

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.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

EXECUTIVE DEPARTMENT
 TOTAL \$25,000

HUMAN SERVICES, DEPARTMENT OF

Special Revenue - Health
 Capital Expenditures \$38,000

Provides for an allocation of funds to purchase computer software and pagers necessary for 24-hour coverage of existing radiation monitors.

DEPARTMENT OF HUMAN SERVICES
 TOTAL \$38,000

TOTAL ALLOCATIONS \$63,000

See title page for effective date.

CHAPTER 497

H.P. 95 - L.D. 136

An Act to Enhance the Filing of Documents in the Registry of Deeds

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

Sec. 1. 33 MRSA §652, as amended by PL 1973, c. 485, is repealed and the following enacted in its place:

§652. Books for recording plans; strong linen paper required

The county commissioners shall provide, at the expense of the several counties, suitable storage for plans with a minimum size of 12 by 18 and a maximum of 24 by 36 inches in dimension, for the preservation of such plans.

No plan may be accepted for recording unless all of the following criteria are met. The plan must:

1. Materials. Be drawn upon strong linen cloth or polyester film with archival photographic image;

2. Seals. Be embossed with the seal of an architect, professional engineer or registered land surveyor;

3. Signature. Contain the signature and address of the person who prepared the plan;

4. Recording information. Provide a space for recording the county, date, time, plan book and page or file number and register's attest; and

5. Title. Provide a title block containing the name of the plan, the record owner's name and address, the location by street and town and the date of the plan.

Original plans must be recorded with a paper copy. The register shall permanently file the original and maintain the copy for public inspection. Suitable arrangements must be made for the preserving of original plans while affording the public reasonable opportunity to examine either the original or a reproduction. No additional fee is required for recording the copy. Each register shall maintain an index of all plans on records in the register's office.

The several registers shall establish, and thereafter adhere to, reasonable standards for the implementation of reproducing copies of original plans as recorded. Reproduction must be on a scale of one to one and must be accomplished with the least possible error and distortion. Methods of reproduction must be to standards in keeping with accepted engineering and survey practices.

Sec. 2. 33 MRSA §751, sub-§1, as amended by PL 1981, c. 279, §24, is further amended to read:

1. Instruments generally. Receiving, recording and indexing any deed or mortgage or any other instrument ~~which is entitled to that~~ may be recorded and for which a specific fee is not set forth in this section or in any other section, the sum of \$6 ~~8~~ for the first record page and \$2 for each additional record page or portion thereof of an additional record page. In addition, if more than 4 names are to be indexed, a fee of 25¢ ~~shall~~ must be paid for each additional name, counting all grantors and grantees;

Sec. 3. 33 MRSA §751, sub-§1-A, as amended by PL 1981, c. 279, §25, is repealed.

Sec. 4. 33 MRSA §751, sub-§8, as repealed and replaced by PL 1987, c. 645, §3, is repealed.

Sec. 5. 33 MRSA §751, sub-§10, as amended by PL 1981, c. 557, §3, is repealed.

Sec. 6. 33 MRSA §751, sub-§12, as amended by PL 1981, c. 279, §30, is repealed.

Sec. 7. 33 MRSA §751, sub-§13, as repealed and replaced by PL 1981, c. 279, §31, is repealed.

Sec. 8. 33 MRSA §751, sub-§14, as repealed and replaced by PL 1971, c. 321, is amended to read:

14. Abstracts and copies. Making abstracts and copies from the records, a reasonable fee as determined by the county commissioners; and

Sec. 9. 33 MRSA §751, sub-§14-A, as enacted by PL 1983, c. 795, §6, is repealed.

Sec. 10. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Bureau of Taxation		
All Other	\$3,750	\$3,750
Provides funds to cover increased recording costs. These costs will be offset by an increase in General Fund revenue through the municipal cost component.		

See title page for effective date.

CHAPTER 498

S.P. 584 - L.D. 1537

An Act Relating to Sheriff's Fees for Civil Orders of Arrest

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

Sec. 1. 14 MRSA §3135, last ¶, as enacted by PL 1987, c. 184, §18, is amended to read:

Unless the judgment debtor shows good cause for ~~his~~ failure to appear after being duly served with a disclosure subpoena under section 3123 or a contempt subpoena under section 3136, the debtor ~~shall~~ must be ordered to pay the costs of issuing and serving the civil order for arrest. The costs of issuing and serving the civil order for arrest ~~shall be~~ are \$25 plus mileage at a rate of ~~24¢~~ 22¢ per mile. The fee payable to sheriffs and their deputies for civil orders for arrest is governed by Title 30-A, section 421, subsection 6.

Sec. 2. 30-A MRSA §421, sub-§6, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

6. Civil arrests and custody. For civil arrests, ~~\$5 for the arrest and \$5 shall be charged for~~ and custody under the arrest, including arrest and custody under paternity proceedings, \$25 plus mileage at a rate of 22¢ per mile;

Sec. 3. 30-A MRSA §4216, 2nd ¶ from the end, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

The county commissioners of each county may require that the fees collected under subsections 1, 2, 3, 5, 7, 12, 13 and 14 be increased by \$1. The sheriff or deputy shall collect this additional dollar and pay it to the county treasurer for the use and benefit of the county. The county

commissioners may also require that the fees collected under subsections 1 to 14 be increased by an amount equal to the cost of social security and other withholding taxes on the fees payable under this section.

See title page for effective date.

CHAPTER 499

H.P. 1083 - L.D. 1577

An Act to Amend Certain Laws Affecting the Department of Environmental Protection

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

Whereas, the Department of Environmental Protection fee schedule is repealed and lower fees for most permitting and licensing activities are in effect; and

Whereas, the higher fee schedule is necessary; and

Whereas, a proposed merger between the laboratories of the Department of Human Services and the Department of Environmental Protection is scheduled to take place on July 1, 1991 consistent with the fiscal year; 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. 22 MRSA c. 157, as amended, is repealed.

Sec. 2. 22 MRSA c. 157-A is enacted to read:

CHAPTER 157-A

HEALTH AND ENVIRONMENTAL TESTING LABORATORY

§565. Health and Environmental Testing Laboratory

The Health and Environmental Testing Laboratory is established within the department for the chemical and microbiological testing and examination of water supplies, food products, drinking water, environmental and forensic samples and the testing and examination of cases and suspected cases of infectious and communicable diseases.

1. Coordination with the Department of Environmental Protection. In coordination with the Department of Environmental Protection, the department shall also provide laboratory services for environmental testing and analysis as necessary to implement the programs and duties of the