

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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
1995

A. There is established in the custody of the bank a special fund, to be known as the revolving loan fund, that must be used for the following purposes:

(1) To provide loans to municipalities for acquiring, designing, planning, constructing, enlarging, repairing or improving publicly owned sewage systems and sewage treatment plants as provided in Title 38, section 411 and for implementing related management programs;

(2) For remediation of municipal landfills that affect groundwater; or

(3) For any actions authorized under the federal Clean Water Act, 33 United States Code, Sections 1251 to 1387.

Sec. 3. 30-A MRSA §6006-A, sub-§3, ¶E, as enacted by PL 1989, c. 48, §§27 and 31, is amended to read:

E. Facility needs, including the availability of, or likely development of, cost-effective privately owned facilities or services to meet the municipal need; and

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

Effective March 25, 1996.

CHAPTER 565

H.P. 1237 - L.D. 1697

An Act to Amend the Unorganized Territory Tax Laws

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

Sec. 1. 36 MRSA §1603, as corrected by RR 1993, c. 1, §107, is amended to read:

§1603. Definition of "municipal cost component"

1. Definition. For the purposes of this chapter, "municipal cost component" means the cost of funding services in the Unorganized Territory Tax District ~~which that~~ would not be borne by the State if the Unorganized Territory Tax District were a municipality, but does not include a state cost allocation charge, including, without limitation, reimbursement to the General Fund for departmental functions such as accounting, personnel administration and supervision.

The "municipal cost component" ~~shall include~~ includes, but is not be limited to:

A. The cost of education, as would be determined by the Maine School Finance Act of ~~1985~~ 1995 if the unorganized territory were a municipality;

B. The cost of services the state funds in the unorganized territory that are funded locally by a municipality; the cost of forest fire protection to be included in the cost component ~~shall~~ must be determined in accordance with Title 12, section 9205-A and collected in the same manner as other portions of the municipal cost component; and

C. The cost of reimbursement by the State for services a county provides to the unorganized territory in accordance with Title 30-A, chapter 305. No county may be reimbursed for services provided on or after January 1, 1979, unless a legislative allocation is obtained pursuant to this chapter.

See title page for effective date.

CHAPTER 566

H.P. 1245 - L.D. 1707

An Act to Clarify the Landowner Liability Laws

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

Sec. 1. 14 MRSA §159-A, as amended by PL 1993, c. 622, §1, is further amended to read:

§159-A. Limited liability for recreational or harvesting activities

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms ~~shall~~ have the following meanings.

A. "Premises" means improved and unimproved lands, private ways, roads, any buildings or structures on those lands and waters standing on, flowing through or adjacent to those lands.

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, environmental education and research, hiking, sight-seeing, operating snow-traveling and all-terrain vehicles, skiing, hang-gliding, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking,