

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

care for any part of a day less than 24 hours for the children of parents who work, are receiving education or are otherwise unable to care for their children.

Effective September 19, 1985.

CHAPTER 477

H.P. 1137 - L.D. 1643

AN ACT Concerning Railroad Excise Tax.

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

Sec. 1. 36 MRSA §1760, sub-§48 is enacted to read:

48. Rail track materials. Railroad track materials purchased and installed on railroad lines located within the boundaries of the State. The track materials shall include rail, ties, ballast, joint bars and associated materials such as bolts, nuts, tie plates, spikes, culverts, steel, concrete or stone, switch stands, switch points, frogs, switch ties, bridge ties and bridge steel.

In order for a taxpayer to qualify for an exemption under this subsection, the taxpayer may not require any landowner to pay any fee or charge for maintenance or repair or to assume liability for crossings or rights-of-way if the landowner was not required to do so prior to July 1, 1981, and the taxpayer must continue to maintain crossings and rights-of-way which it was required to maintain on that date and may not remove the crossings if there is any objection to their being removed.

Sec. 2. 36 MRSA §2621-A, sub-§2, as amended by PL 1983, c. 593, §1, is further amended to read:

2. Operating investment. "Operating investment" means investment in railway property used in transportation service, less depreciation, plus cash, including temporary cash investments and special deposits, plus material and supplies. For purposes of railroad excise taxes payable in 1984 and 1985 1986, based upon operations for the calendar years 1983 and 1984, ~~respectively year 1985,~~ "operating investment" also includes freight car operating leases of 10 years or more, valued at cost less straight-line depreciation over the initial term of the lease.

Sec. 3. Study. The Joint Standing Committee on Taxation shall study the railroad excise tax, including the treatment of long-term freight car leases and shall submit a report to the Second Regular Session of the 112th Legislature, containing recommendations for any necessary changes in the tax, including permanent retention of the treatment of long-term freight car leases.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund in order to carry out the purposes of this Act.

1985-86

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Personal Services	\$1,950
All Other	<u>4,675</u>
Total	\$6,625

Effective September 19, 1985.

CHAPTER 478

S.P. 331 - L.D. 819

AN ACT to Amend the Concealed Weapons Law.

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

Sec. 1. 15 MRSA §393, sub-§2, as amended by PL 1977, c. 564, §73, is further amended to read:

2. Application after 5 years. Any person subject to the provisions of subsection 1 may, after the expiration of 5 years from the date that the person is finally discharged from any and all sentences imposed as a result of the conviction, apply to the Commissioner of Public Safety for a permit to carry a firearm. Such a person shall not be issued a license to carry a concealed firearm or other weapon pursuant to Title 25, ~~section 203~~ chapter 253-A.

Sec. 2. 25 MRSA c. 252 is enacted to read:

CHAPTER 252

PERMITS TO CARRY CONCEALED FIREARMS