

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-694)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 191, L.D. 240, Bill, "AN ACT to Provide More Adequate Compensation to Municipal Clerks and Municipalities for Certain Duties Performed for the State."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

Sec. 1. 8 MRSA §2, as amended by PL 1977, c. 348, §1, is further amended to read:

§2. Licenses

Municipal officers may license suitable persons to keep bowling alleys, shooting galleries, pool, bagatelle and billiard rooms therein, in any place where it will not disturb the peace and quiet of a family, ~~for which the person licensed shall pay \$20 to such town.~~ Such licenses expire on the first day of May after they are granted, unless sooner revoked. The municipal officers shall set a reasonable fee for the issuance of licenses required by this chapter.

Sec. 2. 8 MRSA §443, as last amended by PL 1977, c. 348, §2, is further amended to read:

§443. Issuance of license

The license required shall be obtained from said clerk ~~upon the payment of an annual fee of \$10~~ for each premise on which such machine or machines shall be located and shall expire on June 30th of each year. The application for such license shall

be made to the clerk upon a form supplied by him for that purpose and shall contain such information as he may require. No such license shall be granted to any person under the age of 18/<sup>years</sup> nor to any firm, corporation or association whose officers are under said age. The municipal officers shall set a reasonable fee for  
of  
the issuance/licenses required by this chapter.

Sec. 3. 12 MRSA §2355, sub-§1, last sentence, as amended by PL 1965,  
c. 448, §13, is further amended to read:

Said agent shall receive from the person registering a deer the sum of ~~25¢~~ 50¢ for each/<sup>such</sup> seal to be retained by him.

Sec. 4. 12 MRSA §2355, sub-§6, last sentence, as amended by PL 1975,  
c. 390, §8, is further amended to read:

This deer transportation tag shall cost ~~3~~ \$3.50, ~~50¢~~ \$1 to be retained by the issuing agent.

Sec. 5. 12 MRSA §2355, sub-§7, last sentence, as amended by PL 1977,  
c. 503, §15, is further amended to read:

This deer transportation tag shall cost ~~\$53-53~~ \$54, ~~50¢~~ \$1 to be retained by the issuing agent, except that no fee shall be required of any resident of this State who is serving in the Armed Forces of the United States.

Sec. 6. 12 MRSA §2355-C, first ¶, last sentence, as enacted by PL 1969,  
c. 289, §3, is amended to read:

Said agent shall receive from the person registering a bear the sum of ~~25¢~~ 50¢ for each such seal to be retained by him.

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Sec. 7. 12 MRSA §2401, sub-§3, 2nd ¶, as amended by PL 1975, c. 516, §12, is further amended to read:

Such appointed clerk or other agent shall retain a fee of ~~50¢~~ \$1 for each license issued.

Sec. 8. 12 MRSA §2401, sub-§3, ¶¶A to G, as amended,

are further amended to read:

- A. Resident junior hunting 10-16 years of age. ~~\$1-50~~ \$2
- B. Resident hunting 16 years of age or older. ~~\$7-50~~ \$8
- C. Junior nonresident hunting 10-16 years of age ~~\$15-50~~ \$16  
Permits hunting of all species except deer and bear. Application shall be accompanied by the written consent of his or her parent or guardian.
- D. Resident combination hunting and fishing ~~\$12-50~~ \$13
- E. Nonresident small game hunting. ~~\$30-50~~ \$31  
Permits hunting of all species except bear and deer.
- F. Nonresident citizen big game hunting. ~~\$60-50~~ \$61  
Permits hunting for all species including bear and deer.
- G. Alien big game hunting ~~\$100~~ \$100.50  
Permits hunting for all species including bear and deer.

Sec. 9. 12 MRSA §2401, sub-§6, last sentence, as repealed and replaced by PL 1975, c. 772, §6, is amended to read:

Such stamp shall be issued by the commissioner or his authorized agent for a fee of ~~\$3-25~~ \$3.50, ~~25¢~~ 50¢ of which shall be retained by the agent and shall be exhibited to any warden or employee of the department upon request.

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Sec. 10. 12 MRSA §2401-B, sub-§3, ¶¶A to G, as amended by PL 1975, c. 590, §10, is further amended to read:

- A. Junior nonresident fishing 12-16 years of age. \$4-00 \$4.50
- B. Resident fishing 16 years of age or older \$7-50 \$8.00
- C. Resident or nonresident 3-day fishing. \$7-50 \$8.00  
Any resident of the State who procures a 3-day license may exchange the same for an annual resident fishing license in the town in which he resides upon the payment of 50¢ to the clerk or issuing agent.
- D. Nonresident 7-day fishing \$12-50 \$13.00  
Valid for 7 days from date as indicated on license.
- E. Nonresident 15-day fishing \$15-50 \$16.00  
Valid for 15 days from date as indicated on license.
- F. Nonresident season fishing 16 years of age or older. \$25-50 \$26.00
- G. A 15-day license may be exchanged for an annual license upon the additional payment of ~~\$10-50~~ \$11.00.

