

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 555

H.P. 1293 - L.D. 1741

**An Act to Amend the Maine
Guide License****Be it enacted by the People of the State of
Maine as follows:****Sec. 1. 12 MRSA §7311-A** is enacted to read:**§7311-A. Guides carrying passengers for hire**

Any guide who has been certified in watercraft safety through the guide license examination process is authorized, without further licensing requirements, to operate a motorboat carrying passengers for hire pursuant to section 7799. A guide license issued to a guide who has been certified in watercraft safety must clearly indicate that the licensee is authorized to operate a motorboat carrying passengers for hire.

Sec. 2. 12 MRSA §9322, sub-§3, as amended by PL 1985, c. 108, §6, is repealed and the following enacted in its place:

3. Resident guides. Upon application, the Director of the Bureau of Forestry may issue a state-wide yearly permit for out-of-door fires to resident guides licensed by the Department of Inland Fisheries and Wildlife. The director may restrict the scope of a permit to correspond with the classification of the guide license. Use of the permit is conditional upon the permittee:

A. Possessing a valid guide license;

B. Complying with any landowner campfire restrictions;

C. Complying with applicable out-of-door burning laws; and

D. Complying with out-of-door fire restrictions established by the director for the area in which and the time during which fires are made.

The director shall revoke the permit of any person who violates any condition or restriction established by this subsection. The director is not required to comply with the provisions of Title 4, chapter 25 or Title 5, chapter 375 in revoking a permit under this subsection.

See title page for effective date.

CHAPTER 556

S.P. 629 - L.D. 1749

**An Act to Improve the Notice
Provisions for Municipal
Development Districts**

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

Whereas, current law requires municipalities with development districts and tax increment financing districts to publish annual newspaper notices listing every property owner and that property owner's district tax assessment; and

Whereas, such a notice is very expensive and unnecessary because each property owner receives an assessment through the mail; and

Whereas, the 1994 newspaper notices have to be published and paid for before 90 days following adjournment of the Second Regular Session of the 116th Legislature; 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. 30-A MRSA §5255, sub-§2, ¶E, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

E. A statement indicating that a proposed list of properties to be assessed and the estimated assessments against those properties is available at the city or town office or at the office of the assessor.

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

Effective March 30, 1994.

CHAPTER 557

S.P. 636 - L.D. 1770

**An Act to Increase Reimbursement
Amounts to Municipalities Collecting**

Excise Taxes for Unorganized Townships

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

Whereas, this legislation must be enacted as an emergency measure to ensure that the effective date of July 1, 1994 may be met; and

Whereas, certain municipalities that collect motor vehicle and watercraft excise taxes for unorganized townships should be adequately reimbursed for their services; 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 §1487, sub-§2, as repealed and replaced by PL 1985, c. 459, Pt. C, §11, is amended to read:

2. State Tax Assessor. In the unorganized territory, the State Tax Assessor shall appoint agents to collect the excise tax. Agents ~~shall be~~ are allowed a fee of \$2 for each tax receipt issued ~~and, except that municipalities designated as agents are allowed a fee of \$4 for each tax receipt issued.~~ Agents shall deposit the remainder on or before the 20th day of each month following receipt with the Treasurer of State. The Treasurer of State shall make quarterly payments to each county in an amount ~~which that~~ is equal to the receipts for that period from each county. Those payments ~~shall~~ must be made at the same time as payments under section 1606. County receipts under this section ~~shall~~ must be deposited in the county's unorganized territory fund.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1994.

Effective July 1, 1994.

CHAPTER 558

S.P. 637 - L.D. 1771

An Act to Establish Terms of Appointments for Members of the Maine Education and Training Export Partnership

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

Sec. 1. 5 MRSA §13063-A, sub-§3-A is enacted to read:

3-A. Terms of appointment. The terms of the initially appointed members must be staggered: Five of the initial appointees serve for one year; 5 serve for 2 years; and 5 serve for 3 years. All future appointees serve 3-year terms.

Sec. 2. Retroactivity. This Act takes effect retroactively to July 1, 1993.

See title page for effective date.

CHAPTER 559

H.P. 1348 - L.D. 1814

An Act to Extend the Sagadahoc County Budget Advisory Committee

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 30-A MRSA §886, as enacted by PL 1991, c. 513, is repealed.

See title page for effective date.

CHAPTER 560

S.P. 660 - L.D. 1828

An Act to Provide for Uniform Fees Paid to Registers of Deeds for the Filing of Secured Transactions

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

Sec. 1. 11 MRSA §9-403, sub-§(5), as amended by PL 1993, c. 410, Pt. M, §2, is further amended to read:

(5) The fee for filing, indexing and furnishing filing data for an original financing statement is \$20,