

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Augusta, Maine
1979

PUBLIC LAWS
OF THE
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January 4, 1978 to April 6, 1978

~~date of recording and penalties~~, giving notice to the persons liable, but no such assessment can be made more than 2 years after the date of recording.

Sec. 33. 36 MRSA § 4700, first sentence, as amended by PL 1973, c. 513, § 22, is repealed and the following enacted in its place:

If any packer is liable for penalties under chapter 7, his wholesale seafood dealer's and processor's license and state license to pack sardines are subject to suspension by the Administrative Court in a manner consistent with the Maine Administrative Procedure Act and his packer's certificate shall be suspended by the State Tax Assessor until the penalties and related tax are paid in full.

Sec. 34. 36 MRSA §§ 5272 to 5274, as enacted by P&SL 1969, c. 154, § F and as amended, are repealed.

Effective July 6, 1978

CHAPTER 680

AN ACT to Abolish the Mental Health and Mental Retardation Improvement Fund and Make Provision for Future Funding of Existing Programs from the General Fund.

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

Sec. 1. 22 MRSA § 3172-A, as enacted by PL 1977, c. 482, § 1, is repealed.

Sec. 2. 22 MRSA § 3172-B is enacted to read:

§ 3172-B. Moneys received; credit to General Fund; unencumbered balance

1. Fund. All moneys received by the Department of Mental Health and Corrections under section 3172-A which are generated by services rendered at any of the mental health and mental retardation institutions operated by that department shall be credited to the General Fund.

2. Transfer of cash receipts. An amount equal to 100% of the total cash receipts in any fiscal year shall be transferred to the General Fund.

3. Transfer of unencumbered balances. All unencumbered balances generated from revenues received in prior years shall be transferred to the General Fund.

4. **Budget.** Those mental health and mental retardation programs receiving legislative approval for funding for fiscal year 1980 shall be considered current services by the Bureau of the Budget when next preparing a budget.

Sec. 3. Effective date. Title 22, section 3172-B, subsection 1, 2 and 3 of this Act shall take effect July 1, 1980.

Effective July 6, 1978 Unless otherwise indicated

CHAPTER 681

AN ACT Relating to Assessment for Public Services Tax on Unorganized Townships.

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

Whereas, federal and state statutes have recently required the closings of many dumps in unorganized townships in order to protect Maine's environment; and

Whereas, these townships are currently having serious difficulty disposing of their solid waste; and

Whereas, improper solid waste disposal may cause grave sanitation and environmental problems in these townships; and

Whereas, additional county powers are needed during 1978 to enable the counties to provide proper solid waste disposal and avoid these problems; and

Whereas, if counties are to use these powers during 1978, they must be able to take account of them while establishing recommended 1978 county budgets; and

Whereas, counties must complete these recommended budgets by March 1978, and therefore this Act must be effective before March, 1978; 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. 30 MRSA § 1202, 1st sentence, is amended to read:

The county commissioners of Washington County are authorized, on behalf of the inhabitants of ~~Frederick, Marion and Edmunds Townships,~~ all unorganized