

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

renewed upon payment of \$9 for 1993, \$11 for 1994, \$12 for 1995 and \$13 for 1996 and every year thereafter if requirements of the department are met.

Sec. 23. 12 MRSA §7331, sub-§2, as amended by PL 1983, c. 807, Pt. P, §20, is further amended to read:

2. **Fee.** The fee for a special dog training area license is ~~\$19 for 1985, \$20 for 1986 and \$21 for 1987~~ 1993, \$23 for 1994, \$24 for 1995 and \$25 for 1996 and every year thereafter.

Sec. 24. 12 MRSA §7332, sub-§2, as amended by PL 1983, c. 807, Pt. P, §21, is further amended to read:

2. **Fee.** The fee for a license to hold field trials for sporting dogs is ~~\$19 for 1985, \$20 for 1986 and \$21 for 1987~~ 1993, \$23 for 1994, \$24 for 1995 and \$25 for 1996 and every year thereafter.

Sec. 25. 12 MRSA §7352, sub-§2, as amended by PL 1983, c. 807, Pt. P, §23, is repealed and the following enacted in its place:

2. **Fee.** The annual fees for hide dealer licenses are as follows:

	1993	1994	1995	1996 and after
A. Resident hide dealer	\$54	\$56	\$57	\$58
B. Nonresident hide dealer	\$104	\$106	\$107	\$108

Sec. 26. 12 MRSA §7366, sub-§4, as amended by PL 1989, c. 918, Pt. D, §5, is further amended to read:

4. **Fee.** The annual fee for a whitewater guide's license is \$25 for 1993, \$27 for 1994, \$28 for 1995 and \$29 for 1996 and every year thereafter. ~~All license fees are credited to the Whitewater Rafting Fund within the department and used in accordance with section 7074, subsection 3.~~

Sec. 27. 12 MRSA §7463-A, sub-§4, as amended by PL 1989, c. 493, §§37 and 76, is further amended to read:

4. **Hunting permits.** The commissioner may issue up to 1,000 moose hunting permits annually and may establish the number of moose hunting permits to be issued for each moose hunting zone. No more than 10% of the moose hunting permits may be issued to nonresident and alien hunters. A person whose application is selected may purchase a moose hunting permit upon presentation of proof that the person possesses:

A. A valid Maine hunting license, if the person is a resident of the State; or

B. A valid Maine big game hunting license, if the person is a nonresident or alien.

The fee for a moose hunting permit is \$25 for 1993, \$27 for 1994, \$28 for 1995 and \$29 for 1996 and every year thereafter for residents and \$200 for 1993, \$202 for 1994, \$203 for 1995 and \$204 for 1996 and every year thereafter for nonresidents and aliens. While hunting moose, each nonresident or alien hunter, both permittee and subpermittee, ~~shall~~ must be in possession of a valid Maine nonresident or alien big game hunting license, whichever is applicable.

See title page for effective date.

CHAPTER 420

H.P. 811 - L.D. 1097

An Act Repealing Advisory Boards on Transportation Matters

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

Sec. 1. 5 MRSA §12004-I, sub-§85, as amended by PL 1989, c. 503, Pt. A, §37, is repealed.

Sec. 2. 23 MRSA c. 410-A, as amended, is repealed.

Sec. 3. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1993-94	1994-95
TRANSPORTATION, DEPARTMENT OF		
Highway and Bridge Improvement		
All Other	(\$29,000)	(\$29,000)
Provides for the deallocation of funds due to the repeal of the Maine Transportation Capital Improvement Planning Commission.		

See title page for effective date.

CHAPTER 421

H.P. 372 - L.D. 475

An Act Making Changes in the Financial Order Process

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

Whereas, the State continues to experience financial difficulties; and

Whereas, under these circumstances it is of vital importance that a committee of the Legislature meet to provide a consistent review of all financial orders submitted by the Bureau of the Budget requesting the transfer of unexpended appropriations or increases to certain allotments; 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. 3 MRSA §522, as enacted by PL 1981, c. 702, Pt. S, is amended to read:

§522. Purpose and powers

The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs shall oversee the transfer of funds in accordance with Title 5, section 1585, the transfer of funds in accordance with any other provision of law, block grant changes in accordance with Title 5, section 1670 and any other related fiscal matters. The committee shall also review all other financial orders that have been submitted to the Office of Fiscal and Program Review since the last meeting. The committee may meet monthly or as often as is deemed determined necessary by the chairmen chairs. Members of the committee ~~shall~~ may not be paid per diem and expenses for each day of attendance ~~as authorized by the Legislative Council.~~

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

Effective July 12, 1993.

CHAPTER 422

S.P. 385 - L.D. 1166

An Act to Improve the Assessment and Collection of Municipal Property Taxes

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

Sec. 1. 29 MRSA §354, sub-§5, as amended by PL 1977, c. 479, §8, is further amended to read:

5. Certificate for mobile homes. ~~No~~ A mobile home, as defined in Title 36, section 1481, ~~shall~~ may not be moved over the highways of this State unless the op-

erator of the vehicle hauling ~~such~~ the mobile home ~~has in his possession~~ possesses a written certificate from the tax collector of the municipality in which the mobile home is situated on the day of the move, identifying the mobile home and stating that all property taxes applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from such taxes. The tax year ~~shall be the period~~ is from April 1st through March 31st. For purposes of this subsection, taxes for the current tax year must include taxes not yet committed. If the amount of these taxes can not then be determined, the amount must be presumed to be the same as the previous year's taxes until the current year's taxes are finally assessed. Notwithstanding Title 36, section 506, the tax collector may accept prepayment of these taxes, and shall repay any amount paid in excess of that finally assessed, with interest on that amount as provided in Title 36, section 506-A. If a mobile home was moved into the municipality after April 1st so that no tax was assessed in the previous year and is to be moved from the municipality before the commitment of the current year's taxes but after April 1st, the term "previous year's taxes" means a tax to be estimated using the prior year's tax rate.

Sec. 2. 36 MRSA §506 is amended to read:

§506. Prepayment of taxes

Municipalities at any properly called meeting may authorize their tax collectors or treasurers to accept prepayment of taxes not yet ~~due or assessed~~ committed and to pay ~~thereon~~ interest on these prepayments, if any is authorized, at not exceeding the a rate of not exceeding 8% per year; municipalities are not obligated to authorize the payment of interest on taxes prepaid under this section. Any excess paid in over the amount finally ~~assessed shall~~ committed must be repaid, with the interest due on the whole transaction, at the date that the tax finally ~~assessed~~ committed is due and payable.

Sec. 3. 36 MRSA §557-A, as enacted by PL 1987, c. 617, is amended to read:

§557-A. Assessment; unknown owner

In the case of real property for which no owner is known to the assessors for at least the preceding 20 tax years and for which the assessor has, with reasonable diligence, attempted to determine ownership, the following assessment procedure, ~~in its entirety, may~~ must be used.

Property of an unknown owner is ~~to be~~ assessed as other property, except that the owner ~~shall~~ must be indicated as "unknown." Additionally, the assessing ~~shall~~ must be advertised once a week for 3 consecutive weeks in a newspaper of general circulation in the county in which the property is located. The notice ~~shall~~ must describe the real estate ~~which that is to be~~ being assessed so that a reasonable person may know, with probable