

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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Kennebec Journal  
Augusta, Maine  
1979

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**PRIVATE AND  
SPECIAL LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**FIRST REGULAR SESSION**  
of the  
**ONE HUNDRED AND NINTH LEGISLATURE**  
1979

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shall reimburse the state's General Fund in an amount representing the difference between the state subsidy actually paid to the Town of Wells as a separate administrative unit and the state subsidy which would have been paid to the combined administrative units of Wells and Ogunquit. The liability of the Town of Ogunquit of this section, with consideration given to the exclusions of this paragraph, shall terminate June 30, 1996.

The amounts so reimbursed by the Town of Ogunquit shall be dedicated to the General Purpose Aid Appropriation for the use of the Department of Educational and Cultural Services.

The obligation of the Town of Ogunquit, created by this section, shall automatically terminate in the event that the Legislature should require the Town of Ogunquit to raise and appropriate funds in excess of those needed to meet its own educational obligation.

**Sec. 8.** P&SL 1913, c. 203, as last amended by P&SL 1975, c. 59, §§ 1 and 2, is repealed.

Effective September 14, 1979

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## CHAPTER 46

H. P. 335 — L. D. 434

### AN ACT Extending Reimbursement to Municipal Clerks and Municipalities for Revenue Loss Due to Amendment of the Uniform Commercial Code.

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

Whereas, Maine law requires municipal clerks to perform certain vital duties on behalf of the State; and

Whereas, prior to January 1, 1978 a substantial part of clerks compensation was derived from fees received for filing financing statements under the Uniform Commercial Code, Article 9; and

Whereas, changes in the law effective January 1, 1978 have significantly reduced these revenues; and

Whereas, the 108th Legislature provided reimbursement for these lost revenues only during the 1978 calendar year; and

Whereas, the 108th Legislature directed a study of the duties performed by municipal clerks and municipalities on behalf of the State for the purpose of devising a reasonable and appropriate method of compensation for the duties required of them; and

Whereas, a permanent means of compensation adopted by the 109th Legislature may not provide adequate compensation during the 1979 calendar year; and

Whereas, PL 1977, c. 702 requires that this Legislature determine an amount to be disbursed to clerks and municipalities on June 15, 1979 to reimburse them for revenues lost during the first 6 months of 1979; 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. PL 1977, c. 702, § 3, sub-§ 1-A is enacted to read:**

**1-A. Extension of reimbursement formula.**

**A. On July 1, 1979, the Treasurer of State shall disburse to each municipality an amount equal to 60% of the total fees received by the municipal clerk for the filing financing statements under the Uniform Commercial Code, Article 9, during the first 6 months of the 1977 calendar year.**

**B. On December 15, 1979, the Treasurer of State shall disburse to each municipality an amount equal to 50% of the total fees received by the municipal clerk for filing financing statements under the Uniform Commercial Code, Article 9, during the 2nd 6 months of the 1977 calendar year.**

**No municipality shall receive any moneys under this section unless and until the municipal clerk shall have filed with the Treasurer of State a certified audit or a sworn notarized statement of the filing fees received during the 1977 calendar year.**

**If a municipal clerk received Uniform Commercial Code payments as part of his compensation during the 1977 calendar year, he shall be entitled to the reimbursement under this section. In the event that actions of the municipality have increased his compensation to compensate for losses attributable to the amendment of the Uniform Commercial Code, the municipal officers shall determine what proportion, if any, shall be paid to their respective municipal clerk.**

**Sec. 2. Appropriation.** The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

1979-80

1980-81

Municipal Reimbursement

All Other \$87,213 (\$87,213)

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

Effective June 22, 1979

**CHAPTER 47**

H. P. 1359 — L. D. 1595

**AN ACT to Make Allocations from the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1980, and June 30, 1981.**

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Department of Inland Fisheries and Wildlife will become due and payable on or immediately after July 1, 1979; 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. Allocation of inland fisheries and wildlife funds.** In order to provide for the expenditures necessary for the operation of the Department of Inland Fisheries and Wildlife for the next 2 fiscal years — from July 1, 1979, to June 30, 1980, and from July 1, 1980, to June 30, 1981 — the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulation, are hereby allocated out of any moneys lawfully available to the department. Upon receipt of allotments duly approved by the Governor based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these allocations on the basis of such allotments and not otherwise.

	PAGE #	1979-80	1980-81
05 NATURAL RESOURCES			
09 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE			
0266 Fish and Wildlife — Watercraft Registration & Safety	2-649		
Unallocated		\$ 275,825	\$ 276,574