

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

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PUBLIC LAWS
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In making such a reapportionment, the commission shall insure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish as equally populated districts as possible.

The commission shall submit its plan to the Clerk of the House no later than 90 calendar days after appointment of the commission. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the Members of each House within 30 calendar days after the plan is submitted to the Clerk of the House. Such action is subject to the Governor's approval as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

3. **Supreme Judicial Court.** In the event that the Legislature fails to make an apportionment within 30 calendar days, the Supreme Judicial Court shall, within 60 days following the period in which the Legislature is required to act, but fails to do so, make the apportionment. In making such apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

The Supreme Judicial Court shall have original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group thereof. If any challenge is sustained, the Supreme Judicial Court shall make the apportionment.

Effective September 18, 1981

CHAPTER 411

H. P. 21 — L. D. 14

AN ACT to Clarify the Definition of Resident Individual in the Income Tax Law.

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

Sec. 1. 36 MRSA § 5102, sub-§ 5, as last amended by PL 1979, c. 649, § 1, is further amended to read:

5. **Resident individual.** "Resident individual" ~~shall mean~~ means an individual:

A. Who is domiciled in Maine ~~unless he maintains no permanent place of abode in this State and does maintain a permanent place of abode elsewhere and spends in the aggregate not more than 30 days of the taxable year in this State;~~

B. Who is not domiciled in Maine, but maintains a permanent place of abode in

this State and spends in the aggregate more than 183 days of the taxable year in this State, **unless he is in the Armed Forces of the United States.**

~~For purposes of this subsection, a Maine domiciled individual who is absent from Maine because of his compliance with orders of the Armed Forces of the United States may not be deemed to maintain a permanent place of abode in any state, territory or possession of the United States, other than Maine, or in the District of Columbia.~~

Sec. 2. 36 MRSA § 5127, sub-§ 1, ¶ A, as enacted by PL 1977, c. 424, § 1, is amended to read:

A. A resident individual shall be allowed a credit against the tax otherwise due under this Part for the amount of any income tax imposed on him for the taxable year by another state of the United States, a political subdivision thereof, the District of Columbia or any ~~Canadian Province or~~ **political subdivision of a foreign country which is analogous to a state of the United States with respect to** income derived from sources therein ~~and~~ which is also subject to tax under this Part.

Sec. 3. Effective date. This Act shall become effective with regard to tax years beginning on or after January 1, 1981.

Effective September 18, 1981, unless otherwise indicated

CHAPTER 412

H. P. 184 — L. D. 199

AN ACT to Increase the Licensing Fee for Games of Chance and to Increase the Limit on the Amount that can be Gambled for Any One Chance.

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

Sec. 1. 17 MRSA § 330, sub-§ 5, ¶ D, as repealed and replaced by PL 1977, c. 350, § 1, is amended to read:

D. A holder of a winning chance does not receive something of value worth more than ~~\$5,000~~ **\$6,500.**

Sec. 2. 17 MRSA § 339, sub-§ 2, first ¶, as repealed and replaced by PL 1977, c. 350, § 11, is amended to read:

Except as provided in subsection 3, the fee for a license to operate a game of chance shall be ~~\$5~~ **\$6** for each week computed on a Monday to Sunday basis or portion thereof. The license may be issued for a calendar month for a fee of ~~\$20~~ **\$24.**