

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.

J.S. McCarthy Company
Augusta, Maine
1999

B. Is designed and manufactured to safety standards set by law;

C. Is operated by the general public at a registered propane or natural gas installation;

D. Complies with section 14805 and the standards and rules adopted by the board, including, but not limited to, National Fire Protection Association Standards, Numbers 52 and 58, and amendments to and replacements of those standards; and

E. Is attended by an operator licensed under section 14808, subsection 4 or by a trained, documented employee of that licensed operator.

Sec. 2. 32 MRSA §14807, sub-§7, as enacted by PL 1997, c. 270, §2, is repealed and the following enacted in its place:

7. Exceptions. The licensing provisions of this section do not apply to:

A. A highway transport driver who delivers propane to bulk plants or industrial customers; or

B. An individual user of a self-service propane or natural gas dispenser as defined by section 14802, subsection 10.

See title page for effective date.

CHAPTER 134

H.P. 449 - L.D. 612

An Act Regarding Juvenile Hunters

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

Sec. 1. 12 MRSA §7101, sub-§7, as amended by PL 1995, c. 667, Pt. A, §20, is repealed.

Sec. 2. 12 MRSA §7101, sub-§7-A is enacted to read:

7-A. Restrictions. Any resident or nonresident hunter 10 years of age or older and under 16 years of age may hunt with firearms only in the presence of:

1. Parent or guardian. That hunter's parent or guardian; or

2. Certain adults. A person at least 18 years of age approved by that hunter's parent or guardian who either holds a valid Maine hunting license or has successfully completed a hunter safety course acceptable under the provisions of sections 7035 and 7071.

For the purposes of this subsection, "in the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including binoculars and citizen band radios. A hunter who is 16 years of age and who is hunting with a junior hunting license prior to hunting without the adult supervision required by this section must complete a hunter safety course.

Sec. 3. 12 MRSA §7406, sub-§21, as enacted by PL 1995, c. 116, §1, is amended to read:

21. Allowing a junior hunter to hunt without adult supervision. A person is guilty of allowing a junior hunter to hunt without adult supervision if that person, who is the adult supervisor, parent or guardian of a holder of a junior hunting license under the age of 16, allows that junior hunter to hunt other than in the presence of, and under the supervision of, an adult as provided in section 7101, subsection 7-A.

See title page for effective date.

CHAPTER 135

S.P. 255 - L.D. 689

An Act Concerning Municipal Public Library Trust Funds

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

Sec. 1. 13 MRSA §4110 is enacted to read:

§4110. Municipal library funds

Notwithstanding Title 30-A, sections 5711 to 5719 and section 5724, this chapter applies to endowment funds or other funds held in trust by municipal public libraries.

See title page for effective date.

CHAPTER 136

H.P. 475 - L.D. 682

An Act to Increase the Late Fee for Licensing a Dog

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

Sec. 1. 7 MRSA §3943, sub-§1, as amended by PL 1997, c. 690, §26, is further amended to read:

1. Procedure. Between February 1st and April 1st annually, the municipal officers of each municipi-

pality shall issue a warrant with the names and addresses of all owners or keepers of unlicensed dogs to one or more police officers, constables, sheriffs or animal control officers, directing them to send a notice of violation to the last known address of the owners or keepers or call on the owners or keepers. The warrant must further direct that demand be made on the owners or keepers to obtain a license from the municipal clerk within 7 days from the date of demand and remit to the clerk the license and recording fees plus a late fee of ~~3~~ \$10 for each dog that is licensed. ~~If the license and recording fees are remitted after the 7 day period, the owners or keepers must remit a late fee of \$10 for each dog that is licensed.~~ Finally, the warrant must direct the police officer, constable, sheriff or animal control officer to enter summons and complaint as soon as possible for all owners or keepers so notified who fail to comply with the order.

See title page for effective date.

CHAPTER 137

S.P. 375 - L.D. 1076

An Act to Simplify the Process of Claiming Abandoned Vehicles

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

Sec. 1. 29-A MRSA §§1852 and 1854, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

§1852. Abandonment defined

For the purposes of this subchapter, a vehicle is considered "abandoned" if the owner or lienholder does not retrieve it and pay all reasonable charges for towing, storing and authorized repair of the vehicle within 14 days of publication as required by section 1854 or within 14 days of receipt of the notice required by section 1855 after the notice to the owner and lienholder are sent by the Secretary of State or 14 days after the advertisement is published as required in section 1854, subsection 4.

§1854. Notification of vehicle owner

1. Notification in writing. ~~If the owner or lienholder of a vehicle is unknown, the~~ The owner of the premises where the an abandoned vehicle is located shall inquire of notify the Secretary of State in writing whether the Secretary of State's records contain information as to the owner and lienholder, if any, of the vehicle that the owner is in possession of an abandoned vehicle. If only the lienholder is unknown, the inquiry required by this section may be made by

~~telephone and need only be confirmed in writing with the Secretary of State. The notification must be in writing and on a form provided by the Secretary of State.~~

2. Contents of notification. This ~~inquiry notification~~ notification must include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. This notification also must include the date the vehicle came into possession of the owner or person in charge of the premises where the vehicle is located, under what circumstances the vehicle came into that person's possession and whether the vehicle is salvage.

3. Response. On receipt of the ~~inquiry notification~~ notification, the Secretary of State shall ~~provide the holder of the vehicle with the name and address of the vehicle's owner and lienholder or shall state that no record of the vehicle is on file~~ inform the vehicle owner and lienholder, if any, by regular mail that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle identification number, give the name and address of the party claiming ownership, state the charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the vehicle, and the date that the title or letter of ownership will pass to the new owner. A copy of this letter must be provided to the person claiming ownership.

4. Publication. If the Secretary of State finds no record of the vehicle, the owner of the premises where the vehicle is located shall publish a notice at ~~least twice~~ once in a newspaper of general circulation in the county where the premises is located. That notice must clearly:

- A. Describe the vehicle by the year, make, model and vehicle identification number;
- B. State that if the owner of the vehicle or lienholder has not properly retrieved it and paid all reasonable charges for its towing and storage and repair within 14 days from ~~date of last the~~ publication, ownership of the vehicle will pass to the owner of the premises where the vehicle is located; and
- C. State how the owner of the premises may be contacted.

Sec. 2. 29-A MRSA §1855, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 3. 29-A MRSA §§1856 and 1857, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read: