

# 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**

A. The day on which the investor received the final disclosure document pertaining to the transaction as required under this Act and the rules of orders under this Act; or

B. The day on which the investor paid the required consideration for the purchase of the viatical settlement contract.

**2. Form of notice.** The notice is sufficient if addressed to the entity designated for such notice, at the address given in the disclosure statement pertaining to the transaction. Notice of rescission is effective upon deposit in the United States mail. The notice of rescission need not take a particular form and is sufficient if it expresses the intention of the purchaser to rescind the transaction.

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

Effective May 21, 1999.

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**CHAPTER 280**

**H.P. 276 - L.D. 384**

**An Act to Establish Victims' Rights for the Victims of Juvenile Crimes**

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

**Sec. 1. 15 MRSA §3007** is enacted to read:

**§3007. Victims' rights**

In addition to any rights given to victims of juvenile crimes in this Part, the victim of a juvenile crime has the rights that a victim has under Title 17-A, section 1175.

See title page for effective date.

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**CHAPTER 281**

**H.P. 300 - L.D. 408**

**An Act Regarding the Waiver Process Under the Lobster Apprenticeship Program**

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

**Sec. 1. 12 MRSA §6422, sub-§4, ¶A,** as amended by PL 1997, c. 574, §2, is further amended to read:

A. Documents to the commissioner that the person obtained practical lobster fishing experience as a sternman employed by the holder of a Class II or Class III license issued under section 6421. This paragraph is repealed December 31, 1999;

See title page for effective date.

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**CHAPTER 282**

**H.P. 525 - L.D. 732**

**An Act to Require Certain Disclosures by Providers of Funeral Services**

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

**Sec. 1. 32 MRSA §1407** is enacted to read:

**§1407. Disclosure of funeral establishment ownership; rental caskets**

**1. Ownership information.** A funeral establishment shall disclose the name and address of each person holding an ownership interest in the funeral establishment on each contract or agreement for provision of funeral services or supplies and on any document required by federal law.

**2. Rental caskets.** A funeral establishment shall disclose on its general price list and casket price list either that the funeral establishment offers rental caskets and the cost of rental or that the funeral establishment does not offer rental caskets.

**3. Federal Trade Commission regulations.** The disclosures required under this section supplement the disclosures required by the Federal Trade Commission pursuant to its regulations governing the funeral industry.

**Sec. 2. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

**1999-00**

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Office of Licensing and Registration**

All Other \$1,000

Provides funds for the cost of adopting rules on behalf of the State Board of Funeral Service.

See title page for effective date.

## CHAPTER 283

S.P. 204 - L.D. 593

### **An Act to Promote the Recycling of Fish Scales as Agricultural Fertilizer**

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

**Whereas,** the use of fish scales as a crop nutrient supplement is vital to many farms in this State; and

**Whereas,** this legislation simplifies the process for the use of fish scales as a crop nutrient supplement, while maintaining standards to ensure protection of the State's ground and surface water; and

**Whereas,** it is critical to enact the new standards with regard to the use of fish scales to ensure the safe and efficient use of fish scales for this growing 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.** 38 MRSA §1304, sub-§13-D is enacted to read:

**13-D. Use of fish scales as crop nutrient supplements.** A person may use fish scales as a crop nutrient supplement without a license issued pursuant to this chapter as long as:

A. The department has reviewed the process by which the waste fish scales are generated and has approved the use of the scales as a soil amendment on crop farms;

B. The farm using fish scales as a supplement has developed and implemented a nutrient management plan in accordance with the provisions of Title 7, chapter 747 and in accordance with the Department of Agriculture, Food and Rural Resources' rules concerning nutrient management planning; and

C. The person supplying the fish scales provides the following information to the department within 7 days of shipping the fish scales with respect to each person receiving the scales:

(1) The name of the person receiving the fish scales;

(2) The location or locations where the fish scales will be used; and

(3) The quantity of fish scales shipped.

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

Effective May 21, 1999.

## CHAPTER 284

H.P. 832 - L.D. 1155

### **An Act to Amend the Laws Regarding Abandoned Property**

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

**Sec. 1.** 33 MRSA §1953, sub-§1, ¶E, as enacted by PL 1997, c. 508, Pt. A, §2 and affected by §3, is amended to read:

E. A demand, savings or time deposit, including a deposit that is automatically renewable, 5 years after the earlier of maturity or the date of the last indication by the owner of interest in the property; but a deposit that is automatically renewable is deemed matured for purposes of this section upon its initial date of maturity, unless the owner has consented to a renewal at or about the time of the renewal and the consent is in writing or is evidenced by a memorandum or other record on file with the holder; In the case of certain types of deposits, the following rules apply:

(1) In the case of a time deposit that is automatically renewable and whose term is longer than one year, at the date of maturity following the 5th renewal of the deposit after the last indication of interest by the owner; and

(2) In the case of a deposit for the benefit of a minor, the later of 5 years after the last indication of interest by the owner or the date on which the minor reaches 18 years of age;