

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.

J.S. McCarthy Company
Augusta, Maine
1997

4. Rulemaking. The board shall adopt rules necessary for the proper administration and enforcement of the requirements of this chapter. All rules must be adopted in accordance with Title 5, chapter 375, subchapter II-A and are routine technical rules. ~~Unless otherwise provided in this chapter, all rules adopted by the board are major substantive rules as defined by Title 5, chapter 375, subchapter II-A.~~

Sec. 3. 22 MRSA §8706, sub-§2, as enacted by PL 1995, c. 653, Pt. A, §2 and affected by §7, is repealed and the following enacted in its place:

2. Permanent funding. Permanent funding for the organization is provided from reasonable costs, user fees and assessments according to this subsection and as provided by rules adopted by the board.

A. Fees may be charged for the reasonable costs of duplicating, mailing, publishing and supplies.

B. Reasonable user fees must be charged on a sliding scale for the right to access and use the health data and information available from the organization. Fees may be charged for services provided to the department on a contractual basis. Fees must be waived for the Bureau of Insurance. Fees may be reduced or waived for users that demonstrate a plan to use the data or information in research of general value to the public health or inability to pay the scheduled fees, as provided by rules adopted by the board.

C. Beginning in fiscal year 1997-98, the operations of the organization must be supported from 3 sources as provided in this paragraph:

(1) Fees collected pursuant to paragraphs A and B;

(2) Annual assessments of not less than \$100 assessed against the following entities licensed under Titles 24 and 24-A on the basis of the total annual health care premium: nonprofit hospital and medical service organizations, health insurance carriers, health maintenance organizations and 3rd-party administrators on the basis of administration of health benefits plans administered for employers. The assessments may not exceed \$319,000 for fiscal year 1997-98 and \$325,000 for fiscal year 1998-99. Health care policies issued for specified disease, accident, injury, hospital indemnity, Medicare supplement, long-term care or other limited benefit health insurance policies are not subject to assessment under this subparagraph. Assessments under this subparagraph must equal the assessments under subparagraph 3; and

(3) Annual assessments of not less than \$100 assessed by the organization against providers. The assessments may not exceed \$320,000 for fiscal year 1997-98 and \$326,000 for fiscal year 1998-99. Assessments under this subparagraph must equal the assessments under subparagraph 2.

The level of annual assessments under subparagraphs (2) and (3) must be based on the difference between the authorized allocation for the fiscal year and the beginning cash balance in the account established pursuant to section 8706, subsection 6. The board may waive assessments otherwise due under subparagraphs (2) and (3) when a waiver is determined to be in the interests of the organization and the parties to be assessed.

Sec. 4. 22 MRSA §8708, sub-§2, as enacted by PL 1995, c. 653, Pt. A, §2 and affected by §7, is amended to read:

2. Additional information on ambulatory services and surgery. Pursuant to rules adopted by the board for form, medium, content and time for filing, each provider shall file with the organization a completed data set, comparable to data filed by health care facilities under subsection 1, ~~paragraph~~ paragraphs A and B, for each ambulatory service and surgery listed in rules adopted pursuant to subsection 4, paragraph A, occurring after January 1, 1990. This subsection may not be construed to require duplication of information required to be filed under subsection 1. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

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

Effective June 12, 1997.

CHAPTER 526

S.P. 623 - L.D. 1826

An Act to Change the Name of the Bureau of Taxation and to Allow Other Agencies of the State to Benefit from Its Services

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

Sec. 1. 12 MRSA §602, sub-§4, as amended by PL 1995, c. 502, Pt. E, §20, is further amended to read:

4. Fees for services and accommodations.

With the consent of the Governor, the bureau may:

A. Furnish accommodations and render services to the public on state parks and parks under state control; and

B. Charge reasonable fees for those services and accommodations.

All fees received under this subsection accrue to the General Fund, except that, effective July 1, 1990, all revenues resulting from an increase in fees in the Allagash Wilderness Waterway accrue to a dedicated revenue account to be used for capital improvements in the Allagash Wilderness Waterway. In cases ~~where~~ when fees may be more efficiently collected through ~~3rd-party~~ 3rd-party contracts, a percentage of the fee may be retained by the contractor for services, as agreed upon by the bureau. The bureau may contract with the Department of Administrative and Financial Services, Bureau of Revenue Services for the collection of fees. The bureau may also enter into an agreement with the State Tax Assessor pursuant to which applications for state park passes are included in state individual income tax booklets.

Fifteen percent of all day use and camping fees received under this subsection in any lands owned by the former Bureau of Parks and Recreation or designated as parks and historic sites under jurisdiction of the bureau must be apportioned and paid to all municipalities having those lands within their boundaries. In determining the payment to each municipality, the bureau shall assign one unit per front foot for each foot of lake, pond, ocean or major river frontage and 5 units for each acre of all lands within the municipality. Frontage and acreage must be determined as of April 1st for the year in which revenue is being apportioned and computed to the nearest whole unit. The bureau shall increase the fees charged by it under this subsection by an amount that will reflect the loss of revenue to the State occasioned by such payment to the municipalities;

Sec. 2. 12 MRSA §7072, sub-§1, as enacted by PL 1983, c. 819, Pt. A, §23, is amended to read:

1. Appointment. The commissioner may appoint clerks of towns, ~~the State Tax Assessor~~ or such other agents as ~~he deems the commissioner considers~~ necessary to issue licenses and permits. The commissioner shall determine the period during which the agents ~~shall act~~ perform their duties. In the case of services performed for the commissioner by the State Tax Assessor, the provisions of this chapter regarding agents' fees do not apply.

Sec. 3. 12 MRSA §7074, sub-§7 is enacted to read:

7. Exception. This section does not apply to the State Tax Assessor with respect to services performed for the commissioner.

Sec. 4. 36 MRSA §111, sub-§1-B is enacted to read:

1-B. Bureau. "Bureau" means the Bureau of Revenue Services.

Sec. 5. 36 MRSA §111, sub-§5, as repealed and replaced by PL 1981, c. 364, §5, is amended to read:

5. Tax. "Tax" means the total amount required to be paid, withheld and paid over, or collected and paid over with respect to estimated or actual tax liability under this Title, including any interest or civil penalty relating thereto. For purposes of sections 171, 175-A and 176-A, "tax" also means any fee, fine, penalty or other obligation owed to the State provided for by law if this obligation is subject to collection by the assessor pursuant to an agreement entered into by the bureau and another agency of the State.

Sec. 6. 36 MRSA §111, sub-§7, as enacted by PL 1981, c. 364, §6, is amended to read:

7. Taxpayer. "Taxpayer" means any person required to file a return under this Title or to pay, withhold and pay over or collect and pay over any tax imposed by this Title. For the purposes of sections 171, 175-A and 176-A, "taxpayer" also means any person obligated to the State for the payment of a fee, fine, penalty or other obligation to the State provided for by law, if this obligation is subject to collection by the assessor pursuant to an agreement entered into by the bureau and another agency of the State.

Sec. 7. 36 MRSA §112, as amended by PL 1995, c. 639, §1, is further amended to read:

§112. State Tax Assessor

1. General powers and duties. The State Tax Assessor shall administer and enforce the tax laws enacted under this Title and under Title 29-A, and may adopt rules and require such information to be reported as necessary. The assessor shall provide, at the time of issuance, to one or more entities that publish a monthly state tax service, all rules, bulletins, taxpayer notices or alerts, notices of rulemaking, any other taxpayer information issued by the assessor, and all substantive amendments or modifications of the same, for publication by that entity or entities. When a significant change has occurred in ~~Bureau of Taxation~~ bureau policy or practice or in the interpretation by the bureau of any law, rule or instruction bulletin, the assessor shall, within 60 days of the change, provide to the same publishing entity or

entities written notice, suitable for publication, of the change.

2. Organization. The ~~State Tax Assessor~~ assessor may employ such deputies, assistants and employees, subject to the Civil Service Law, as are necessary; and distribute the duties given to ~~him or to the Bureau of Taxation~~ the assessor or to the bureau among such persons or divisions in that bureau as ~~he deems~~ the assessor considers necessary for economy and efficiency in administration. An officer within each division of the bureau ~~shall~~ must be designated by the ~~State Tax Assessor~~ assessor as director of that division. The ~~State Tax Assessor~~ assessor, for enforcement and administrative purposes, may divide the State into a reasonable number of districts in which branch offices may be maintained.

