

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
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C. That the granting of a variance will not alter the essential character of the locality.

A municipality may, in a zoning ordinance, adopt additional standards for the granting of a variance, including, but not limited to, a provision that a variance may only be granted for a use permitted in a particular zone.

Effective October 24, 1977

CHAPTER 281

AN ACT Concerning Record Checks on Applicants for Employment with Fire Departments.

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

16 MRSA § 602, sub-§ 4 is enacted to read:

4. Dissemination; fire departments. Nothing in this chapter shall be construed to prevent the dissemination of criminal history record information to any fire department within the State for the sole purpose of verifying the good character and record of applicants for positions with that fire department. Any criminal history record information disseminated for this purpose shall be used solely for that purpose and shall not be disseminated further.

Effective October 24, 1977

CHAPTER 282

AN ACT Concerning the Municipal Refund Claims for the Tree Growth Reimbursement.

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

36 MRSA § 578, sub-§ 1, as last amended by P&SL 1975, c. 78, § 21, is repealed and the following enacted in its place:

1. Organized areas. The municipal assessors or chief assessor of a primary assessing area shall adjust the State Tax Assessor's 100% valuation per acre for each forest type of their county by whatever ratio, or percentage of current just value, is then being applied to other property within the municipality to obtain the assessed values. Forest land in the organized areas, sub-

ject to taxation under this subchapter, shall be taxed at the property tax rate applicable to other property in the municipality, which rate shall be applied to the assessed values so determined. For any tax year in which a municipality has a situation where the aggregate tax assessed on lands classified under this subchapter is less than 90% of the aggregate tax assessed on the same lands in 1972, the municipality shall have a valid claim against the State to recover the taxes lost to the extent that such loss exceeds a 10% loss from 1972, upon proof of the facts in form satisfactory to the State Tax Assessor.

The State Tax Assessor is authorized to make provisional payment of up to 75% of any municipal claim found to be in satisfactory form. The payment shall be made within 90 days after receipt of a satisfactory claim and shall be presented for final settlement to the Legislature next convening.

Effective October 24, 1977

CHAPTER 283

AN ACT Concerning Fly Fishing in the Kennebec River.

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

Whereas, because of an oversight the existing laws now prohibit fly fishing on this portion of the Kennebec River; and

Whereas, fly fishing on the Kennebec River has been traditional recreation enjoyed by many sportsmen for many years; and

Whereas, allowing this bill to become effective 90 days after adjournment would result in the bill becoming effective in the middle of the fly fishing season; and

Whereas, allowing this bill to become effective in the middle of the season would create confusion and misunderstanding among sportsmen and would create great difficulties for officials responsible for the enforcement of fisheries and wildlife laws; 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:

12 MRSA § 2553-A, as repealed by PL 1975, c. 772, § 17, is reenacted to read:

§ 2553-A. Fly fishing in Kennebec River