

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

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NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Augusta, Maine
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1. Definition. As used in this section, unless the context otherwise indicates, "wolf hybrid kennel" means a location where one or more wolf hybrids are kept and bred.

2. Kennel registration required. A person who operates a wolf hybrid kennel must register with the department on a form provided by the department. The form must include the name of the person operating the kennel, the mailing address and road or street address for the kennel and the number of wolf hybrids kept at the time of registration. The person who operates the kennel must submit with the registration form proof that each wolf hybrid has been permanently identified in accordance with section 3921-A.

3. Permanent identification of offspring; record of transfer. A person operating a wolf hybrid kennel shall have the offspring of a wolf hybrid permanently identified prior to transferring ownership or care of the animal. When a wolf hybrid is sold, given away or exchanged or ownership or care of the wolf hybrid is otherwise transferred, the person operating the wolf hybrid kennel must notify the department of the transfer and provide the name and address of the person accepting transfer of the wolf hybrid.

4. Inspection and quarantine. A wolf hybrid kennel is subject to inspection and quarantine in accordance with section 3936, subsection 1.

5. Violation. A person who operates a wolf hybrid kennel who fails to comply with the provisions of this section commits a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged.

See title page for effective date.

CHAPTER 130

H.P. 34 - L.D. 43

An Act to Create a Mandatory Automobile Insurance Premium Discount for Safe, Mature Drivers

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

Sec. 1. 24-A MRSA §2902-G is enacted to read:

§2902-G. Discounted premiums for older drivers

1. Discount; accident prevention course required. Any rates, rating schedules or rating manuals for the liability, personal injury protection and collision coverages of a motor vehicle insurance policy submitted to or filed with the bureau must

provide for an appropriate discount in premium charges for such coverages for a 3-year period when the principal operator of the covered vehicle is an insured 55 years of age or older who successfully completes a motor vehicle accident prevention course approved by the Department of Public Safety, Bureau of Highway Safety.

2. Condition. The premium reduction required by subsection 1 is effective for a 3-year period after an insured 55 years of age or older successfully completes an approved motor vehicle accident prevention course, except that the insurer may require, as a condition of providing and maintaining the discount, that for a 3-year period after the course is completed:

A. The insured or a member of the insured's household insured under the policy not be involved in an accident for which the insured is at fault;

B. The insured or a member of the insured's household insured under the policy not have committed a moving violation as defined in Title 29-A, section 101, subsection 44; or

C. The insured or a member of the insured's household insured under the policy not be subject to a driver's license suspension.

3. Qualification; certificate. An organization offering an approved motor vehicle accident prevention course used to qualify for the premium discount required by subsection 1 shall issue a certificate to a person who successfully completes the course.

4. Application. An insured is not eligible for the premium discount under subsection 1 when the insured is required by a court or other government entity to complete the approved motor vehicle accident prevention course because the insured has committed a moving violation as defined in Title 29-A, section 101, subsection 44.

5. Eligibility. An insured must pass an approved motor vehicle accident prevention course every 3 years to continue to be eligible for the premium discount.

See title page for effective date.

CHAPTER 131

H.P. 46 - L.D. 55

An Act to Provide an Extra Hunting Opportunity for Junior License Holders

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

Sec. 1. 12 MRSA §7457, sub-§1, ¶J is enacted to read:

J. The commissioner may establish a youth deer hunting day by rule. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 132

H.P. 530 - L.D. 685

An Act to Allow a Person with a Disability to Ride in Vehicles Being Towed

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

Sec. 1. 29-A MRSA §2061, sub-§2, ¶¶B and C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

B. A trailer being utilized for farming or agricultural purposes; ~~or~~

C. A trolley trailer, as defined in section 101, subsection 87, when all passengers on the trolley trailer are seated and the towing machine does not exceed 10 miles per hour; ~~or~~

Sec. 2. 29-A MRSA §2061, sub-§2, ¶D is enacted to read:

D. A person with a disability, as defined in section 521, in a vehicle that requires road service when it is not practical to transport the person with a disability by any other means.

See title page for effective date.

CHAPTER 133

S.P. 239 - L.D. 807

An Act to Provide for Plenary Proceedings in Actions for Forcible Entry and Detainer

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

Sec. 1. 14 MRSA §6012, sub-§1, as enacted by PL 1995, c. 448, §4, is amended to read:

1. Action to resolve dispute. If 2 or more persons claim rights in, title to or possession of personal property, any claimant may bring an action in District Court to resolve a dispute among the claimants. The plaintiff has the option of bringing the action by way of summary proceeding or plenary proceeding.

Sec. 2. 14 MRSA §6012, sub-§5, as enacted by PL 1995, c. 448, §4, is repealed and the following enacted in its place.

5. Rules. If the action for forcible entry and detainer of personal property is brought as a summary proceeding, the Maine Rules of Civil Procedure, Rule 80D applies. If the action is brought as a plenary proceeding, the Maine Rules of Civil Procedure, other than Rule 80D(a)-(e), apply, except as otherwise provided by statute.

See title page for effective date.

CHAPTER 134

H.P. 734 - L.D. 954

An Act to Amend the Protection from Abuse and Protection from Harassment Laws

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

Sec. 1. 5 MRSA §4651, sub-§2, ¶C, as enacted by PL 1995, c. 650, §1, is amended to read:

C. A single act or course of conduct constituting a violation of section 4681; Title 17, section 2931; or Title 17-A, sections 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 301, 302, 303, 506-A, 511, 556, 802, 805 or 806.

Sec. 2. 5 MRSA §4654, sub-§5, as amended by PL 1999, c. 542, §1, is further amended to read:

5. Service of order. If the court issues a temporary order or orders emergency or interim relief, the court shall order a law enforcement agency or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15 to serve the defendant personally with the order, the petition and the summons. ~~To protect the plaintiff, the court may order the omission or deletion of the plaintiff's address from any papers served on the defendant.~~

Sec. 3. 5 MRSA §4655, sub-§1, ¶C-2 is enacted to read: