**, as amended by PL 1993, c. 586, §1, is further amended by amending the last blocked paragraph to read:

This subsection is repealed July 1, ~~1995~~ 1996.

**Sec. 2. 24-A MRSA §2843, sub-§5-C**, as amended by PL 1993, c. 586, §3, is further amended by amending the last blocked paragraph to read:

This subsection is repealed July 1, ~~1995~~ 1996.

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

Effective April 11, 1995.

**CHAPTER 20**

**H.P. 168 - L.D. 216**

**An Act to Enhance the Title to Real Estate Acquired by Municipalities for Nonpayment of Taxes**

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

**Sec. 1. 36 MRSA §946-A**, as enacted by PL 1993, c. 82, §1, is repealed and the following enacted in its place:

**§946-A. Tax-acquired property and the restriction of title action**

**1. Tax liens recorded after October 13, 1993.** A person may not commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 15-year period immediately following the expiration of the period of redemption. This subsection applies to a tax lien recorded after October 13, 1993.

**2. Tax liens recorded on or before October 13, 1993.** For a tax lien recorded on or before October 13, 1993, a person must commence an action against its validity no later than 15 years after the expiration of the period of redemption or no later than July 1, 1997, whichever occurs later.

**3. Disability or lack of knowledge.** Disability or lack of knowledge of any kind does not suspend or extend the time limits provided in this section.

See title page for effective date.

**CHAPTER 21**

**H.P. 169 - L.D. 217**

**An Act to Amend the Sewer Lien Law to Provide Clear Title**

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

**Sec. 1. 38 MRSA §1208**, as amended by PL 1987, c. 548, is further amended by adding at the end a new paragraph to read:

A discharge of the certificate given after the right of redemption has expired, which discharge has been recorded in the registry of deeds for more than one year, terminates all title of the sewer district derived from that certificate or any other recorded certificate for which the right of redemption expired 10 years or more prior to the foreclosure date of this discharge lien, unless the sewer district has conveyed any interest based upon the title acquired from any of the affected liens.

**Sec. 2. Application.** This Act applies to all liens recorded prior to and after the effective date of this Act.

See title page for effective date.

**CHAPTER 22**

**H.P. 173 - L.D. 221**

**An Act to Allow Municipal Officials to Approve the Use of Flashing Lights by Fire Department Members**

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

**Sec. 1. 29-A MRSA §2054, sub-§2, ¶F**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph C, subparagraph (5) and school buses may be equipped with, display or use a red auxiliary or emergency light.

(1) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle, a fire vehicle or a hazardous material response vehicle must emit a red light or a combination of red and white light.

(2) The municipal officers, ~~when approved by or a municipal official designated by the municipal officers, with the approval of the~~ fire chief, may authorize an active member of a municipal or volunteer fire department to use a flashing red signal light not more than 5 inches in diameter on a vehicle. The light may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. The light must be mounted as near as practicable above the registration plate on the front of the vehicle or on the dashboard. A light mounted on the dashboard must be shielded so that the emitted light does not interfere with the operator's vision.

(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle a flashing red signal light of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service.

See title page for effective date.

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## CHAPTER 23

H.P. 278 - L.D. 382

### An Act to Credit Incineration of Used Tires as Recycling

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

**Sec. 1. 38 MRSA §2132, sub-§3**, as enacted by PL 1991, c. 492, §3, is amended to read:

**3. Beneficial use of waste.** The use of waste paper, used motor vehicle tires or corrugated cardboard as a fuel in industrial boilers for the generation of heat, steam or electricity constitutes recycling for the sole purpose of determining whether the goals in

subsection 1 are met and if the wastes would otherwise be placed in or stockpiled at a landfill, the office determines that there is no reasonably available market in the State for recycling that waste and if the wastes are incinerated as a substitute for, or supplement to, fossil or biomass fuels that constitute the primary fuels incinerated in the industrial boiler.

See title page for effective date.

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## CHAPTER 24

H.P. 358 - L.D. 478

### An Act to Make Certain Housekeeping Changes to the Banking Code Regarding Hours of Operation, Closing during Emergencies, the Publication of Reports of Financial Condition and the Maturity of Credit Lines

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

**Sec. 1. 9-B MRSA §141, sub-§1**, as amended by PL 1985, c. 787, §3, is repealed and the following enacted in its place:

**1. Holidays established.** Any day of public thanksgiving, mourning or disaster proclaimed or appointed by the Governor or by the President of the United States may be declared a bank holiday by the superintendent, and all financial institutions authorized to do business in this State must be closed on any day declared a bank holiday. In addition, financial institutions authorized to do business in this State must be closed on the following bank holidays:

A. January 1st, New Year's Day;

B. The 3rd Monday in January, Martin Luther King, Jr. Day;

C. The 3rd Monday in February, Washington's Birthday;

D. The 3rd Monday in April, Patriot's Day;

E. The last Monday in May, Memorial Day, but if the United States Government designates May 30th as the date of observance of Memorial Day, then the 30th of May;

F. July 4th, Independence Day;

G. The first Monday of September, Labor Day;

H. The 2nd Monday in October, Columbus Day;

I. November 11th, Veterans' Day; and