

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**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**  
**1999**

riety set by the superintendent or the superintendent directs distribution of the proceeds in accordance with this Title.

To the extent not inconsistent with state law, the letter of credit is subject to and governed by the Uniform Customs and Practice for Documentary Credits, 1983, International Standby Practices 1998 or successor practices governing standby letters of credit duly adopted by the International Chamber of Commerce Publication No. 400. If any legal proceedings are initiated with respect to payment of the letter of credit, those proceedings are subject to the State's courts and law.

See title page for effective date.

**CHAPTER 114**

**H.P. 477 - L.D. 684**

**An Act to Allow for Continuing Law Enforcement Certification of the Commissioner of Public Safety and the Assistant to the Commissioner**

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

**Sec. 1. 25 MRSA §2804-H** is enacted to read:

**§2804-H. Continuing certification**

If the commissioner or assistant to the commissioner is a law enforcement officer who is certified under sections 2804-B and 2804-C, the officer's certification does not lapse during the period the officer serves as commissioner or as assistant to the commissioner.

See title page for effective date.

**CHAPTER 115**

**H.P. 531 - L.D. 738**

**An Act to Revise Maine's Trespass Laws**

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

**Sec. 1. 17-A MRSA §402, sub-§4, ¶D-1** is enacted to read:

D-1. Notwithstanding any other provision of this section, a landowner who posts that landowner's land by paint markings and who intends to pro-

hibit access without permission of the landowner or the landowner's agent or intends to prohibit access for a particular purpose may do this by posting in a prominent place one or more qualifying signs that by words or symbols set forth the nature of the prohibition. The landowner need not post the qualifying signs at 100-foot intervals.

See title page for effective date.

**CHAPTER 116**

**H.P. 415 - L.D. 557**

**An Act to Prohibit Surveillance of Dressing Rooms, Bathrooms and Similar Places**

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

**Sec. 1. 17-A MRSA §511, sub-§2,** as enacted by PL 1975, c. 499, §1, is amended to read:

**2.** As used in this section, "private place" means a place where one may reasonably expect to be safe from surveillance, including, but not limited to, changing or dressing rooms, bathrooms and similar places, but does not include excluding a place to which the public or a substantial group has access.

See title page for effective date.

**CHAPTER 117**

**H.P. 553 - L.D. 774**

**An Act to Amend the Laws Pertaining to the Movement of a Mobile Home Over a Public Way and the Movement of Objects Requiring an Overlimit Movement Permit**

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

**Sec. 1. 29-A MRSA §1002, sub-§9,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**9. Mobile homes.** A mobile home may not be moved over a public way unless the operator of the vehicle hauling it has in possession a permit issued pursuant to section 2382 or a written certificate from the tax collector of the municipality in which the mobile home is situated on the day of the move, identifying the mobile home and stating that all

applicable property taxes, including those for the current tax year, have been paid or that the mobile home is exempt from taxes. The tax year is the period from April 1st to March 31st. For the purposes of this subsection, taxes for the current tax year include taxes not yet committed. If the amount of these taxes can not then be determined, the amount must be presumed to be the same as the previous year's taxes until the current year's taxes are assessed. Notwithstanding Title 36, section 506, the tax collector may accept prepayment of these taxes and shall repay any amount paid in excess of that finally assessed, with interest on that amount as provided in Title 36, section 506-A. If a mobile home was moved into the municipality after April 1st so that no tax was assessed in the previous year and will be moved from the municipality before the commitment of the current year's taxes but after April 1st, the term "previous year's taxes" means taxes estimated by using the prior year's tax rate.

**Sec. 2. 29-A MRSA §2382, sub-§11** is enacted to read:

**11. Violation.** A person who moves an object over the public way in violation of this section commits a traffic infraction.

See title page for effective date.

## CHAPTER 118

H.P. 721 - L.D. 1011

### An Act to Change the Application of the Durable Financial Power of Attorney Provisions

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

**Sec. 1. 18-A MRSA §5-508, sub-§(h)** is enacted to read:

(h) The requirements of this section do not apply to any durable financial power of attorney:

- (1) Granted by a person other than a natural person;
- (2) Granted to the secured party or mortgagee in a security agreement or mortgage; or
- (3) Given by or on behalf of a debtor, guarantor or accommodation party as a part of loan documentation related to a credit transaction, if the creditor entered into the transaction for value.

See title page for effective date.

## CHAPTER 119

H.P. 863 - L.D. 1220

### An Act to Provide for Resident State Police Officers for Municipalities Without a Police Force

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

**Sec. 1. 25 MRSA §1502**, as amended by PL 1993, c. 123, §1, is further amended by inserting after the 4th paragraph a new paragraph to read:

The Chief of the State Police may assign a state police officer to provide police services to a municipality, or to no more than 3 adjoining municipalities, lacking an organized police department, provided the municipality or municipalities pay the costs of training, compensation, including wages and fringe benefits, equipment and other expenses of the assigned state police officer. The Chief of the State Police shall continue to exercise supervision and direction over a state police officer whose regular assignment is providing police services to a municipality or municipalities. The Chief of the State Police and the municipality or municipalities are authorized to enter into agreements and contracts for police services for a period not exceeding 3 years per agreement or contract. Revenues received from a municipality must be allocated for the purpose of funding the cost of providing the police services.

See title page for effective date.

## CHAPTER 120

S.P. 540 - L.D. 1602

### An Act to Expand Term Limits of Maine Employers' Mutual Insurance Company Directors

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

**Sec. 1. 24-A MRSA §3703, sub-§6**, as amended by PL 1997, c. 661, §6, is further amended to read:

**6. Terms.** A full term on the board of directors is 3 years. An individual may not serve more than ~~2~~ 3 consecutive full terms as a director, except for the president and chief executive officer. All members shall serve for the terms provided and until their successors are appointed or elected and qualified.

See title page for effective date.