

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

CHAPTER 133**H.P. 283 - L.D. 370****An Act to Clarify the Laws Relating to Property Tax Abatements****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 36 MRSA §841, sub-§1, as amended by PL 1991, c. 16, §1 and affected by §2, is repealed and the following enacted in its place:

1. Error or mistake. The assessors, either upon written application filed within 185 days from commitment stating the grounds for an abatement or on their own initiative within one year from commitment, may make such reasonable abatement as they consider proper to correct any illegality, error or irregularity in assessment, provided that the taxpayer has complied with section 706.

The municipal officers, either upon written application filed after one year but within 3 years from commitment stating the grounds for an abatement or on their own initiative within that time period, may make such reasonable abatement as they consider proper to correct any illegality, error or irregularity in assessment, provided the taxpayer has complied with section 706. The municipal officers may not grant an abatement to correct an error in the valuation of property.

See title page for effective date.

CHAPTER 134**H.P. 230 - L.D. 298****An Act Authorizing Maine Banks to Export Certain Credit Terms****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 9-A MRSA §1-110, sub-§2, as enacted by PL 1981, c. 218, is amended to read:

2. Consumer loans Open-end credit plans related to credit cards and consumer credit transactions effected by the use of credit cards entered into by state-chartered supervised financial organizations as defined in section 1-301, subsection 38; and

See title page for effective date.

CHAPTER 135**H.P. 267 - L.D. 345****An Act Regarding Recurring Charges Charged to Credit or Charge Cards****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 9-A MRSA §8-304 is enacted to read:

§8-304. Recurring charges to credit or charge cards

If a sale of goods, services or insurance is charged to a credit card or charge card account on an annual basis without substantially contemporaneous authorizations by the consumer, the seller shall inform the consumer of the voluntary nature of the charge to the credit or charge card account and of the steps necessary to prevent this charge at least 30 days prior to the annual charge. The card issuer may provide the notice on behalf of the seller. This section does not apply to insurance subject to notice and cancellation rights pursuant to section 4-204.

Sec. 2. 24-A MRSA §2184, as enacted by PL 1991, c. 727, §1, is repealed.

See title page for effective date.

CHAPTER 136**H.P. 229 - L.D. 297****An Act to Change the Penalty for Night Hunting or Illegal Killing of Large Game Animals****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 12 MRSA §7077, sub-§§1-A and 1-B are enacted to read:

1-A. Mandatory hunting license revocation for certain violations. Notwithstanding subsection 1, the commissioner must revoke for a period of at least one year the hunting license of any person convicted of a violation of one of the following:

A. A closed season violation, in violation of section 7406, subsection 1 as it relates to bear, deer or moose;

B. Hunting under the influence of alcohol, in violation of section 7406, subsection 3;

C. Night hunting, in violation of section 7406, subsection 5;

D. Discharging a firearm within 100 yards of a residential dwelling without owner permission, in violation of section 7406, subsection 13;

E. Abuse of another person's property while hunting, in violation of section 7406, subsection 16;

F. Hunting or trapping bear after having killed one, exceeding the bag limit on bear or buying or selling bear in violation of section 7452, subsection 3, 4 or 9;

G. Hunting or possessing caribou, in violation of section 7456-B;

H. Exceeding the bag limit on deer, hunting deer after having killed one or buying or selling deer, in violation of section 7458, subsection 1, 2 or 3;

I. Illegally hunting moose, illegally possessing moose or buying or selling moose, in violation of section 7464, subsection 1, 2 or 8; or

J. Illegally hunting wild turkeys, illegally possessing wild turkeys, buying or selling wild turkeys or using illegal methods to hunt wild turkeys, in violation of section 7469, subsection 1, 2, 9 or 10.

1-B. Mandatory fishing license revocation for certain violations. Notwithstanding subsection 1, the commissioner must revoke for a period of at least one year the fishing license of any person convicted of a violation of one of the following:

A. Introducing fish into inland waters without a permit in violation of section 7371, subsection 3 as it applies to section 7203, subsection 1;

B. Taking or possessing sport fish in violation of bag, weight and size limits in violation of section 7604, as it relates to trout, salmon, togue and black bass, whenever the violation involves twice the general bag and possession limit adopted by rule by the commissioner for that species of fish;

C. Taking fish by jigging, in violation of section 7607;

D. Importing live bait fish or smelts, in violation of section 7613;

E. Buying or selling freshwater sport fish, in violation of section 7615;

F. Taking fish by explosive, poisonous or stupefying substances, in violation of section 7617; and

G. Abuse of another person's property while fishing, in violation of section 7624.

See title page for effective date.

CHAPTER 137

S.P. 197 - L.D. 633

An Act to Amend the Mechanic's Lien Laws

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

Sec. 1. 10 MRSA §3251, as amended by PL 1991, c. 280, is further amended to read:

§3251. Lien established

Whoever performs labor or furnishes labor or materials, including repair parts of machines used, or performs services as a surveyor, an architect or an engineer, or as a real estate licensee, or as an owner-renter, owner-lessor, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such ~~above-named~~ objects are constructed, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest such owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of such land, building, wharf or pier, so contracting, is a minor or married woman, such lien exists and such minority or coverture does not bar a recovery in any proceeding brought to enforce it.

Sec. 2. 10 MRSA §3255, sub-§2, as enacted by PL 1975, c. 734, is amended to read:

2. Bona fide purchaser. Any person who is a bona fide purchaser for value of a house, building or appurtenances, a public building erected or owned by any city, town, county, school district or other municipal corporation, or a wharf or pier or any building thereon, including the ground adjacent to and upon which any such objects are constructed, ~~shall take~~ takes title free of the lien described in this chapter; unless, before the bona