

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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**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:**

7 MRSA §3153, sub-§4, ¶A, as repealed and replaced by PL 1987, c. 447, §7, is amended to read:

A. If any Boston market producer whose farm is located within 140 miles of Boston receives a plant price, excluding deductions or additions imposed by the so-called Louisville Plan as defined by Part 1001, Federal Milk Order No. 1, Section 1001.61, Subsections c and d, or any amendment thereto, or imposed by any other seasonal balancing plan subsequently adopted by Federal Order No. 1, which is an amount greater than the amount initially payable to Maine market producers under subsection 2, paragraph A, the commissioner shall credit that additional amount against the redistribution from the Maine Milk Pool to which that producer would otherwise be entitled in order to avoid potential inequities arising from equal redistribution;

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

Effective March 22, 1991.

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## CHAPTER 13

H.P. 20 - L.D. 23

### An Act to Repeal the Sunset on Immediate Wage Withholding for Child Support Awards

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

**Whereas**, without emergency action by the Legislature, the law authorizing immediate wage withholding for child support awards will be repealed on April 1, 1991; and

**Whereas**, legislative action is immediately necessary in order to ensure continued wage withholding for child support awards beyond April 1, 1991; 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. 19 MRSA §498-C, sub-§9**, as enacted by PL 1989, c. 877, Pt. A, §1, is repealed.

**Sec. 2. 19 MRSA §777-A, sub-§16**, as enacted by PL 1989, c. 877, Pt. A, §3, is repealed.

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

Effective April 1, 1991.

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## CHAPTER 14

H.P. 889 - L.D. 1347

### An Act to Amend the Effective Date of the Real Estate Appraisal Laws

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

**Whereas**, billions of dollars in loans that are secured by real estate are advanced every year to Maine consumers; and

**Whereas**, Title XI of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989, Public Law 101-73, requires that, after July 1, 1991, all real estate appraisals in connection with federally related transactions must be performed by appraisers certified or licensed by the State; and

**Whereas**, the State must establish a process for licensing real estate appraisers in order to assure that uniform, competent guidelines are established for the rendering of real estate appraisals and to fulfill the federal mandate; and

**Whereas**, the State is unable to implement the licensing system by the April 1, 1991 deadline in current state law; 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 1989, c. 806, §7**, as amended by PL 1991, c. 2, §8, is further amended to read:

**Sec. 7. Effective date.** The Maine Revised Statutes, Title 32, section 13964 takes effect ~~April 1, 1991~~ July 1, 1991.

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

Effective April 1, 1991.

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## CHAPTER 15

H.P. 147 - L.D. 219

### An Act to Abolish the Homestead Tax Exemption

**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 may not terminate until after the beginning of the next fiscal year; and

**Whereas,** certain obligations and expenses will become due and payable prior to July 1, 1991; 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:**

**36 MRSA c. 105, sub-c. IV-A,** as amended, is repealed.

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

Effective April 3, 1991.

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## CHAPTER 16

H.P. 154 - L.D. 239

### An Act to Shorten the Tax Abatement Application Period

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

**Sec. 1. 36 MRSA §841, sub-§1,** as repealed and replaced by PL 1989, c. 508, §10, is amended to read:

**1. Error or mistake.** The assessors, upon written application stating the grounds ~~therefore~~, for an abatement filed within ~~one year~~ 6 months from commitment, or on their own initiative within ~~that period~~ one year from commitment, or the municipal officers, upon written ap-

plication stating the grounds ~~therefore~~ for an abatement filed more than one year but within 3 years from commitment, or on their own initiative within that period, may make such reasonable abatement as they think proper to correct any illegality, error or irregularity in assessment, provided the taxpayer has complied with section 706. An abatement under this subsection to correct an error in the valuation of property may not be granted by the municipal officers.

**Sec. 2. Application.** This Act applies to commitments made after April 1, 1992.

See title page for effective date.

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## CHAPTER 17

H.P. 33 - L.D. 43

### An Act to Establish a Permanent License System for Older Citizens

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

**Sec. 1. 12 MRSA §7076, sub-§1,** as amended by PL 1989, c. 493, §§8 and 9, is further amended to read:

**1. Residents over 70 years of age.** A complimentary license to hunt, trap or fish, including an archery license under section 7102, and a muzzle-loading hunting license under section 7107-A, ~~shall~~ must be issued to any resident of Maine who is 70 years of age or older upon application to the commissioner. These complimentary licenses, upon issuance, remain valid for the remainder of the life of the license holder, provided the license holder continues to satisfy the residency requirements set out in section 7001, subsection 32 and provided the license is not revoked or suspended. Residents who apply for these complimentary licenses at any time during the calendar year of their 70th birthday ~~shall~~ must be issued a license upon application, regardless of the actual date during that calendar year ~~when in which~~ they attain age 70. A guide license may be renewed without charge for any resident of Maine who is 70 years of age or older upon application to the commissioner. The application ~~shall~~ must be accompanied by a birth certificate or other certified evidence of the applicant's date of birth and residency. ~~Each~~ When the holder of a license issued under this subsection shall remain no longer satisfies the residency requirements set out in section 7001, subsection 32, the license is no longer valid through December 31st of the 2nd complete calendar year following the year of issuance and further use of the license for purposes of hunting, fishing or trapping constitutes a license violation under section 7371, subsection 3.