

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

Kennebec Journal
Augusta, Maine
1979

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provided in existing structures and is incidental to the industrial or commercial project within the existing structure.

Effective September 14, 1979

CHAPTER 531

H. P. 332 — L. D. 431

AN ACT Relating to Lending Institutions and Selection of Title Attorneys.

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

9-B MRSA § 439 is enacted to read:

§ 439. Attorneys

Every financial institution which accepts an application for a residential mortgage loan for one to 4 residential units and which requires that an attorney search the title of the subject real estate shall first permit the prospective mortgagor to select a qualified attorney of his own choice to search the title of the subject real estate, provided the financial institution may require the prospective mortgagor to provide it with adequate liability insurance or such other written policy requirements as the bank may deem necessary to protect its interests.

Effective September 14, 1979

CHAPTER 532

H. P. 993 — L. D. 1230

AN ACT Relating to Potato Quality.

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

Sec. 1. 7 MRSA § 951-A is enacted to read:

§ 951-A. Minimum standards for planting

No potato seed, the product of which is intended for sale, shall be planted in the State in lots of one or more acres unless that seed meets the minimum disease standards of Maine certified seed potatoes as defined by the commissioner. A person, firm or corporation that plants potatoes in violation of this section shall be subject to a fine of \$20 per acre for each acre or part of an acre planted in

violation. The fine shall be payable to the Treasurer of State and credited without lapsing to the commissioner for the enforcement of this section. The commissioner shall adopt rules consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, to implement this section. Prior to their adoption, these rules shall be reported to the Joint Standing Committee on Agriculture by January 15, 1980 for its review.

In the event there is not available to be planted in Maine in any year a sufficient volume of Maine potato seed meeting Maine certified seed potato disease standards, in any or all varieties, the commissioner may, upon application of one or more growers, permit seed of a higher disease content to be planted for that growing season.

Each grower shall keep records of seed planted by variety and by fields during the growing season and report planting records as may be requested by the commissioner.

Sec. 2. 7 MRSA § 957, first ¶, as enacted by PL 1977, c. 696, § 82, is amended to read:

Any person, firm or corporation who shall violate any of the provisions of sections ~~951~~ 952 to 957 or neglect or refuse to comply with any of the provisions required therein or in any way violate any of those provisions shall be subject to the following civil penalties payable to the State to be recovered in a civil action:

Sec. 3. **Effective date.** This Act shall become effective on January 1, 1981.

Effective January 1, 1981

CHAPTER 533

H. P. 1449 — L. D. 1647

AN ACT Relating to Membership of Treasurer of State on Boards.

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

Sec. 1. 5 MRSA § 1031, sub-§ 1, first sentence, as amended by PL 1975, c. 622, § 7, is further amended to read:

The responsibility for the proper operation of the retirement system and for making this chapter effective are vested in a board of 7 8 trustees.

Sec. 2. 5 MRSA § 1031, sub-§ 1, 4th sentence, as amended by PL 1975, c. 771, § 8, is further amended to read: