

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

1. Leases. Joint location must occur as leases expire, except as provided in subsection 2. A lease may be renegotiated or extended on a short-term basis in order to make its expiration date coincide with those of other relevant leases.

2. Exceptions. Joint location is not required if the costs of joint location as estimated by the Bureau of General Services substantially exceed the benefits of joint location as estimated by the Bureau of General Services. In estimating benefits, the Bureau of General Services shall consider, but is not limited to, the following:

A. Monetary savings expected from leasing fewer but larger spaces;

B. Administrative savings expected by either the department or the Department of Human Services from sharing regional administrative functions;

C. Improved access expected for customers; and

D. Improved coordination and quality of services expected from greater interaction of staff across departments.

3. Other departments. This section does not prohibit the Bureau of General Services from including other state agencies at a joint location site. Other state agencies include, but are not limited to, the Department of Labor, the Department of the Secretary of State and the Department of Education.

4. Reports. The Bureau of General Services shall submit progress reports regarding the implementation of this section to the joint standing committee of the Legislature having jurisdiction over human resource matters by the following dates:

A. January 1, 1996;

B. January 1, 1998; and

C. January 1, 2000.

## PART G

**Sec. G-1.** Resolve 1993, c. 36 is repealed.

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

Effective April 20, 1994, unless otherwise indicated.

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## CHAPTER 739

H.P. 1413 - L.D. 1923

### An Act to Provide Equity in the Laws Concerning Tax Exemptions for Veterans

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

**Sec. 1.** 36 MRSA §653, sub-§1, ¶C, as amended by PL 1993, c. 427, §6, is repealed and the following enacted in its place:

C. The estates up to the just value of \$5,000, having a taxable situs in the place of residence, of veterans who served in the Armed Forces of the United States:

(1) During any federally recognized war period, including the Korean Campaign, the Vietnam War and the Persian Gulf War, when they have reached the age of 62 years or when they are receiving any form of pension or compensation from the United States Government for total disability, service-connected or nonservice-connected, as a veteran. A veteran of the Vietnam War must have served on active duty for a period of more than 180 days, any part of which occurred after August 4, 1964 and before May 7, 1975, unless the veteran died in service or was discharged for a service-connected disability after that date. "Vietnam War" means the period between August 5, 1964 and May 7, 1975. "Persian Gulf War" means service on active duty between August 7, 1990 and April 11, 1991; or

(2) Who are disabled by injury or disease incurred or aggravated during active military service in the line of duty and are receiving any form of pension or compensation from the United States Government for total, service-connected disability.

The exemptions provided in this paragraph apply to the property of that veteran, including property held in joint tenancy with that veteran's spouse.

**Sec. 2.** 36 MRSA §653, sub-§1, ¶D-1, as amended by PL 1989, c. 501, Pt. Z, is further amended to read:

D-1. The estates up to the just value of \$47,500, having a taxable situs in the place of residence,

for specially adapted housing units, of veterans who served in the Armed Forces of the United States during any federally recognized war period, including the Korean Campaign, the Vietnam War and the Persian Gulf War, and who are paraplegic veterans, so-called, within the meaning of the United States Code, Title 38, Chapter 21, Section ~~804~~ 2101, and who received a grant from the United States Government for the specially adapted housing, or of the unmarried widows of the veterans. A veteran of the Vietnam War must have served on active duty for a period of more than 180 days, any part of which occurred after August 4, 1964 and before May 7, 1975, unless the veteran died in service or was discharged for a service-connected disability after that date. "Vietnam War" means the period between August 5, 1964 and May 7, 1975. "Persian Gulf War" means service on active duty between August 7, 1990 and April 11, 1991. The exemption provided in this paragraph shall apply to the property of the veteran including property held in joint tenancy with that veteran's spouse.

**Sec. 3. 36 MRSA §653, sub-§1, ¶E**, as repealed and replaced by PL 1993, c. 395, §11 and c. 427, §7, is repealed and the following enacted in its place:

E. The word "veteran" as used in this subsection means any person, male or female, who was in active service in the Armed Forces of the United States and who, if discharged, retired or separated from the Armed Forces, was discharged, retired or separated under other than dishonorable conditions.

See title page for effective date.

## CHAPTER 740

H.P. 1459 - L.D. 1984

### An Act to Conserve Sea Urchin Resources

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

**Sec. 1. 12 MRSA §6748-A**, as enacted by PL 1993, c. 416, §2, is amended to read:

#### **§6748-A. Sea urchin dragger's license**

**1. License required.** It is unlawful for a person to use a boat for dragging for sea urchins unless that boat carries a sea urchin ~~boat~~ dragging license issued by the commissioner.

**2. Licensed activity.** A boat licensed under this section may be used for dragging for sea urchins. The license also authorizes the captain and crew members aboard the licensed boat to drag for and possess, ship, transport and sell sea urchins.

**3. Eligibility.** A sea urchin ~~boat~~ dragging license may be issued only to an individual and is a resident license.

**4. Fee.** The fee for a sea urchin ~~boat~~ dragging license is \$89.

**Sec. 2. 12 MRSA §6748-C** is enacted to read:

#### **§6748-C. Drags**

Except as provided in this section, it is unlawful for any person to fish for or take sea urchins using a drag, or any combination of drags, in any coastal waters of the State.

**1. Exception.** The commissioner may adopt rules that allow the use of a drag that is designed to minimize impact on the benthic environment and harvested resources. Rules adopted by the commissioner under this section must describe the type of drag that may be used, including any limitations on type or size of drag components or limitations on the length or width of the drag.

**Sec. 3. 12 MRSA c. 623, sub-c. II-C, art. 3** is enacted to read:

### **ARTICLE 3**

#### **EMERGENCY LIMITATIONS; SEA URCHIN FISHERY**

#### **§6749-N. Closed areas; 1995 to 1998**

Notwithstanding section 6749, in calendar years 1995, 1996, 1997 and 1998, it is unlawful for a person to fish for or take sea urchins from:

**1. Zone 1.** Zone 1, from April 1st to August 15th. For the purposes of this article, "Zone 1" means all coastal waters west of a line beginning at the easternmost point of Fort Point State Park on Cape Jellison then running southwesterly to channel marker #1 south of Sears Island, then running southwesterly to channel marker W2 located between Marshall's Point and Bayside in the Town of Northport, then running southwesterly to channel marker #9 east of Great Spruce Head located in the Town of Northport, then running southerly to Graves channel marker northeast of the Town of Camden, then running southeasterly to the Penobscot Bay Buoy east of Rockland harbor, then running southerly to the TBI whistle southwest of Junken Ledge, then running