

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

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Sec. 1. 36 MRSA §1487, sub-§2, as repealed and replaced by PL 1985, c. 459, Pt.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,

except that a register of deeds receives a filing fee of ~~\$11 for the first record page and \$2 for each additional record page as provided in Title 33, section 751.~~ The fee for filing, indexing and furnishing filing data for a continuation statement or any amendment to a financing statement or to a continuation statement is \$10, except that a register of deeds receives a filing fee of ~~\$11 for the first record page and \$2 for each additional record page as provided in Title 33, section 751.~~

Sec. 2. 11 MRSA §9-404, sub-§(3), as amended by PL 1993, c. 410, Pt. M, §3, is further amended to read:

(3) The fee for filing and indexing a termination statement with relation to a financing statement that was filed prior to April 1, 1970, including sending or delivering the financing statement is \$2. The fee payable for filing and indexing a termination statement that relates to a financing statement that was filed on or after April 1, 1970 and before July 1, 1993 is \$10 if the termination is done by returning the acknowledgement copy from the original financing statement or \$15 if the termination is filed using the procedure for filing an amendment. There is no fee for filing and indexing a termination statement that relates to a financing statement filed on or after July 1, 1993.

Notwithstanding this subsection, a register of deeds receives a fee for filing and indexing a termination statement that relates to a financing statement of ~~\$6 for the first record page and \$2 for each additional record page as provided in Title 33, section 751.~~

Sec. 3. 33 MRSA §751, first ¶, as repealed and replaced by PL 1981, c. 557, §2, is amended to read:

Except as provided in ~~Title 11 or~~ any other provision of law, registers of deeds shall receive the following fees for:

See title page for effective date.

CHAPTER 561

H.P. 1366 - L.D. 1849

An Act to Implement the Recommendations of the Maine Potato Board

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

Sec. 1. 36 MRSA §4603, sub-§4, as enacted by PL 1985, c. 753, §§14 and 15, is amended to read:

4. Terms of executive council membership.

Once elected, executive council members shall serve for 2 years, provided that the members may continue to serve until a successor is duly elected and qualified and that executive council members may not serve more than ~~3~~ 5 consecutive terms.

See title page for effective date.

CHAPTER 562

S.P. 685 - L.D. 1871

An Act Concerning the Importation of Salmon

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

Whereas, under current law, the provisions governing the salmon aquaculture monitoring and research fund is repealed on July 1, 1994; and

Whereas, this legislation eliminates the repeal of those provisions; 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. 12 MRSA §6071, sub-§4, as enacted by PL 1991, c. 381, §2, is amended to read:

4. Salmon imports prohibited. It is unlawful to import for introduction into any waters of the State any Atlantic salmon, live or as eggs, that originate in any Icelandic or European territorial waters or any other species of salmon, exclusive of rainbow trout, originating west of the North America continental divide. ~~After January 1, 1995, it is unlawful to introduce into any waters of the State any Atlantic salmon that originate in any Icelandic or European territorial waters or any other species of salmon, exclusive of rainbow trout, originating west of the North American continental divide including any fish raised within the State from eggs or broodstock that are subject to the import prohibition under this subsection.~~ The commissioner may grant an exemption from the provisions of this subsection for a term not to exceed 2 years, renewable upon application, for legitimate research. Legitimate research does not include pilot, demonstration or full-scale aquaculture