

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

Sec. 7. 20-A MRSA §7302, sub-§3, as amended by PL 1997, c. 736, §1, is repealed.

See title page for effective date.

CHAPTER 154

H.P. 517 - L.D. 722

An Act Deleting Gender-specific and Archaic Language from Certain Laws Concerning the Office of the Attorney General

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

Sec. 1. 5 MRSA §196, as amended by PL 1989, c. 410, §14, is further amended to read:

§196. Deputies and assistants; appointment and duties

The Attorney General may appoint one or more deputy attorneys general, assistant attorneys general and staff attorneys who ~~shall~~ serve ~~during~~ at the pleasure of the Attorney General or until their successors are duly appointed and qualified. They may perform all the duties required of the Attorney General and ~~such~~ other duties as the Attorney General may ~~delegate~~ delegates to them. The Attorney General may appoint ~~such~~ research assistants with ~~such~~ any powers and duties as the Attorney General may ~~delegate~~ delegates. Research assistants may perform ~~such~~ duties as may be delegated to them by the Attorney General, including ~~such~~ activities as ~~are~~ authorized by Title 4, section 807. Notwithstanding any other provisions of law, the ~~compensation~~ compensations of research assistants, law office manager and deputy attorneys general ~~shall be~~ are fixed by the Attorney General. The compensations of the staff attorneys, assistant attorneys general and secretary to the Attorney General ~~shall be~~ are fixed by the Attorney General with the approval of the Governor, but such compensations ~~shall~~ may not in the aggregate exceed the amount appropriated ~~therefor~~ for those positions and ~~shall~~ may not result in an increased request to future Legislatures.

Notwithstanding any other provision of law, whenever the written approval of the Attorney General is required by statute or court rule and the Attorney General either is unavailable to act upon the matter or has determined that it would be legally or ethically improper for ~~him~~ the Attorney General to do so, the

required approval may be given by a deputy attorney general specifically authorized in writing by the Attorney General to act on ~~his~~ the Attorney General's behalf in these situations.

See title page for effective date.

CHAPTER 155

S.P. 194 - L.D. 585

An Act To Reauthorize the Petroleum Market Share Act

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to prevent the repeal of certain portions of the Petroleum Market Share Act; 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. 3 MRSA §959, sub-§1, ¶C, as amended by PL 2003, c. 600, §1, is further amended to read:

C. The joint standing committee of the Legislature having jurisdiction over business, research and economic development matters shall use the following list as a guideline for scheduling reviews:

- (1) Maine Development Foundation in 2005;
- (5) Department of Professional and Financial Regulation, in conjunction with the joint standing committee of the Legislature having jurisdiction over banking and insurance matters, in 2007;
- (19) Department of Economic and Community Development in 2005;
- (23) Maine State Housing Authority in 2007;
- (32) Finance Authority of Maine in 2009;