

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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

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Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
January 4, 1978 to April 6, 1978

Funds appropriated by this section shall be used by the Maine Criminal Justice Academy solely to pay the salary expenses for replacements for corrections officers being trained pursuant to this Act while they are being trained. The payment shall be made as a reimbursement pursuant to written agreements between the academy and state, county and municipal agencies. The Board of Trustees of the Maine Criminal Justice Academy may use its discretion in allocation of the funds, consistent with the provisions of this Act. Any balances remaining at the end of the fiscal year shall not lapse, but shall be carried forward from year to year to be expended for the same purpose.

Sec. 12. Transition clause. It is the intent of the Legislature not to duplicate training efforts and to concentrate funds appropriated by this Act on correctional institutions and situations within institutions most lacking in corrections officer training. Therefore, in administering this Act for persons who are corrections officers at state and county institutions on the effective date of this Act, the Criminal Justice Academy shall liberally apply this Act's waiver of training requirements when an approximately equivalent course has been completed. In particular, this liberal application shall be done with respect to those officers who have completed the approximately equivalent courses which have been offered by the Criminal Justice Academy or by the Maine State Prison.

Sec. 13. Effective date. Section 7 of this Act shall become effective on July 1, 1979.

Effective July 6, 1978 Unless otherwise indicated

CHAPTER 702

AN ACT Relating to the Place of Filing Under the Uniform Commercial Code.

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

Sec. 1. 11 MRSA § 9-402, sub-§ (1), first sentence, as amended by PL 1977, c. 526, § 78, is further amended to read:

A financing statement is sufficient, if it gives the names of the debtors and the secured party, is signed by the debtor, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral; **provided that, for purposes of this section, if the collateral is a mobile home as defined in Title 10, section 1402, subsection 2, the description of collateral shall include the location designated by the debtor in the security agreement as the place at which the mobile home is, or is to be, located.**

Sec. 2. 11 MRSA § 9-407, sub-§ (2), as last amended by PL 1977, c. 526, § 94, is further amended by adding at the end the following new paragraphs:

Notwithstanding the above, if the filing officer is a municipal clerk, his issuance of the certificate of information is discretionary.

Upon reasonable request and within the existing ability of the office of the Secretary of State to respond, the filing officer shall furnish to any municipal clerk, without charge and for municipal purposes only, a copy of any filed financing statement, continuation statement, termination statement, statement of assignment or statement of release.

Sec. 3. Reimbursement to municipal clerks and municipalities for revenue loss due to amendment of the Uniform Commercial Code

1. **Statement of purpose.** Maine law requires municipal clerks to perform certain duties, including those relating to licensing and elections. Heretofore, the State has not specifically compensated them for the performance of these duties. Before January 1, 1978, part of the clerks' compensation and municipal revenues were derived from fees received for filing financing statements under the Uniform Commercial Code, Article 9. Certain changes in the law, effective January 1, 1978, may result in a significant decrease in the amount of these fees received by the clerks and municipalities. The purpose of this section is to reimburse the clerks and municipalities during the 1978 calendar year in an amount substantially equal to the amount of those fees that the clerks and municipalities would have received but for the changes in the law. If a municipal clerk received Uniform Commercial Code payments, he shall be entitled to reimbursement under this section. In the event subsequent actions have increased the payments because of the Uniform Commercial Code, the municipal officers shall determine what proportion, if any, shall be paid to their respective municipal clerk. Further, upon the recommendation of the Joint Standing Committee on Local and County Government, the Legislature shall determine an amount adequate to reimburse the clerks and municipalities during the first 6 months of the 1979 calendar year.

2. Reimbursement for revenue loss.

A. On June 15, 1978, the Treasurer of State shall disburse to each municipality an amount equal to 80% of the total fees received by the municipal clerk for filing financing statements under the Uniform Commercial Code, Article 9, during the first 6 months of the 1976 calendar year.

B. On December 15, 1978, the Treasurer of State shall disburse to each municipality an amount equal to 70% of the total fees received by the municipal clerk for filing financing statements under the Uniform Commercial Code, Article 9, during the 2nd 6 months of the 1976 calendar year.

C. On June 15, 1979, the Treasurer of State shall disburse to each municipality

an amount to be determined by the Legislature upon the recommendation of the Joint Standing Committee on Local and County Government.

No municipality shall receive any moneys under this subsection unless and until the municipal clerk shall have filed with the Treasurer of State a certified audit or a sworn notarized statement of the filing fees received during the 1976 calendar year.

3. **Study.** For the immediate purpose of enabling the Legislature to make the determination required by subsection 2, paragraph C, and for the additional purpose of devising a reasonable and appropriate method of compensating municipal clerks and municipalities in the future for their performance of certain duties required by the State, the Joint Standing Committee on Local and County Government is directed to study the duties which state law requires municipal clerks and municipalities to perform and methods by which the State might compensate them and to submit to the Legislature its findings and recommendations, including any proposed legislation.

Sec. 4. **Appropriation.** The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

	1978	1979
TREASURY DEPARTMENT		
Municipal Reimbursement	\$145,680	\$127,430

Effective July 6, 1978

CHAPTER 703

AN ACT Relating to Post-graduate Education in the Field of Medicine, Dentistry, Optometry and Veterinary Medicine.

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

Sec. 1. 20 MRSA c. 304, 1st 2 lines, as enacted by PL 1975, c. 769, § 1, are repealed and the following enacted in their place:

CHAPTER 304

POSTGRADUATE EDUCATION IN THE FIELD OF MEDICINE, DENTISTRY, OPTOMETRY AND VETERINARY MEDICINE