

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

Sec. 2. 12 MRSA §7406, sub-§17-A is enacted to read:

17-A. Game fees. A person is guilty of charging illegal game fees if the person charges a fee in violation of section 7104-A.

See title page for effective date.

CHAPTER 217

H.P. 649 - L.D. 887

An Act to Permit Owners of Property to Seek Indemnification from Parties Responsible for Violations of Clear-cutting Laws

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

Sec. 1. 12 MRSA §8869, sub-§12 is enacted to read:

12. Right of action. A landowner found in violation of this section and penalized under section 9701 as a result of actions of a harvester has a right of action to recover the penalty against the harvester who undertook the harvest operation found in violation. In addition to all other defenses permitted by law, it is a defense that the harvester operated under the landowner's instructions. For the purposes of this subsection, the terms "harvester" and "harvest operation" have the same meanings as in section 8881.

See title page for effective date.

CHAPTER 218

H.P. 550 - L.D. 746

An Act to Increase Tenant Representation on Housing Authorities

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 30-A MRSA §4723, sub-§1, ¶A, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

A. Each authority shall ~~have 6~~ appoint 7 commissioners ~~appointed~~. No commissioner may be appointed until the authority is authorized to function as provided in section 4721. In the case of a city having a mayor-council form of government, the mayor shall appoint the commissioners with the advice and consent of the council. In the case of a city having a manager-council form of government, the council shall appoint the commissioners. In the case of a town, the ~~selectmen~~ municipal officers shall appoint the commissioners.

Any person who resides within the authority's boundaries or area, and who is otherwise eligible for appointment under this chapter, may be appointed as a commissioner of the authority. This section does not prevent a commissioner from concurrently serving as a commissioner on a renewal authority established by any city with a population of 20,000 or more.

The commissioners who are initially appointed under this section ~~shall be designated to serve for terms of one, 2, 3, 4 and 5 years, respectively, from the date of their appointment. Thereafter, the commissioners shall be appointed for a term~~ shall be appointed for a term of 5 years, except that all vacancies ~~shall~~ must be filled for the unexpired terms. All subsequent appointments and appointments to fill a vacancy ~~shall~~ must be made as provided in this subsection.

(1) In a municipality with housing ~~which~~ that is subsidized or assisted by programs of the United States Department of Housing and Urban Development, ~~one~~ at least 2 of the commissioners must be a ~~resident~~ resident of that housing. ~~Where~~ When tenant associations exist in the housing, the appointing authority shall give priority consideration to nominations made by the associations. The first commissioner appointed to an authority, who is a resident of subsidized or assisted housing, ~~shall be designated to serve~~ serves for a 4-year term from the date of appointment. Thereafter, the commissioner ~~shall~~ must be appointed as provided in this subsection.

(2) A certificate of the appointment or reappointment of any commissioner ~~shall~~ must be filed with the authority. This certificate is conclusive evidence of the due and proper appointment of the commissioner.

See title page for effective date.