3. Examination of witnesses. The ~~State Tax Assessor~~ assessor may summon and examine under oath any person whose testimony is ~~deemed considered~~ deemed considered necessary to the proper discharge of the ~~State Tax Assessor's~~ assessor's duties and may require the production of all books or other documents in the custody or control of that person ~~which that~~ which that relate to any matter ~~which that~~ which that the ~~State Tax Assessor~~ assessor has authority to investigate or determine. This examination may be conducted by an agent designated by the ~~State Tax Assessor~~ assessor and is considered an "official proceeding" within the meaning of that term in Title 17-A, section 451. The ~~State Tax Assessor~~ assessor or that agent may administer all oaths required under this Title and may, in the ~~State Tax Assessor's~~ assessor's discretion, reduce any examination under oath to writing. Any person summoned under this section is entitled to receive at the same time a copy of the Taxpayer Bill of Rights statement required to be prepared under subsection 7-A.

Any justice of the Superior Court and, with respect to the taxes imposed under Part 6, any judge of probate, upon application of the ~~State Tax Assessor~~ assessor, may compel the attendance of witnesses and the giving of testimony before the ~~State Tax Assessor~~ assessor in the same manner, to the same extent and subject to the same penalties as if before the court over which that justice or judge presides.

4. Examination of records and premises. Whenever necessary to the administration of this Title, the ~~State Tax Assessor~~ assessor may make, or cause to be made by an employee, an examination or investigation of the place of business, books and other documents and any other relevant personal property of any person who the ~~State Tax Assessor~~ assessor has reason to believe is liable for any tax imposed by this Title.

At the conclusion of an audit, the ~~State Tax Assessor~~ assessor or an agent shall conduct an audit conference

with the taxpayer and shall give the taxpayer a written summary of the audit findings, including the legal basis for the audit findings and adjustments, along with copies of relevant ~~Bureau of Taxation~~ bureau audit workpapers.

5. Contract authority. The ~~State Tax Assessor~~ assessor is authorized to contract with persons on an independent contract basis for the furnishing of technical services to assist ~~him~~ the assessor in the administration of this Title.

5-A. Agreements with other states. The ~~State Tax Assessor~~ assessor may enter into agreements with the tax departments of other states that the assessor considers appropriate for assistance in the administration and enforcement of this Title.

6. Agent for collection. The ~~State Tax Assessor~~ assessor is authorized to name any of ~~his~~ the assessor's employees as ~~his agent~~ agents to collect any tax imposed under this ~~title~~ Title.

7. Evaluation of tax systems. The ~~State Tax Assessor~~ assessor shall investigate and examine the systems and methods of taxation of other states and make careful and constant inquiry into the practical operation and effect of the laws of this State, in comparison with the laws of other states, with the view of ascertaining wherein the tax laws of this State are defective, inefficient, inoperative or inequitable.

7-A. Taxpayer Bill of Rights. The ~~State Tax Assessor~~ assessor shall prepare a statement describing in simple and nontechnical terms the rights of a taxpayer and the obligations of the ~~Bureau of Taxation~~ bureau during an audit. The statement must also explain the procedures by which a taxpayer may appeal any adverse decision of the ~~State Tax Assessor~~ assessor, including the informal conference and judicial appeals. This statement must be distributed by the ~~Bureau of Taxation~~ bureau to any taxpayer contacted with respect to the determination or collection of any tax, excluding the normal mailing of tax forms.

8. Additional duties. In addition to the duties specified in this Title, the ~~State Tax Assessor~~ assessor is responsible for the following:

- A. Collection of the tax levied on fire insurance companies by Title 25, section 2399;
- B. Certification of distributors of internal combustion engine fuels in accordance with Title 10, section 1655; and
- C. Administration of the spruce budworm excise tax in accordance with Title 12, section 8427.

9. Services provided to another agency of State. The assessor may undertake, by arrangement with another agency of the State, to provide revenue collection services for that agency after consultation with the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Sec. 8. 36 MRSA §114, as enacted by PL 1995, c. 281, §3, is amended to read:

§114. Contract services provided by bureau

Notwithstanding any other provision of law, when the ~~Bureau of Taxation~~ bureau provides a service to any state or quasi-state agency, the bureau shall bill that entity at what it determines, in conjunction with the entity served, to be a reasonable rate. An account may be established by the bureau for receipt of these revenues. This account must be used to defray costs associated with the facilities and personnel necessary to provide the services. The bureau shall annually report to the joint standing committee of the Legislature having jurisdiction over taxation matters the extent of such services provided and the details of revenues and costs involved.

