

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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

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

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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Personal Services	2,053	10,457
Provides for the allocation of funds for 3 Intern positions as part of the Summer Internship Program.		
<b>Job Training and Partnership Program</b>		
Personal Services	2,737	13,944
Provides for the allocation of funds for 4 Intern positions as part of the Summer Internship Program.		
<b>DEPARTMENT OF LABOR TOTAL</b>	<b>4,790</b>	<b>24,401</b>
<b>SECTION J-1 TOTAL ALLOCATIONS</b>	<b>14,948</b>	<b>73,327</b>

**Sec. J-2. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

	1992-93	1993-94
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>		
<b>Oil and Hazardous Materials Control</b>		
Personal Services	600	3,000
Provides for the allocation of funds for one Intern position as part of the Summer Internship Program.		
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL</b>	<b>600</b>	<b>3,000</b>
<b>SECTION J-2 TOTAL ALLOCATIONS</b>	<b>\$600</b>	<b>\$3,000</b>

**PART K**

**Sec. K-1. Funds for special education and supportive services.** Notwithstanding the Maine Revised Statutes, Title 20-A, section 15613, subsection 15, the Commissioner of Education is authorized in fiscal year 1992-93 to expend funds in the General Purpose Aid Account in excess of those appropriated for special education and supportive services provided to state agency clients, based upon available cash produced by construction aid audit recoveries.

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

Effective June 3, 1993.

**CHAPTER 242**

**H.P. 322 - L.D. 410**

**An Act Concerning the Payment of Assessed Property Taxes**

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

**Whereas,** municipalities have certain expenses and liabilities that must be met as they become due; and

**Whereas,** it is necessary that the assessed taxes are paid in a timely manner in order to provide the required revenue for the municipalities; and

**Whereas,** the 90-day period may not terminate before taxes committed after April 1, 1993 are due; 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. 36 MRSA §843, sub-§4** is enacted to read:

**4. Payment requirements for taxpayers.** A taxpayer must pay an amount of current taxes equal to the amount of taxes paid in the next preceding year or the amount of taxes in the current tax year not in dispute, whichever is greater, by the due date in order to enter an appeal under this section or to continue prosecution of an appeal pending under this section. If an appeal is in process upon expiration of a due date for payment of taxes in a particular municipality, without the appropriate amount of taxes having been paid, the appeal process must be suspended until the appropriate amount of taxes, together with any accrued interest and costs, has been paid. This section applies to any property tax year beginning on or after April 1, 1993.

**Sec. 2. 36 MRSA §844, sub-§4** is enacted to read:

**4. Payment requirements for taxpayers.** A taxpayer must pay an amount of current taxes equal to the amount of taxes paid in the next preceding year or the amount of taxes in the current tax year not in dispute, whichever is greater, by the due date in order to enter an appeal under this section or to continue prosecution of an appeal pending under this section. If an appeal is in process upon expiration of a due date for payment of taxes in a particular municipality, without the appropriate

amount of taxes having been paid, the appeal process must be suspended until the appropriate amount of taxes, together with any accrued interest and costs, has been paid. This section applies to any property tax year beginning on or after April 1, 1993.

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

Effective June 4, 1993.

## CHAPTER 243

S.P. 203 - L.D. 639

### An Act to Make Corrections to the Salary Reductions Authorized in Public Law 1991, Chapter 780, Part III

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

**Whereas,** a correction is needed to the fiscal year 1992-93 salary reductions authorized in Public Law 1991, chapter 780, Part III to be consistent with the fiscal year 1991-92 salary reductions authorized in Public Law 1991, chapter 671, Part Q; and

**Whereas,** it is important to correct this inconsistency as soon as possible; 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. PL 1991, c. 780, Pt. III, §1** is amended by adding at the end a new paragraph to read:

This section does not apply to represented employees of the University of Maine System, nonrepresented faculty department chairs of the University of Maine System and full-time faculty of the University of Maine School of Law.

**Sec. 2. PL 1991, c. 780, Pt. III, §2** is amended by adding at the end a new paragraph to read:

This section does not apply to represented employees of the University of Maine System, nonrepresented faculty department chairs of the University of Maine System and full-time faculty of the University of Maine School of Law.

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

Effective June 4, 1993.

## CHAPTER 244

H.P. 790 - L.D. 1076

### An Act to Amend the Laws Governing Adverse Possession of Real Estate

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

**Sec. 1. 14 MRSA §810-A** is enacted to read:

#### §810-A. Mistake of boundary line establishes hostility

If a person takes possession of land by mistake as to the location of the true boundary line and possession of the land in dispute is open and notorious, under claim of right, and continuous for the statutory period, the hostile nature of the claim is established and no further evidence of the knowledge or intention of the person in possession is required.

**Sec. 2. Application.** This Act applies to actions filed after the effective date of this Act. This Act also applies to any period for which hostile possession is claimed, whether before or after the effective date of this Act.

See title page for effective date.

## CHAPTER 245

H.P. 982 - L.D. 1313

### An Act to Amend the Laws Concerning Massage Therapists

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

**Sec. 1. 32 MRSA §14301, sub-§3,** as enacted by PL 1991, c. 403, §1, is amended to read:

**3. Massage therapist or massage practitioner.** "Massage therapist" or "massage practitioner" means a person who provides or offers to provide massage therapy for a fee, monetary or otherwise. This definition includes the use of different forms of the term "massage therapist" or "massage practitioner," such as "masseuse" or "masseur."