

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

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The State Tax Assessor shall, by regulation, establish the rate of interest which shall not exceed the highest conventional rate of interest charged for commercial unsecured loans by Maine banking institutions on the first business day of the calendar year as determined by the Treasurer of State under section 505, subsection 4.

Effective September 18, 1981

CHAPTER 23

H. P. 87 — L. D. 80

AN ACT to Permit Flexibility in the Prorating of Real Estate Taxes between Sellers and Purchasers of Real Estate.

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

36 MRSA § 558 is repealed and the following enacted in its place:

§ 558. Taxes prorated between seller and purchaser

A purchaser of real estate may agree with the previous owner or party to whom the real estate was formerly taxed to pay the pro rata or proportional share of taxes. Unless otherwise specified by the parties to the agreement, the taxes shall be prorated over the period of the fiscal year of the municipality in which the land is located.

Effective September 18, 1981

CHAPTER 24

S. P. 71 — L. D. 108

AN ACT Concerning the Assignment of Rights of Recovery.

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

Sec. 1. 22 MRSA § 14, sub-§ 2, as amended by PL 1979, c. 610, § 1, is repealed.

Sec. 2. 22 MRSA § 14, sub-§ 2-A, is enacted to read:

2-A. Assignment of rights of recovery. The receipt of benefits under the Medicaid program administered by the department pursuant to the Federal Social Security Act, Title XIX, shall constitute an assignment by the recipient to the department of the right to recover from third parties for the medical cost of injury, disease, disability or similar occurrence for which the recipient receives medical benefits. The department's assigned right to recover shall be limited to the amount of medical benefits received by the recipient and shall not operate as a waiver by the recipient of any other right of recovery against a third party which a recipient may have.

The recipient shall also be deemed to have appointed the commissioner as his attorney in fact to perform the specific act of submitting claims to insurance carriers or endorsing over the department any and all drafts, checks, money orders or any other negotiable instruments connected with the payment of third party medical claims.

Effective September 18, 1981

CHAPTER 25

H. P. 199 — L. D. 244

AN ACT Concerning the Habitual Use of Drugs by Podiatrists.

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

32 MRSA § 3655, sub-§ 12, is amended to read:

12. Unprofessional conduct. A podiatrist shall refrain from any conduct generally considered unprofessional or unethical by the learned professions including, but not limited to, addiction to the use of narcotics, hallucinogenic or habit-forming drugs.

Effective September 18, 1981

CHAPTER 26

H. P. 123 — L. D. 155

AN ACT to Establish a Sign on the Maine Turnpike for York Beach Region.

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