

# MAINE STATE LEGISLATURE

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

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

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**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**  
**1997**

(3) ~~\$40,000 for~~ For one accident resulting in injury to or death of more than one person, ~~\$100,000; and~~

(4) For medical payments pursuant to section 1605-A, \$1,000.

**Sec. 6. 29-A MRSA §1605-A** is enacted to read:

**§1605-A. Medical payments**

A motor vehicle liability policy covering a private passenger automobile and issued for a motor vehicle registered or principally garaged in this State must provide coverage in an amount equal to or greater than \$1,000 per person for medical costs incurred as a result of injuries sustained in an accident involving the insured vehicle by the driver and passengers in that vehicle. The coverage required by this section only applies to medical costs incurred during one year following the date the injuries are sustained. This section does not apply to a policy insuring more than 4 automobiles, nor to any policy covering a garage, automobile sales agency, repair shop, service station or public parking place.

**Sec. 7. 29-A MRSA §1607, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Satisfaction.** To meet the obligation of financial responsibility only, a judgment is satisfied:

A. When ~~\$20,000~~ \$50,000 has been credited on a judgment for bodily injury to or death of one person as the result of one accident rendered in excess of that amount;

B. Subject to paragraph A, when ~~\$40,000~~ \$100,000 has been credited on a judgment for bodily injury to or death of 2 or more people as the result of one accident rendered in excess of that amount; or

C. When ~~\$10,000~~ \$25,000 has been credited on a judgment for injury to or destruction of property of others as a result of one accident rendered in excess of that amount.

**Sec. 8. Applicability.** Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, sections 1605 and 1607 and enact section 1605-A apply to all personal motor vehicle liability policies executed, delivered, issued for delivery, continued or renewed in this State on or after July 1, 1998. For purposes of this Act, all policies are

deemed to be renewed no later than the next yearly anniversary of the policy date.

See title page for effective date.

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**CHAPTER 177**

**H.P. 362 - L.D. 507**

**An Act Concerning Sea Urchin Management**

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

**Whereas**, effective management and conservation of Maine's sea urchin industry require certain measures to be in place before the opening of the 1997-98 sea urchin harvesting season; 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. 12 MRSA §6749-Q, first ¶**, as enacted by PL 1993, c. 740, §3, is amended to read:

The following surcharges are assessed on licenses sold for calendar years 1995, 1996, ~~and~~ 1997 and 1998:

**Sec. 2. 12 MRSA §6749-R, sub-§1**, as enacted by PL 1993, c. 740, §3, is amended to read:

**1. Uses of the fund.** The commissioner shall use the fund for research directly related to sea urchin fishery management information needs and for reporting to licensed sea urchin harvesters, boat tenders, processors and buyers on the results of research and the use of fund revenues. The purpose of that research must be to determine, with the highest reliability possible given available resources, the greatest level of effort that may be applied to the sea urchin fishery without harming the long-term economic and biological sustainability of the sea urchin fishery. The commissioner shall consult with the Sea Urchin Zone Council under section 6749-X before deciding upon research projects and awarding grants from the fund.

**Sec. 3. 12 MRSA §6749-R, sub-§3**, as enacted by PL 1993, c. 740, §3, is amended to read:

**3. Reports.** The commissioner shall submit an interim and a final report on expenditures from the fund and research findings to the joint standing committee of the Legislature having jurisdiction over marine resource matters. An interim report must be submitted by July 1, 1996. A 2nd interim report must be submitted by January 1, 1998. A final report must be submitted by January 1, ~~1998~~ 1999.

**Sec. 4. 12 MRSA §6749-W, sub-§2, ¶A,** as enacted by PL 1995, c. 595, §5 and affected by §6, is amended to read:

A. ~~One hundred and fifty~~ Up to 150 days between August 1st and April 30th of the following calendar year during which a person may fish for or take sea urchins by hand, trap or rake. The commissioner is not required to designate the days in consecutive order; and

**Sec. 5. 12 MRSA §6749-W, sub-§3, ¶A,** as enacted by PL 1995, c. 595, §5 and affected by §6, is amended to read:

A. ~~One hundred and seventy~~ Up to 170 days between August 1st and April 30th of the following calendar year during which a person may fish for or take sea urchins by hand, trap or rake. The commissioner is not required to designate the days in consecutive order; and

**Sec. 6. 12 MRSA §6749-W, sub-§§4 and 5** are enacted to read:

**4. Limitation on approving zone changes.** The commissioner may not authorize a zone change between August 1st and December 31st.

**5. Effective date of zone change.** The effective date of a zone change authorized by the commissioner is August 1st.

**Sec. 7. 12 MRSA §6749-X, sub-§3,** as enacted by PL 1995, c. 595, §5, is amended to read:

**3. Purpose.** The council shall make recommendations to the commissioner concerning ~~the designation of open days for the harvesting of sea urchins by handfishing, dragging, hand raking and trapping pursuant to section 6749-W. ;~~

A. The designation of open days for the harvesting of sea urchins by handfishing, dragging, hand-raking and trapping pursuant to section 6749-W;

B. Research projects and grants funded by the Sea Urchin Research Fund under section 6749-R; and

C. Other matters of interest to the sea urchin fishery.

**Sec. 8. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
<b>MARINE RESOURCES, DEPARTMENT OF Resource Management-Bureau of</b>		
All Other	\$180,000	\$180,000
Allocates funds for the continuation of the Sea Urchin Research Fund.		

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

Effective May 15, 1997.

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**CHAPTER 178**

**H.P. 809 - L.D. 1097**

**An Act Regarding the Enforcement of the Motor Vehicle Laws**

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

**Sec. 1. 29-A MRSA §1601, sub-§3-A** is enacted to read:

**3-A. Insurance in effect.** A person violates this section if that person produces evidence of liability insurance or financial responsibility that is not in effect.

**Sec. 2. 29-A MRSA §2103, sub-§1,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Material misstatement of fact.** A person commits a Class E crime if that person knowingly ~~makes a material misstatement of fact on an application or document submitted in support of an application for a license, certificate, permit, examination, identification card, use decal, placard or any other document requesting action from the Secretary of State. ;~~

A. Makes a material misstatement of fact on an application or document submitted in support of an application for a license, certificate, permit, examination, identification card, use decal,