

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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A. The individual or each individual, in the case of 2 or more individuals filing a claim jointly, is 65 years of age or older on April 1st of the year in which the claim is filed; and

B. The individual or, in the case of 2 or more individuals filing a claim jointly, all the individuals together have household income, as defined in section 6201, subsection 7, of less than \$32,000 for the calendar year immediately preceding the calendar year in which the claim is filed.

The municipal assessor shall forward each claim filed under this subsection to the bureau within 30 days of receipt and the bureau shall determine if the property is eligible for deferral.

Claims from new applicants may not be filed pursuant to this chapter prior to January 1, 1994. For purposes of this section, "new applicants" means any person or persons that have not filed claims prior to April 1, 1991.

**Sec. 32. Application.** Those sections of this Act that amend the Maine Revised Statutes, Title 36, sections 151, 5280 and 5282 apply to reconsideration requests and refund claims pending before the State Tax Assessor prior to the effective date of this Act, as well as refund claims and reconsideration requests filed on or after the effective date of this Act, except that the 9 months and 9 years provided for in that section of this Act that amends Title 36, section 151 commences running on the effective date of this Act with respect to any reconsideration request filed prior to the effective date of this Act.

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

Effective June 21, 1993.

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## CHAPTER 396

**S.P. 321 - L.D. 974**

### **An Act to Amend the Laws Governing Legislative Ethics**

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

**Sec. 1. 17-A MRSA §602, sub-§2, ¶C,** as enacted by PL 1975, c. 499, §1, is amended to read:

C. "Pecuniary benefit" means any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain; it does not include economic advantage applicable to the public generally, such as

tax reduction or increased prosperity generally. "Pecuniary benefit" does not include meals if the meals are provided by industry or special interest organizations as part of an informational program presented to a group of public servants.

See title page for effective date.

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## CHAPTER 397

**H.P. 159 - L.D. 211**

### **An Act Related to Lottery Machines**

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

**Whereas,** the selection for placement and removal of lottery machines is an ongoing process that currently lacks specific formal and consistent guidelines; and

**Whereas,** the development and implementation of a formal and consistent selection plan for lottery machines must be immediately addressed to ensure fairness to all applicants; 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. 8 MRSA §374, sub-§4** is enacted to read:

**4. Small businesses.** The commission shall adopt by rule a written plan that includes the placement of lottery machines in small businesses. The plan must be created and implemented by January 15, 1994. The commission shall report to the joint standing committee of the Legislature having jurisdiction over legal affairs before January 15, 1994, so that the committee may approve the plan before it is implemented. No further removals of lottery machines may take place after January 15, 1994 unless the plan is successfully implemented. The removal of a lottery machine and the reason for removal must be reported, within 30 days of the removal, to the joint standing committee of the Legislature having jurisdiction over legal affairs.

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

Effective June 21, 1993.

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