

# MAINE STATE LEGISLATURE

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

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

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**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**  
**1997**

C. Apprentice, original license and biennial renewal fee, \$40.

~~Applicants applying for an initial license with a term of one year or less are required to pay only 1/2 the biennial license fee.~~

**Sec. 5. 32 MRSA §2404**, as amended by PL 1991, c. 198, §20, is further amended to read:

**§2404. Renewals**

All licenses expire ~~biennially on December 31st as to a master technician and biennially on June 30th as to other licenses. The expiration dates for licenses issued under this chapter may be established 2 years from the original date of issue or~~ at such other ~~times~~ time as the Commissioner of Professional and Financial Regulation may designate. The licenses may be renewed on a biennial basis without further examination upon the payment of the proper fee. The board shall notify everyone registered under this chapter of the date of expiration of the license and the amount of fee required for its renewal for a 2-year period. The notice must be mailed to the person's last known address at least 30 days in advance of the expiration date of the license. A license may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the license renewal date is subject to all requirements governing new applicants under this chapter, except that the board may, giving due consideration to the protection of the public, waive examination or other requirements. The board may assess penalties for late renewals more than 90 days after the date of expiration.

See title page for effective date.

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**CHAPTER 83**

**S.P. 65 - L.D. 184**

**An Act to Decrease the Time Period Allowed for the Rescission of a Time-share Contract**

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

**Sec. 1. 33 MRSA §592, sub-§1, ¶A**, as enacted by PL 1983, c. 248, §3, is amended to read:

A. The front cover or first page ~~shall~~ must contain only:

(1) The name and principal address of the developer and of the project and the location of the time-share property; and

(2) The following statements in conspicuous type.

(a) THIS CONTAINS IMPORTANT MATTERS TO BE CONSIDERED IN ACQUIRING A TIME SHARE. STATE OF MAINE LAW REQUIRES THAT THESE DISCLOSURES BE MADE BUT NO STATE AGENCY OR OFFICIAL HAS REVIEWED THE INFORMATION CONTAINED IN THIS BOOKLET.

(b) YOU MAY CANCEL THE PURCHASE TRANSACTION WITHIN ~~FIFTEEN~~ TEN CALENDAR DAYS FOLLOWING THE DATE OF EXECUTION OF THE CONTRACT OR THE RECEIPT OF A CURRENT WRITTEN STATEMENT, WHICHEVER IS LATER.

(c) THE STATEMENTS CONTAINED INSIDE ARE ONLY SUMMARY IN NATURE. IF YOU ARE THINKING OF BUYING A UNIT, YOU SHOULD TALK TO YOUR ATTORNEY AND LOOK AT ALL EXHIBITS, INCLUDING THE DECLARATION, PROJECT INSTRUMENT FLOOR PLAN, PLOT PLAN, BYLAWS AND CONTRACTS.

(d) YOU SHOULD ASK YOUR ATTORNEY AND THE DEVELOPER TO TELL YOU WHAT WILL HAPPEN TO YOUR DEPOSIT, INTEREST IN THE UNIT, OR COSTS AND EXPENSES IF THE DEVELOPER OR OWNER IS DECLARED BANKRUPT. OBTAIN THE ANSWER FROM THE DEVELOPER IN WRITING.

**Sec. 2. 33 MRSA §592, sub-§1, ¶B**, as enacted by PL 1983, c. 248, §3, is amended by amending subparagraphs (10) and (12) to read:

(10) A statement that:

(a) Within ~~15~~ 10 calendar days after receipt of the current written statement or execution of a contract, whichever is later, a purchaser may cancel any conveyance or contract for purchase of a unit from the developer; and

(b) If the purchaser elects to cancel, ~~he~~ the purchaser may do so by hand delivering a notice ~~thereof of cancellation~~ or by mailing the notice by prepaid United States mail to the developer. The cancellation ~~shall~~ must be without penalty and any deposit made by the purchaser ~~shall~~ must be promptly refunded in its entirety;

(12) A statement that any deposit made in connection with the purchase of a unit will be returned to the purchaser if the purchaser cancels the contract within ~~45~~ 10 calendar days after receipt of the written statement or contract;

**Sec. 3. 33 MRSA §592, sub-§3**, as enacted by PL 1983, c. 248, §3, is amended to read:

**3. Cancellation of contract.** Any purchaser or prospective purchaser of a time share may cancel a contract or conveyance of a time share by delivering or mailing a postage prepaid written notice of the purchaser's intention to cancel within ~~45~~ 10 calendar days after the date of any contract or conveyance or within ~~45~~ 10 calendar days after delivery of the current written statement required by subsection 1, whichever is later.

See title page for effective date.

**CHAPTER 84**

**H.P. 157 - L.D. 199**

**An Act to Allow Wholesale Seafood License Holders to Process Parts of Lobster Tails**

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

**Whereas**, seafood processors have identified new types of products with great potential for success and increased employment; 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 §6862, sub-§§2 and 4**, as corrected by RR 1991, c. 2, §38, are amended to read:

**2. Permitted activity.** A lobster tail permit authorizes a wholesale seafood license holder to remove a lobster tails in the shell tail from a lobster and to process that whole lobster tail or portions of that lobster tail under the following conditions.

A. The lobster ~~tails~~ tail or lobster tail portions may ~~only~~ be processed only at the establishment named in the permit.

B. The ~~tails~~ lobster tail or lobster tail portions may only come from a legal sized lobsters lobster, as defined in section 6431.

C. All containers in which lobster tails or lobster tail portions are packed to be sold, shipped or transported must be clearly labeled with the name, address and permit number of the packer.

**4. Regulations.** The commissioner, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, may adopt such regulations as are ~~deemed~~ determined necessary for implementation and enforcement of this section. These regulations may include provisions for determining that lobster tails or lobster tail portions processed by a wholesale seafood license holder under this section were removed by that wholesale seafood license holder from legal sized lobsters and other provisions as may be ~~deemed~~ determined necessary.

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

Effective April 11, 1997.

**CHAPTER 85**

**S.P. 86 - L.D. 266**

**An Act to Conform State Laws Regarding Fair Housing for Older Persons with Federal Laws**

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

**Sec. 1. 5 MRSA §4581, sub-§2, ¶C**, as enacted by PL 1989, c. 245, §3, is amended to read:

C. Intended and operated for occupancy by at least one person 55 years of age or older per unit. In determining whether housing qualifies as housing for older persons under this paragraph, ~~regulations adopted by the United States Department of Housing and Urban Development shall be used which require the housing must meet~~ the housing must meet at least the following factors: