

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

CHAPTER 565

S.P. 748 — L.D. 2007

AN ACT to Correct the Implementation of the New Corporate Filing Fees.

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

Whereas, Public Law 1987, chapter 561, contains 2 drafting errors concerning certain filing fees; and

Whereas, this bill is needed to maintain consistency in the level of fees charged; and

Whereas, it is important to implement this correction as close as possible to the January 1, 1988, effective date for the fee increases authorized under Public Law 1987, chapter 561; 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:

13-A MRSA §1401, sub-§§8 and 34, as amended by PL 1987, c. 561, §4, are further amended to read:

8. Statement of change of registered office, as provided by section 304, subsection 6, \$10 for each corporation listed; or when separate statements are filed at one time, ~~\$5~~ \$10 for each separate statement up to but not exceeding 100 statements, ~~\$2~~ \$5 for each separate statement over 100 but not exceeding 200 statements, and ~~\$1~~ \$2 for each separate statement over 200 statements;

34. Statement of change of address of registered agent, as provided by section 1212, subsection 2-A, \$10 for each foreign corporation listed; or when separate statements are filed at one time, ~~\$5~~ \$10 for each separate statement up to but not exceeding 100 statements, ~~\$2~~ \$5 for each separate statement over 100 but not exceeding 200 statements, ~~\$1~~ \$2 for each separate statement over 200 statements; and

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

Effective January 28, 1988.

CHAPTER 566

S.P. 707 — L.D. 1931

AN ACT Related to the Numbers Pool in the Tri-State Lotto.

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

Sec. 1. 8 MRSA §409, sub-§1, ¶A, as enacted by PL 1983, c. 732, §1, is amended to read:

A. The type of lottery to be conducted, except that the game shall have no more than 36 numbers from which 6 are to be selected;

Sec. 2. Effective date. This Act shall take effect when New Hampshire and Vermont have enacted concurrent legislation which limits the numbers in the Tri-State Lotto game to no more than 36.

Effective as indicated.

CHAPTER 567

H.P. 1583 — L.D. 2161

AN ACT Concerning the Reporting Deadline for a Study by the Land Use Regulation Commission.

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

Whereas, the Federal Government has required that the Land Use Regulation Commission submit a study by February 29, 1988; and

Whereas, the Legislature required in a law passed by the First Regular Session of the 113th Legislature that the Land Use Regulation Commission submit a study, identical to the one required by federal law, by January 1988; and

Whereas, to avoid duplicative work, this legislation will change the reporting date to February 29, 1988 to conform to the federal deadline date; 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:

38 MRSA §464, sub-§3, ¶D, as enacted by PL 1985, c. 698, §15, is amended to read:

D. The department, in cooperation with the Land Use Regulation Commission, shall conduct a study of indirect discharges and the problems posed by those discharges to the waters of the State. The study shall

incorporate the results of previous investigations conducted pursuant to the United States Water Pollution Control Act, Section 208. The study shall include recommendations for land use management and other related techniques designed to mitigate the effects of indirect discharges. The study shall commence on July 1, 1987. The study shall be submitted to the joint standing committee of the Legislature having jurisdiction over natural resources ~~on or before January 1 by February 29, 1988.~~

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

Effective February 10, 1988.

CHAPTER 568

H.P. 1494 — L.D. 2044

AN ACT to Exempt Deeds of Distribution from the Transfer Tax Filing Requirement.

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

Sec. 1. 36 MRSA §4641-D, sub-§§4 and 5, as enacted by PL 1977, c. 318, §2, are amended to read:

4. Deed affecting previous deed. Any deed which, without additional consideration, confirms, corrects, modifies or supplements a previously recorded deed; and

5. Deed dated prior to October 1, 1975. Any deed dated or acknowledged prior to October 1, 1975, and offered for recording after that date; and

Sec. 2. 36 MRSA §4641-D, sub-§6 is enacted to read:

6. Deed of distribution. Any deed of distribution made pursuant to Title 18-A.

Effective August 4, 1988.

CHAPTER 569

H.P. 1613 — L.D. 2206

AN ACT to Postpone the Effective Date for the Use of Biodegradable Escape Panels on Lobster Traps.

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

Whereas, the Commissioner of Marine Resources has adopted a rule requiring biodegradable escape panels on all lobster traps by January 1, 1988; and

Whereas, there is considerable confusion among lobster fishermen regarding the escape panel requirement, as well as other impending changes in the regulation of lobster fishing; and

Whereas, it is advisable to avoid confusion and to clarify the legal requirements relating to lobster fishing; 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:

12 MRSA §6433-A is enacted to read:

§6433-A. Biodegradable escape panels

Beginning January 1, 1990, all lobster traps must be equipped with a biodegradable ghost panel. A "ghost panel" is an escape panel which is designed to release lobsters from traps which are lost while fishing. The commissioner shall, by rule, provide for implementation of this requirement. The commissioner may not require ghost panels prior to January 1, 1990.

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

Effective February 10, 1988.

CHAPTER 570

H.P. 1585 — L.D. 2163

AN ACT to Improve Retraining Opportunities for Dislocated Workers.

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

Whereas, administrative funds are vitally necessary to continue the operation of the Dislocated Workers' Training 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. 26 MRSA §1043, sub-§5, ¶B, as amended by PL 1987, c. 402, Pt. A, §157, is further amended to read: