

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

**CHAPTER 222
H.P. 86 - L.D. 94**

**An Act To Protect Consumer
Rights under the Maine Unfair
Trade Practices Act**

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

Sec. 1. 5 MRSA §208, sub-§1, as enacted by
PL 1969, c. 577, §1, is amended to read:

1. Regulatory boards. Transactions or actions
otherwise permitted under laws as administered by any
regulatory board or officer acting under statutory au-
thority of the State or of the United States; ~~or. This~~
exception applies only if the defendant shows that:

A. Its business activities are subject to regulation
by a state or federal agency; and

B. The specific activity that would otherwise
constitute a violation of this chapter is authorized,
permitted or required by a state or federal agency
or by applicable law, rule or regulation or other
regulatory approval.

See title page for effective date.

**CHAPTER 223
H.P. 151 - L.D. 169**

**An Act To Place Land in
Township 21 in Trust**

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

Sec. 1. 30 MRSA §6205, sub-§1, ¶C, as
amended by PL 2001, c. 251, §2 and affected by §4, is
further amended to read:

C. Any land not exceeding 100 acres in the City
of Calais acquired by the secretary for the benefit
of the Passamaquoddy Tribe as long as the land is
acquired by the secretary prior to January 1, 2001,
is not held in common with any other person or
entity and is certified by the secretary by January
31, 2001, as held for the benefit of the Passama-
quoddy Tribe, if:

(1) The acquisition of the land by the tribe is
approved by the legislative body of that city; and

(2) A tribal-state compact under the federal
Indian Gaming Regulatory Act is agreed to
by the State and the Passamaquoddy Tribe or
the State is ordered by a court to negotiate
such a compact; ~~and~~

Sec. 2. 30 MRSA §6205, sub-§1, ¶D, as en-
acted by PL 2001, c. 251, §3 and affected by §4, is
amended to read:

D. All land acquired by the secretary for the
benefit of the Passamaquoddy Tribe in T. 19,
M.D. to the extent that the land is acquired by the
secretary prior to January 31, 2020, is not held in
common with any other person or entity and is
certified by the secretary by January 31, 2020 as
held for the benefit of the Passamaquoddy Tribe;
~~and~~
and

Sec. 3. 30 MRSA §6205, sub-§1, ¶E is en-
acted to read:

E. Land acquired by the secretary for the benefit
of the Passamaquoddy Tribe in Township 21 con-
sisting of Gordon Island in Big Lake, conveyed by
Domtar Maine Corporation to the Passamaquoddy
Tribe by corporate quitclaim deed dated April 30,
2002, recorded in the Washington County Regis-
try of Deeds in Book 2624, Page 301, to the ex-
tent that the land is acquired by the secretary prior
to January 31, 2017, is not held in common with
any other person or entity and is certified by the
secretary by January 31, 2017 as held for the
benefit of the Passamaquoddy Tribe.

Sec. 4. Effective date; certification. This
Act does not take effect unless, within 60 days of the
adjournment of the Legislature, the Secretary of State
receives written certification by the Joint Tribal Coun-
cil of the Passamaquoddy Tribe that the tribe has
agreed to the provisions of this Act pursuant to 25
United States Code, Section 1725(e), copies of which
must be submitted by the Secretary of State to the Sec-
retary of the Senate, the Clerk of the House of Repre-
sentatives and the Revisor of Statutes, except that in
no event may this Act become effective until 90 days
after the adjournment of the Legislature.

See title page for effective date, unless otherwise
indicated.

**CHAPTER 224
H.P. 414 - L.D. 536**

**An Act To Promote Efficiency
in the Use of the
Communications Equipment
Fund**

Emergency preamble. Whereas, acts and re-
solves of the Legislature do not become effective until
90 days after adjournment unless enacted as emergen-
cies; and

Whereas, the Communications Equipment Fund
provides specialized communications equipment to
meet the communications needs of deaf, hard-of-