

# MAINE STATE LEGISLATURE

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

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

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**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 627

H.P. 1355 - L.D. 1860

An Act to Amend the Petroleum  
Market Share Act

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

**Sec. 1. 10 MRSA §1673, sub-§3**, as amended by PL 1993, c. 613, §2, is further amended to read:

**3. Repeal.** This section is repealed September 1, ~~1996~~ 2000.

**Sec. 2. 10 MRSA §1681**, as amended by PL 1993, c. 613, §3, is further amended to read:

**§1681. Fees**

Annually by September 1st, a person who operates or causes to be operated an oil terminal facility within the State, as defined in Title 38, section 542, subsection 7, and a person who is required to register with the Commissioner of Environmental Protection pursuant to Title 38, section 545-B, shall pay to the Attorney General a fee for each 10,000 gallons of home heating oil and motor fuel oil transported into the State during the previous 12-month period ending June 1st. Home heating oil or motor fuel oil that is subsequently exported from the State is excluded from computation, except that home heating oil sold to a retailer or retail outlet located outside the State that sells home heating oil at retail within the State is not excluded. The fee that must be paid by September 1, ~~1992~~ 1996 and for each subsequent year is ~~45¢~~ 40¢ for each 10,000 gallons or portion thereof. ~~The fee that must be paid by September 1, 1993 is 75.15¢ for each 10,000 gallons or portion thereof. The fee for each subsequent year is 40¢ for each 10,000 gallons or portion thereof.~~ The fees must be deposited in a dedicated, nonlapsing account, known as the Petroleum Marketing Fund. The Attorney General shall administer the fund. This section is repealed September 1, ~~1996~~ 2000.

See title page for effective date.

## CHAPTER 628

H.P. 1272 - L.D. 1750

An Act to Implement the  
Recommendations of the Maine Task  
Force on Interstate Banking and  
Branching

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

**Sec. 1. 9-B MRSA §131, sub-§1-A** is enacted to read:

**1-A. Affiliate.** "Affiliate" means any company that controls, is controlled by, or is under common control with another company. For purposes of this definition, "control" has the same meaning as in section 1011, subsection 4.

**Sec. 2. 9-B MRSA §131, sub-§§2 and 3**, as enacted by PL 1975, c. 500, §1, are amended to read:

**2. Authorized to do business in this State.** "Authorized to do business in this State" means that a financial institution or credit union is authorized to do the business of banking, if it is:

- A. Organized under provisions of this Title;
- B. Organized under provisions of prior laws of this State; and subject to the provisions of this Title; ~~or~~
- C. Organized under provisions of federal law and maintains ~~its principal office in~~ this State; as its home state;
- D. Organized under provisions of federal law or laws of another state and maintains a branch in this State; or
- E. Organized under provisions of law of a foreign country and maintains a branch in this State.

**3. Branch.** "Branch" means any office or facility of a financial institution where the business of ~~such financial institution~~ banking is conducted other than the institution's main office.

**Sec. 3. 9-B MRSA §131, sub-§12-A, ¶¶B and C**, as enacted by PL 1975, c. 666, §2, are amended to read:

- B. Organized under provisions of prior laws of this State and subject to the provisions of this Title; ~~or~~
- C. Organized under provisions of federal law and maintains ~~its principal office in~~ this State; as its home state;

**Sec. 4. 9-B MRSA §131, sub-§12-A, ¶¶D and E** are enacted to read:

- D. Organized under provisions of federal law or laws of another state and maintains a branch in this State; or
- E. Organized under provisions of law of a foreign country and maintains a branch in this State.