

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.

J.S. McCarthy Company
Augusta, Maine
1997

both of whom are licensed occupational practitioners under this chapter.

Sec. 2. 32 MRSA §2279, first ¶, as enacted by PL 1983, c. 746, §2, is amended to read:

An applicant applying for a license as an occupational ~~therapist or as an occupational therapy assistant~~ therapy practitioner shall file a written application provided by the board, showing to the satisfaction of the board that ~~he~~ the applicant meets the following requirements.

Sec. 3. 32 MRSA §2279, sub-§5, as enacted by PL 1983, c. 746, §2, is amended to read:

5. Examination. An applicant for licensure as an occupational ~~therapist or as an occupational therapy assistant~~ shall ~~shall~~ therapy practitioner must pass an examination as provided for in section 2280.

See title page for effective date.

CHAPTER 213

H.P. 439 - L.D. 589

An Act to Amend the Mobile Home Park Laws Regarding Sales of Homes

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

Sec. 1. 10 MRSA §9094, sub-§4 is enacted to read:

4. Interference with sale. A mobile home park owner may not unreasonably interfere with or discourage a tenant's attempt to sell a mobile home situated on a park lot.

See title page for effective date.

CHAPTER 214

S.P. 348 - L.D. 1167

An Act to Clarify the Timber Trespass Laws

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

Sec. 1. 14 MRSA §7552, sub-§3, as amended by PL 1995, c. 585, §3, is further amended to read:

3. Measure of damages. This subsection governs the measurement of damages resulting from a violation of subsection 2.

A. When agricultural or forest products have been destroyed or carried away, the ~~owner's~~ owner may recover as damages ~~may be measured~~ either ~~by~~ the value of the lost products themselves or ~~by~~ the diminution in value of the real estate as a whole resulting from the violation, whichever is greater.

B. For lost trees, the owner may claim in lieu of market value the forfeiture amounts determined in Title 17, section 2510, ~~subsection~~ subsections 2 and 3. In addition, the owner's damages may include the costs for regeneration of the stand in accordance with Title 12, section 8869.

C. When a monument or marker has been disturbed, removed or destroyed as prohibited in subsection 2, paragraph C, the owner's damages may include the cost of ~~replacing~~ engineering and surveyor services necessary to reestablish a monument or marker ~~by a licensed surveyor~~ and its proper location.

See title page for effective date.

CHAPTER 215

H.P. 1263 - L.D. 1790

An Act to Control Browntail Moths

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

Whereas, an infestation of browntail moths has made living in certain Maine communities dangerous for adults and children; and

Whereas, a browntail moth control program can be undertaken by Maine communities for 1997 if undertaken during the month of May; and

Whereas, emergency legislation is required to enable control efforts to be undertaken for 1997; 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. 22 MRSA c. 257-A is enacted to read: