

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**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**  
**1995**

**CHAPTER 186**

**H.P. 915 - L.D. 1291**

**An Act to Amend the Income Eligibility Criteria of the Small Community Wastewater Program**

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

**Sec. 1. 38 MRSA §411, first ¶**, as amended by PL 1993, c. 223, §1, is repealed and the following enacted in its place:

The commissioner may pay an amount not to exceed 80% of the expense of a municipal or quasi-municipal pollution abatement construction program or a pollution abatement construction program in an unorganized township or plantation authorized by the county commissioners. The commissioner may make payments to the Maine Municipal Bond Bank to supply the State's share of the revolving loan fund established by Title 30-A, section 6006-A. The commissioner may pay up to 90% of the expense of a municipal or quasi-municipal pollution abatement construction program or a pollution abatement construction program in an unorganized township or plantation authorized by the county commissioners in which the construction cost of the project does not exceed \$100,000 as long as total expenditures for the small projects do not exceed \$1,000,000 in any fiscal year and not more than one grant is made to any applicant each year, except that the commissioner may pay a percentage of the cost of individual projects serving single-family dwellings, seasonal dwellings or commercial establishments according to the following schedule:

<u>ANNUAL INCOME</u>	<u>SINGLE-FAMILY DWELLING</u>	<u>SEASONAL DWELLING</u>	<u>COMMERCIAL ESTABLISHMENT</u>
\$0 to \$5,000	100%	25%	50%
\$5,001 to \$20,000	90%	25%	50%
\$20,001 to \$30,000	50%	25%	50%
\$30,001 to \$40,000	25%	25%	25%
\$40,001 or more	0%	0%	0%

**Sec. 2. 38 MRSA §411**, as amended by PL 1993, c. 223, §1, is further amended by adding after the first paragraph 2 new paragraphs to read:

For the purposes of this section, "annual income" means the sum of all the property owner's federal taxable income for the previous year for single-family or seasonal dwellings and gross profit for commercial establishments.

To determine eligibility, the commissioner may require an applicant to submit a copy of the relevant

federal income tax return of the owner or owners. In addition to any penalty adjudged under section 349, a person who knowingly makes any false statement, representation or certification in the application for a grant under this section and who receives such a grant shall, upon conviction, make restitution to the department in an amount equal to the amount of the grant plus interest and reasonable recovery cost incurred by the department.

See title page for effective date.

**CHAPTER 187**

**S.P. 394 - L.D. 1082**

**An Act to Delete the Definition of Tanning Devices from the Laws Regulating the Board of Barbering and Cosmetology**

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

**Sec. 1. 32 MRSA §14202, sub-§12**, as enacted by PL 1993, c. 659, Pt. A, §13, is repealed.

**Sec. 2. 32 MRSA §14224, sub-§2-A**, as enacted by PL 1993, c. 659, Pt. A, §14, is amended to read:

**2-A. Operation of tanning device; public access.** An establishment in which a tanning device as that term is defined in rules adopted by the Department of Human Services is operated on the effective date of this subsection is not required to partition off the working area of the establishment or maintain a separate entrance in order to provide public access to the tanning device. If such an establishment undergoes a material alteration or adds more tanning devices, then the establishment may be prohibited from providing public access to the tanning device through the working area.

See title page for effective date.

**CHAPTER 188**

**H.P. 859 - L.D. 1190**

**An Act to Ensure Disclosures under the Used Car Information Laws**

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

**Sec. 1. 10 MRSA §1475, sub-§2-A**, as amended by PL 1991, c. 837, Pt. A, §25, is further amended to read: