

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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

CHAPTER 484

S.P. 564 - L.D. 1599

**An Act Concerning the Hauling of
Mobile Homes on the Roads and
Highways of the State**

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

Whereas, certain statutory requirements are both unduly burdensome to trailer dealers and mobile home dealers and unnecessary for ensuring public safety; 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. 29 MRSA §832, as amended by PL 1989, c. 481, Pt. A, §22, is further amended by adding a new 2nd paragraph to read:

Notwithstanding the first paragraph, a trailer or mobile home dealer, licensed pursuant to section 359, who certifies to the Secretary of State that the dealer does not haul trailers or mobile homes on the public roads and highways of the State is not required to file certification of liability insurance or surety bond. The Secretary of State may not issue temporary plates or dealer plates to a trailer or mobile home dealer exempted from filing certification of liability insurance or surety bond under this paragraph.

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

Effective February 24, 1994.

CHAPTER 485

H.P. 592 - L.D. 807

**An Act Regarding Records of
Notaries Public**

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

Sec. 1. 4 MRSA §955-B, as amended by PL 1991, c. 465, §4, is further amended to read:

§955-B. Maintenance of records

~~Every~~ The Secretary of State shall recommend that every notary public shall keep and maintain records of all notarial acts performed. The notary shall safeguard and retain exclusive custody of these records. The notary may not surrender the records to another notary or to an employer. The records may be inspected in the notary's presence by any individual whose identity is personally known to the notary or is proven on the basis of satisfactory evidence and who specifies the notarial act to be examined.

Sec. 2. 4 MRSA §956 is amended to read:

§956. Resignation or removal; deposit of records

~~On~~ The Secretary of State shall recommend that, on the resignation or removal from office of any notary public, his the notary's records shall be deposited with the clerk of the judicial courts in the county for which he was appointed transferred to the custody of the State Archivist. Any notary public who shall, for a period of 3 months, neglect to comply with such requirement and any administrator or executor representing a deceased notary public who shall, for a period of 3 months, neglect to comply with such requirement shall forfeit not less than \$50 nor more than \$500.

See title page for effective date.

CHAPTER 486

H.P. 1081 - L.D. 1447

**An Act to Conform Maine Income
Tax Laws and Rules to the Internal
Revenue Code**

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

Sec. 1. 36 MRSA §143 is enacted to read:

§143. Compromise of tax liability

The State Tax Assessor may compromise a tax liability arising under this Title upon the grounds of doubt as to liability or doubt as to collectibility, or both. Upon acceptance by the assessor of an offer in compromise, the liability of the taxpayer in question is conclusively settled and neither the taxpayer nor the assessor may reopen the case except by reason of falsification or concealment of assets by the taxpayer or mutual mistake of a material fact. The decision of the assessor to reject an offer in compromise is not subject to review under section 151. The assessor's authority to compromise a tax liability pursuant to this section is separate from and in addition to the