

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

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

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

deduction entering into his federal adjusted gross income which are derived from or connected with sources in this State including (i) his distributive share of partnership income and deductions determined under section 5192 and, (ii) his share of estate or trust income and deductions determined under section 5176, and (iii) his distributive share of the income of an electing small business corporation for federal income tax purposes derived from or connected with sources within this State; and

Sec. 38. 36 MRSA §5142, sub-§5, as enacted by P&SL 1969, c. 154, Section F, is repealed.

Sec. 39. 36 MRSA §5200, as last repealed and replaced by PL 1977, c. 686, §12, is repealed and the following enacted in its place:

§5200. Imposition and rate of tax

A tax is hereby imposed upon every taxable corporation for each taxable year at the rate of 4.95% of that corporation's Maine net income plus 1.98% of that corporation's Maine net income in excess of \$25,000.

Sec. 40. 36 MRSA c. 902, as amended, is repealed.

Effective July 29, 1982.

CHAPTER 707

H.P. 2419 - L.D. 2151

AN ACT to Adjust Fees for Licenses Issued by the Real Estate Commission.

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

Whereas, the 90-day period will not terminate until after the Real Estate Commission collects license revenue for fiscal year 1983 funding; and

Whereas, revenue generated by the current license fee

structure is insufficient to fund the current Real Estate Commission program; 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:

Sec. 1. 32 MRSA §4101-A, sub-§1, as amended by PL 1975, c. 767, §62, is further amended to read:

1. Certificate of approval. Any educational program to prepare students for the real estate profession shall first pay the prescribed fee and obtain a certificate of approval from and thereafter adhere to the prescribed curricula and standards of the commission.

Sec. 2. 32 MRSA §4107, as repealed and replaced by PL 1979, c. 693, §2, is repealed and the following enacted in its place:

§4107. Fees - brokers, salesmen and schools

1. License examinations.

A. First examination	\$50
B. Retake examinations	20

2. Licenses and pocketcards.

A. Two-year active	\$60
B. Two-year inactive	40
C. One-year temporary (broker only)	40
D. Two-year duplicate (branch office)	50
E. Replacement	10
F. Record modifications	10
G. Prelicensure program certification	50
H. Continuing education program approval	50
I. Other educational program approvals	50

Sec. 3. 32 MRSA §4115-B, 4th ¶, as enacted by PL 1979, c. 196, §2, is amended by adding before the first sentence the following:

The commission shall collect the prescribed application fee.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 14, 1982.

CHAPTER 708

H.P. 2420 - L.D. 2152

**AN ACT to Designate the Director of the
Bureau of Medical Services as a Major Policy-
influencing Position Within the Department of
Human Services.**

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

Whereas, the Maine Administrative Procedure Act permits only those policymakers specified in Title 5, section 711, to conduct rule-making hearings; and

Whereas, the current organization of the Department of Human Services has the Bureau of Medical Services administering the Medicaid Program; and

Whereas, the statutes do not permit the present bureau director to conduct public hearings; and

Whereas, this statute does not allow for the best and efficient utilization of Department of Human Services' staff and policymakers; 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:

Sec. 1. 5 MRSA §711, sub-§2, ¶A, sub-¶(6), div. (f), as amended by PL 1981, c. 10, §6, is further amended to read: