

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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**

---

---

**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

biomedicine and biomaterials from the sea; and forest products;

(2) Separate accounts must be established by the foundation for the direct investment pool. The board of directors of the foundation shall endeavor to maintain the resources dedicated to direct investment activities as a self-supporting pool once the pool and the overall fund have been sufficiently capitalized as reflected in the annual report;

(3) The foundation shall limit its direct investment activities to qualified securities in private enterprises or public or private laboratories in this State. Qualified securities include loans, royalty agreements or any other contractual arrangement allowed by law between the foundation and a federal, state, county or municipal agency, or any individual, corporation, enterprise, association or other entity involving technology development; and

(4) The foundation shall, from time to time, release a program solicitation that describes eligible activities and eligible organizations. All proposal and review criteria, procedures and schedules must be included in the program solicitation.

**4. Guidelines.** The board of directors of the foundation shall establish guidelines for:

A. The amounts of the revenues generated by the investment of money contained in the fund that may be used to pay the foundation's operating expenses associated with the operation of the fund. The operating expenses may not exceed the indirect cost rate negotiated between the foundation and its cognizant federal agency; and

B. Cash and in-kind match requirements based on the activities to be supported with the fund. The foundation shall strive to achieve a minimum match of 1:1, on an annual basis, for matching grant activities supported under the fund.

**5. Liquidation and dissolution.** In the event of liquidation or dissolution of the foundation or the fund, any rights or interests in a qualified security or portion of a qualified security purchased with money invested by the State vest in the State. The State is entitled to, in proportion to the amount of investment in the fund by the State, any balance of money remaining in the fund after payment of all debts and

obligations upon liquidation or dissolution of the foundation or the fund.

See title page for effective date.

---



---

## CHAPTER 446

### H.P. 802 - L.D. 1119

#### **An Act to Increase the Formula Used for ATV's and Snowmobile Reimbursement**

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

**Sec. 1. 36 MRSA §2903-B**, as amended by PL 1987, c. 772, §28, is further amended by inserting at the end a new paragraph to read:

In addition to the set aside of .5% of the total excise tax on internal combustion fuel sold or used within this State, the Legislature finds that an additional percentage of .17% must be paid to the Treasurer of State to be made available to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Recreation, established under Title 12, section 7824.

**Sec. 2. 36 MRSA §2903-C** is enacted to read:

#### **§2903-C. Finding of fact**

The Legislature makes a finding of fact that the percentage relationship of "gasoline tax" paid by that segment of the nonhighway gasoline user, the all-terrain vehicle user, is estimated to be not less than .045% of the total "gasoline tax" revenue. Based on this estimate, there is set aside .045% of the total excise tax on internal combustion engine fuel sold within this State, not including internal combustion fuel sold for use in the propulsion of aircraft. This .045% allocation must be expended for the purposes required by Title 12, section 7854, subsection 4, paragraph B. The State Tax Assessor shall certify to the State Controller by the 15th day of each month the amounts to be credited under this section as of the close of the State Controller's records for the previous month.

**Sec. 3. Allocation.** The following funds are allocated from tax revenues on internal combustion engine fuel to carry out the purposes of this Act.

1995-96                      1996-97

CONSERVATION,  
DEPARTMENT OF

**Bureau of Parks and Recreation Snowmobile Trail Fund**

All Other	\$149,695	\$201,548
Provides funds to be granted to snowmobile clubs and municipalities for the development and maintenance of snowmobile trails.		

**ATV Recreational Management Fund**

All Other	\$39,625	\$53,351
Provides funds for development of all-terrain vehicle trails, grants and technical assistance to correct problems caused by uncontrolled all-terrain vehicle use and grants to clubs and municipalities for the development of all-terrain vehicle trails and the development of multiple-use rail trails.		

**DEPARTMENT OF CONSERVATION TOTAL**

\$189,320	\$254,899
-----------	-----------

See title page for effective date.

**CHAPTER 447**

**S.P. 53 - L.D. 82**

**An Act to Increase the Limit on the Extradition Account**

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

**Sec. 1. 15 MRSA §224-A, sub-§1**, as enacted by PL 1983, c. 843, §11, is amended to read:

**1. Establishment.** Notwithstanding any other provision of law, there is established an Extradition Account in each prosecutorial district in an amount not to exceed ~~\$10,000~~ \$20,000, to be administered by the district attorney and to be used solely for the purpose of paying the expenses of extraditing persons charged with or convicted of a crime in this State and who are fugitives from justice, as defined in section 201, subsection 4.

**Sec. 2. 15 MRSA §224-A, sub-§2**, as amended by PL 1991, c. 377, §7, is further amended to read:

**2. Funding.** The Extradition Account in each prosecutorial district is funded by bail forfeited to and recovered by the State pursuant to the Maine Rules of Criminal Procedure, Rule 46. Whenever bail is so forfeited and recovered by the State, the district attorney shall determine whether it or a portion of it is deposited in the Extradition Account for that district attorney's prosecutorial district, but in no event may the account exceed ~~\$10,000~~ \$20,000. Any bail so forfeited and recovered and not deposited in the Extradition Account must be deposited in the General Fund. Any unexpended balance in the Extradition Account of a prosecutorial district established by this section may not lapse but must be carried forward into the next year.

**Sec. 3. 15 MRSA §224-A, sub-§3**, as enacted by PL 1983, c. 843, §11, is amended to read:

**3. Review by district attorney.** The district attorney shall ~~regularly~~ review monthly the Extradition Account and the expenses of ~~his~~ that prosecutorial district in connection with the extradition of fugitives from justice and shall determine whether any funds in the account ~~shall~~ must be transferred to the General Fund.

See title page for effective date.

**CHAPTER 448**

**H.P. 1099 - L.D. 1546**

**An Act to Expedite the Appeal Process in the Case of a Writ of Possession**

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

**Sec. 1. 14 MRSA §§6006 and 6007** are repealed.

**Sec. 2. 14 MRSA §6008**, as amended by PL 1989, c. 377, is repealed and the following enacted in its place:

**§6008. Appeal**

**1. Right to appeal.** Either party may appeal on questions of law from a judgment to the Superior Court as in other civil actions. Either party may appeal on any issue triable by right by a jury to a trial de novo in the Superior Court as provided in this section.