

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION
December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION
January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Sec. 6. 38 MRSA §2175, as enacted by PL 1989, c. 585, Pt. A, §7, is repealed.

Sec. 7. 38 MRSA §2175-A is enacted to read:

§2175-A. Property value offset

Owners of property whose value has been affected by an agency-operated or agency-approved facility licensed under chapter 13 are eligible for reimbursement for loss in property value directly attributable to the construction and operation of the facility. The agency shall adopt rules to establish the formula and procedure for reimbursement, including, without limitation, definition of the impact area, a process for establishing baseline real estate values, a time frame within which the property value offset program will be in effect and an accounting of real estate trends in the area.

Sec. 8. Regulatory agenda. Notwithstanding the Maine Revised Statutes, Title 5, section 8064, the Maine Waste Management Agency may adopt rules necessary to implement this Act prior to the submission of the agency's next regulatory agenda.

Sec. 9. Retroactivity. The Maine Waste Management Agency shall reimburse the towns of Alton, Arundel, Biddeford, Benton, Buxton, Hampden and Hermon for eligible expenses under the Maine Revised Statutes, Title 38, section 2154, subsection 3 incurred by those towns prior to the effective date of this Act. Notwithstanding the Maine Revised Statutes, Title 38, section 2154, subsection 3, the \$50,000 expense reimbursement limit does not apply to expenses reimbursed under this section.

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

Effective April 3, 1992.

CHAPTER 795

S.P. 915 - L.D. 2352

An Act to Grant Immunity for Directors of Rural Electrification Cooperatives

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

Sec. 1. 14 MRSA §158-A, sub-§1, ¶A, as amended by PL 1989, c. 389, is further amended to read:

A. "Charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State:

(1) That is exempt from federal income taxation under the United States Internal Revenue Code, Section 501(a), because it is described in Section 501(c)(3), (4), (6) as it pertains to chambers of commerce only, (10), (13) or (14)(A), including all subsequent amendments to those paragraphs. An organization is included in this subparagraph if it would be exempt from taxation under Section 501(c)(3) but for its engaging in attempting to influence legislation to the extent that it is disqualified from tax exemption under Section 501(c)(3); or

(2) That is:

(a) Organized under the Maine Non-profit Corporation Act for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A;

(b) Organized under the provisions set forth in Title 13-B, section 201, subsection 2, paragraph A;

(c) Organized under the provisions of Title 13-B, section 201, subsection 3, paragraph D or E; or

(d) Organized in Maine as a nonprofit corporation before January 1, 1978, for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A, and to which the Maine Nonprofit Corporation Act applies; or

(e) Organized as a rural electrification cooperative under the provisions of Title 35-A, chapter 37.

This subparagraph applies to all subsequent amendments to the statutes covered by divisions (a), (b), (c) ~~and~~, (d) ~~and~~ (e).

See title page for effective date.

CHAPTER 796

H.P. 1685 - L.D. 2365

An Act Relating to Gambling

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

Whereas, the laws affecting gambling activities within the State need to be amended immediately to allow once-a-year raffles with prizes worth between \$10,000 and \$75,000; and