

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION
October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION
October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

thiness may not be excluded by the hearsay rules, if the presiding officer determines that:

A. The statement is offered as evidence of a material fact and does not constitute unduly repetitious evidence;

B. The statement is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs; and

C. The general purposes of the rules of evidence and the interests of justice are best served by admission of the statement into evidence.

3. Process service. A sheriff or other officer empowered to execute civil process may execute a process issued under this Title and is entitled to receive the compensation prescribed by law for that service.

See title page for effective date.

CHAPTER 109

H.P. 491 - L.D. 649

An Act Regarding Priorities in the Probate Code

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

Sec. 1. 18-A MRSA §3-203, sub-§(e), as enacted by PL 1979, c. 540, §1, is amended to read:

(e) Appointment of one who does not have priority, ~~including priority resulting from renunciation or nomination determined pursuant to this section,~~ may be made only in formal proceedings. Appointment of one who has priority resulting from renunciation or nomination pursuant to subsection (c) may be made in informal proceedings. Before appointing one without priority, the judge ~~must~~ shall determine that those having priority, although given notice of the proceedings, have failed to request appointment or to nominate another for appointment; and that administration is necessary.

See title page for effective date.

CHAPTER 110

H.P. 501 - L.D. 659

An Act to Provide Protection for Mortgagees Under the Utility Laws

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

Sec. 1. 35-A MRSA §706, sub-§6, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

6. Subsequent purchaser takes title free of lien. Any person who is a bona fide purchaser for value of rental property ~~shall take~~ takes title to that property free of the lien established under subsection 3 unless, before the purchaser's deed is recorded, the utility has filed the certificate set out in subsection 4. The interest of any mortgagee of rental property ~~shall be~~ is not affected by the lien established unless, before the mortgage is recorded, the utility has filed the certificate set out in subsection 4.

See title page for effective date.

CHAPTER 111

H.P. 508 - L.D. 666

An Act to Facilitate the Conduct of Business of the Maine Technical College System

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

Whereas, it is necessary for this legislation to be enacted as an emergency measure so that the Maine Technical College System can better conduct the business of the college system; 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. 20-A MRSA §12705, sub-§1, as amended by PL 1991, c. 140, §2, is further amended to read:

1. Membership. The board of trustees consists of ~~10~~ 13 appointed voting members and 3 ex officio, voting members as follows:

C. ~~Nine~~ Twelve from the field of business and industry, the field of labor, the field of education and the general public;

D. The Commissioner of Education, or the commissioner's successor, who serves ex officio;

E. The Commissioner of Economic and Community Development, or the commissioner's successor, who serves ex officio;