

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 706

S.P. 834 - L.D. 2235

AN ACT to Provide Immunity to Persons and Institutions who Act as Depositories for Wills.

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

18-A MRSA §2-902, as enacted by PL 1979, c. 540, §1, is amended to read:

§2-902. Duty of custodian of will; liability

After the death of a testator, any person having custody of a will of the testator shall deliver it with reasonable promptness to a person able to secure its probate and if none is known, to an appropriate court. Any person having custody of a will shall not be liable, to any person aggrieved, for failure to learn of the death of the testator of that will and the failure, therefore, to deliver that will as required. Any person who willfully fails to deliver a will, or who willfully defaces or destroys any will of a deceased person, is liable to any person aggrieved for the damages which may be sustained by such failure to deliver, or by such defacement or destruction. Any person who willfully refuses or fails to deliver a will, or who so defaces or destroys it, after being ordered by the court in a proceeding brought for the purpose of compelling delivery is subject to penalty for contempt of court.

Effective July 25, 1984.

CHAPTER 707

S.P. 829 - L.D. 2215

AN ACT Authorizing the Maine Turnpike Authority to Permit the Erection of Kiosks at Rest Areas on the Maine Turnpike.

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

Sec. 1. 23 MRSA §1967, sub-§1, as enacted by PL 1981, c. 595, §3, is amended to read:

1. Property of the authority. All property of the authority and all property held in the name of the State pursuant to the provisions of this chapter shall be exempt from levy and sale by virtue of any execution, and no execution or other judicial process may be a lien upon its property held pursuant to the provisions of this chapter; provided that the authority shall not lease, sell or otherwise convey, or allow to be used, any of its real or personal property or easements therein, franchises, buildings or structures, with access to any part of the turnpike or its approaches, for commercial purposes, with the exception of such kiosks at rest areas, gasoline filling stations, service and repair stations and restaurants as it deems necessary to service the needs of the traveling public while using the turnpike, except that the authority may permit the erection or installation of electric power, telegraph, telephone, water, sewer or pipeline facilities; and provided also that the leasehold interests in such kiosks, gasoline filling stations, service and repair stations and restaurants shall be subject to taxation as provided in section 1971.

Sec. 2. 23 MRSA §1971, as enacted by PL 1981, c. 595, §3, is amended to read:

§1971. Exemption from taxes

The accomplishment by the authority of the authorized purpose stated in this chapter being for the benefit of the people of the State and for the improvement of their commerce and prosperity in which accomplishment the authority will be performing essential governmental functions, the authority shall not be required to pay any taxes or assessment on any property acquired or used by it for the purposes provided in this chapter, except that restaurants, kiosks, fuel and service facilities, leased or rented by the authority to business entities, shall be subject to taxation, and assessments shall be made against the tenant in possession based upon the value of the leasehold interest, both real and personal, nor may the authority be required to pay any tax upon its income except as may be required by the laws of the United States, and the bonds or other securities and obligations issued from the authority, their transfer and the income therefrom, including any

profits made on the sale thereof, shall at all times be free from taxation within the State.

Effective July 25, 1984.

CHAPTER 708

H.P. 1812 - L.D. 2397

AN ACT to Modify State Information
Requirements for Toxic and Hazardous
Substances Included Under the Chemical
Substance Identification Law.

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

Whereas, the Legislature recognizes the importance of protecting the health and safety of the people of this State; and

Whereas, the Legislature will be revising the Chemical Substance Identification Law; and

Whereas, the filing deadline established most recently by legislative act should be delayed until the revisions are completed; 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:

PL 1983, c. 591, as amended by PL 1983, c. 622, is further amended to read:

Transition provision. During the first program year, calendar year 1984, the The deadline for employers' filings of hazardous substances with the Bureau of Labor Standards established, pursuant to Public Law 1983, chapter 568, shall be ~~April 1~~ April 14, 1984.