

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
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
1995

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.

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.

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

J. December 25th, Christmas Day.

If the first day of January, the 4th day of July, the 11th day of November or the 25th day of December falls on Sunday, the following Monday is deemed a bank holiday for the purpose of this Title. When the date for observance of Memorial Day changes under this subsection to the 30th day of May and that date falls on a Sunday, the following Monday is deemed a bank holiday for the purposes of this Title.

Sec. 2. 9-B MRSA §141, sub-§3, as enacted by PL 1975, c. 500, §1, is repealed and the following enacted in its place:

3. Emergency closing. An institution under the supervision of the bureau or a federal regulatory agency may close for all or part of any business day for good cause any of its offices, branches or facilities if, in the opinion of the institution's management, that action is required by emergency conditions. At the time of a closing under this subsection, the institution shall submit to the bureau oral or written notice of the closing as prescribed by the superintendent. This notice may be made by telephone, facsimile or similar electronic means.

Sec. 3. 9-B MRSA §223, sub-§1, as amended by PL 1979, c. 429, §3, is repealed.

Sec. 4. 9-B MRSA §636, sub-§4, as amended by PL 1987, c. 405, §19, is further amended to read:

4. Maturity of credit line. A line of credit given pursuant to this section ~~shall~~ **must** be reviewed at least annually by the board of directors or trustees, ~~or by a committee of board members or by bank officers or a committee of bank officers.~~

Sec. 5. 9-B MRSA §815, as amended by PL 1975, c. 666, §26, is further amended to read:

§815. Supervision and examination

~~Credit unions shall be~~ **are** under the supervision of the superintendent; and Part 2 of this Title ~~shall be~~ **is** applicable to credit unions in the same manner as that Part applies to financial institutions in general. ~~The superintendent may waive the publication requirements of section 223, subsection 1, for a credit union if the superintendent is satisfied that the credit union's condition and income reports are made available to its field of membership by other means.~~

See title page for effective date.

CHAPTER 25

H.P. 38 - L.D. 32

An Act Regarding the Prohibition against Restaurants with Lounges Serving Meals to Unaccompanied Minors after 9 P.M.

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

Whereas, the restaurants serving the State's winter tourists are experiencing severe hardships that demand immediate attention; 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. 28-A MRSA §1063, sub-§5, as enacted by PL 1993, c. 410, Pt. ZZ, §18, is repealed.

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

Effective April 14, 1995.

CHAPTER 26

H.P. 47 - L.D. 41

An Act to Decrease to Zero the Allowable Blood-alcohol Level of a Person Holding a Juvenile Provisional License

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

Sec. 1. 29-A MRSA §2472, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Suspension for OUI conviction or certain blood-alcohol level. The Secretary of State shall suspend for a period of at least one year, without preliminary hearing, a juvenile provisional license of a person who:

- A. Receives an OUI conviction; or