Sec. 11. 12 MRSA §2502, sub-§§1 to 3, as enacted by PL 1977, c. 452, are amended to read:

- 1. Resident archery license \$7-50 \$8.00
- 2. Combination resident archery hunting and fishing license, to be available from the department in Augusta only 12-50 \$13.00
- 3. Nonresident archery license 30-50 \$31.00

Sec. 12. 12 MRSA §2502, 2nd ¶, first sentence, as repealed and replaced by PL 1977, c. 452, is amended to read:

The issuing agent shall retain a fee of 50¢ \$1 for each license issued.

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Sec. 13. 12 MRSA §2552, sub-§7, ¶A, 2nd sentence, as last amended by PL 1975, c. 314, is further amended to read:

The fee for such stamp shall be ~~\$1~~ \$1.50 for any resident of this State, excluding members of Maine's Indian tribes who shall be exempt from the fee, 16 years of age or older, and ~~\$15~~ \$15.50 for any nonresident, 16 years of age or older.

Sec. 14. 12 MRSA §2552, sub-§7, ¶A, 4th sentence, as repealed and replaced by PL 1973, c. 297, §1, is amended to read:

Any clerk or agent so appointed shall retain ~~25¢~~ 50¢ for each stamp issued.

Sec. 15. 22 MRSA §2702, sub-§2, as amended by PL 1975, c. 443, is further amended by adding at the end the following new sentence:

The state registrar shall compensate the municipal clerk for his services by forwarding to him the sum of \$1 for each certificate transmitted under this subsection.

Sec. 16. 28 MRSA §702, sub-§1, 2nd sentence, as enacted by PL 1977, c. 501, §1, is repealed as follows:

~~The fee for a special amusement permit shall be \$10.~~

Sec. 17. 28 MRSA §702, sub-§3, first sentence, as enacted by PL 1977, c. 501, §1, is amended to read:

A municipality shall adopt ordinances or authorize the municipal officers to establish written rules and regulations, governing the issuing, suspension and revocation of these permits, the classes of permits and fees for the issuance of these permits, the music, dancing or entertainment permitted under each class, and other

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limitations on these activities required to protect the public health, safety and welfare.

Sec. 18. 30 MRSA §2352, sub-§1, ¶A is amended to read:

A. Administration of an oath, ~~50¢~~ §1;

Sec. 19. 30 MRSA §2352, sub-§1, ¶D, sub-¶(1) is repealed and the following enacted in its place:

(1) Issuance of a copy of the record to the applicant, §2;

Sec. 20. 30 MRSA §2352, sub-§1, ¶E, sub-¶(1) is repealed and the following enacted in its place:

(1) Issuance of a copy of the amended birth record to the applicant, §2;

Sec. 21. 30 MRSA §2352, sub-§1, ¶¶F, G, H and I, as amended by PL 1965, c. 258, §1, are further amended to read:

F. Release of an attachment, ~~§1~~ §2;

G. Certificate of partnership, ~~§2~~ §5;

H. Certificate of withdrawal of a partner, ~~§2~~ §5;

I. Certificate of a person engaging in trade under a name, style or designation other than his own, ~~§2~~ §5;

Sec. 22. 30 MRSA §2352, sub-§1, ¶J is amended to read:

J. Honorable discharge or release papers of veterans of the Armed Forces of the United State of America, ~~25¢~~ §2;

(1) A copy of such a document attested by the clerk is prima facie evidence of its existence and validity;

Sec. 23. 30 MRSA §2352, sub-§1, ¶K, as amended by PL 1965, c. 258, §1, is amended to read:

K. Petition for enforcement of a lien on monumental works, ~~§1~~ §2

Sec. 24. 30 MRSA §2352, sub-§2, as amended by PL 1971, c. 250, is further amended to read:

2. Marriage intentions and license. Recording marriage intention and issuing a marriage license, ~~§6~~ §10, except, where the laws of this State require 2 licenses, the fee shall be ~~§3~~ §5 each;

Sec. 25. 30 MRSA §2352, sub-§4, as amended by PL 1971, c. 308, §5, is further amended to read:

4. Marginal release. Entering in the margin of a record the release of an attachment, ~~50¢~~ no charge;

A. The marginal release shall be signed by the person making it.

Sec. 26. 30 MRSA §2501, sub-§1 is repealed and the following enacted in its place:

1. Inventory license. That the person or persons shall, before the beginning of the disposal sale, obtain, from the municipal officer of the city or town in which the sale shall be conducted, a license to conduct the sale. An application for the license shall be made to the municipal officers under oath, shall contain a complete inventory of all items to be included in the sale, and shall be accompanied by the payment of a license fee as set by the municipal officers for the issuance of licenses under this chapter. The license shall be valid and effective for a period of 60 days from date of issuance, unless revoked as provided, and the validity of the license



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may be extended for a period of 60 additional days if the licensee shall furnish to the municipal officers an affidavit to the effect that all goods, wares or merchandise listed in the inventory have not been disposed of within the original 60-day period;

Sec. 27. 30 MRSA §2754, 2nd sentence is amended to read: Such ordinance or bylaw may, for the purpose of fixing such fees, establish classifications of victualers according to the size, nature or other condition of business conducted and may prescribe for each of such classifications an appropriate fee which shall not in any case exceed the sum of ~~\$10~~ \$50 in towns of less than 10,000 population or the sum of ~~\$20~~ \$100 in towns over 10,000 in population, excepting any town wherein a larger fee was permitted by law on July 20, 1939.

Sec. 28. 30 MRSA §2756, 3rd sentence, as repealed and replaced by PL 1973, c. 94, is amended to read: The fee for a lodging house license shall not exceed ~~\$10~~ \$50 for lodging houses with 10 rooms or less than ~~\$25~~ \$100 for lodging houses with more than 10 rooms.

Sec. 29. 32 MRSA §251, 6th sentence, as amended,

is further amended to read:

In addition, any municipality may require a local license to hold auctions therein upon payment of a local license fee ~~not-to-exceed \$10~~ as set by the municipal officers, but no local license may be required for an auction of less than 4 days duration conducted by a resident auctioneer.

Sec. 30. 32 MRSA §255, <sup>first ¶,</sup> 3rd sentence is repealed and the

following enacted in its place:

The municipal officers of the city or town shall establish a reasonable fee for the issuance of licenses under this section.

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Sec. 31. 32 MRSA §255, last ¶, as amended by PL 1977, c. 273, §8, is further amended to read:

If such auction sale is to be conducted in an unorganized township or in a plantation, the application to conduct such sale shall be directed to the commissioner, and the same information required to be furnished to the clerk of a city or town for a local license shall be furnished the commissioner, together with ~~the same~~<sup>a</sup> fee of \$5, who thereupon may issue such license for such auction sale. Any municipality requiring a local license of resident auctioneers under section 251 may require the same local license of nonresident auctioneers.

Sec. 32. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	<u>1979-80</u>	<u>1980-81</u>
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Administration		
Positions	(1)	(1)
Personal Services	\$ 3,823	\$ 8,028
All Other	<u>24,600</u>	<u>49,200</u>
TOTAL	\$28,423	\$57,220

Sec. 33. Effective date. This Act shall take effect January 1, 1980.

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Fiscal Note

This / legislation will require an appropriation of \$28,423 in fiscal year 1979-80 and \$57,220 in fiscal year 1980-81.

Statement of Fact

This amendment replaces the bill and provides for the following amendments to the fee schedules relating to municipal clerks and municipalities:

1. Licenses for bowling alleys, shooting galleries, pool, bagatelle and billiard rooms amended from \$20 to a reasonable fee set by the municipal officers;
2. Licenses for pinball machines amended from \$10 to a reasonable fee set by the municipal officers;
3. Hunting and fishing licenses and stamps: All fees raised 50¢ which shall be retained by issuing agent;
4. State to pay clerk or municipality \$1 for each birth, marriage or death certificate which is forwarded to the State. This section requires an appropriation of \$28,423 in fiscal year 1979-80 and \$57,220 in fiscal year 1980-81;
5. Special amusement permits to liquor licensee for dancing, music, etc., at his establishment, amended from \$10 to whatever fees are adopted by the municipality;
6. Recording the administration of an oath amended from 50¢ to \$1. This fee is paid by the municipality.
7. Recording an affidavit establishing or correcting a birth, marriage or death record amended to require a \$2 fee for each copy to applicant in addition to existing \$2 fee for recording the affidavit;

8. Recording an affidavit legitimating a birth amended to require a \$2 fee for each copy of amended birth record to applicant in addition to existing \$2 fee for recording the affidavit;

9. Recording a release of attachment amended from \$1 to \$2;

10. Recording a certificate of partnership or withdrawal of partner or a certificate of a person engaging in a trade under a name, style or designation other than his own amended from \$2 to \$5;

11. Recording an honorable discharge or release papers of military veterans, amended from 25¢ to \$2;

12. Recording a petition for enforcement of a lien on monumental works, amended from \$1 to \$2;

13. Recording marriage intentions and issuing licenses, amended from \$6 (or \$3 each if 2 are required) to \$10 (or \$5 each if 2 are required);

14. Entering a notation in margin of record indicating release of attachment, amended from 50¢ to "no charge;"

15. License for going out-of-business sale, amended from \$25 to a fee set by the municipal officers;

16. Innkeepers, victualers or tavernkeepers license current fee is \$1 mandatory fee plus optional fee of not more than \$10 or \$20 depending on town size. This amendment revises optional fee to maximum of \$50 and \$100;

17. License for lodging house: Current fee of \$10 or \$20 maximum, depending upon size of lodging house is amended to \$50 and \$100 maximum;

18. Auctioneers license for auctions of more than 3 days duration, amended from maximum of \$10 to a reasonable fee as established by the municipal officers; and

19. Nonresident auctioneers license, amended from \$5 to a reasonable fee as established by the municipal officers.

amendment

a fiscal note

This / also adds an appropriation, and an effective date of January 1, 1980.

Reported by the Committee on Local and County Government  
Reproduced and distributed under the direction of the  
Clerk of the House.

6/7/79

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