Sec. 9. 36 MRSA §171, as amended by PL 1995, c. 281, §6, is repealed and the following enacted in its place:

§171. Demand letter

1. Taxes imposed by this Title. If any tax imposed by this Title is not paid on or before its due date and no further administrative or judicial review of the assessment is available under section 151, the assessor, within 3 years after administrative and judicial review have been exhausted, may give the taxpayer notice of the amount to be paid, specifically designating the tax, interest and penalty due, and demand payment of that amount within 10 days of that taxpayer's receipt of notice. The notice must include a warning that, upon failure of that taxpayer to pay as demanded, the assessor may proceed to collect the amount due by any collection method authorized by this Title. If the taxpayer has filed a petition for relief under the United States Bankruptcy Code, the running of the 3-year period of limitation imposed by this section is stayed until the bankruptcy case is closed or a discharge is granted, whichever occurs first.

2. Other debts owed to State. In the case of a fee, fine, penalty or other obligation owed to the State on or after January 1, 1988 and authorized to be collected by the bureau, the assessor, within 3 years after administrative and judicial review provided by law have been exhausted, may give the taxpayer notice of the amount to be paid, including any interest and penalties provided by law, and demand payment of that amount within 10 days of that taxpayer's

receipt of notice. The notice must include a warning that, upon failure of that taxpayer to pay as demanded, the assessor may proceed to collect the amount due by any collection method authorized by section 175-A or 176-A.

Sec. 10. 36 MRSA §175-A, as amended by PL 1995, c. 281, §7, is further amended to read:

§175-A. Tax lien

1. Filing. If any tax imposed by this Title or imposed by any other provision of law and authorized to be collected by the bureau is not paid when due and no further administrative or judicial review of the assessment is available pursuant to the ~~Maine Administrative Procedure Act or section 151~~ law, the ~~State Tax Assessor~~ assessor may file in the registry of deeds of any county or in the office in which a financing statement with respect to tangible personal property is properly filed with Title 11, section 9-401, subsection (1), paragraph (b) a notice of lien specifying the amount of the tax, interest, penalty and costs due, the name and last known address of the person liable for the amount and, in the case of a tax imposed by this Title, the fact that the ~~State Tax Assessor~~ assessor has complied with all the provisions of this Title in the assessment of the tax. The lien arises at the time the assessment becomes final and constitutes a lien upon all property, whether real or personal, then owned or thereafter acquired by that person in the period before the expiration of the lien. The lien imposed by this section is not valid against any mortgagee, pledgee, purchaser, judgment creditor or holder of a properly recorded security interest until notice of the lien has been filed by the ~~State Tax Assessor~~ assessor, with respect to real property, in the registry of deeds of the county where such property is located and, with respect to personal property, in the office in which a financing statement for such personal property is normally filed. Notwithstanding ~~the above~~ this subsection, a tax lien upon personal property does not extend to those types of personal property not subject to perfection of a security interest by means of the filing under Title 11, sections 9-104, subsection (7); 9-104, subsection (12); 9-302, subsection (3); and 9-304. The lien is prior to any mortgage or security interest recorded, filed or otherwise perfected after the notice, other than a purchase money security interest perfected in accordance with Title 11, section 9-301, subsection (2) and Title 11, section 9-312, subsection (4). In the case of any mortgage or security interest properly recorded or filed prior to the notice of lien that secures future advances by the mortgagee or secured party, the lien is junior to all advances made within 45 days after filing of the notice of lien, or made without knowledge of the lien or pursuant to a commitment entered into without knowledge of the lien. Subject to the limitations in this section, the lien provided in this

section has the same force, effect and priority as a judgment lien and continues for 10 years from the date of recording unless sooner released or otherwise discharged. The lien may, within the 10-year period, or within 10 years from the date of the last extension of the lien in the manner provided in this subsection, be extended by filing for record in the appropriate office a copy of the notice and, from the time of filing, that lien must be extended for 10 years unless sooner released or otherwise discharged.

2. Release. The ~~State Tax Assessor~~ assessor shall issue to the taxpayer a certificate of release of the lien or release all or any portion of the property subject to any lien provided for in this Part or subordinate the lien to other liens if:

A. The ~~State Tax Assessor~~ assessor finds that the liability for the amount demanded, together with costs, has been satisfied or has become unenforceable by reason of lapse of time;

B. A bond is furnished to the ~~State Tax Assessor~~ assessor with surety approved by the ~~State Tax Assessor~~ assessor in a sum sufficient to equal the amount demanded, together with costs, and conditioned upon payment of any judgment rendered in proceedings regularly instituted by the ~~State Tax Assessor~~ assessor to enforce collection of the bond at law or of any amount agreed upon in writing by the ~~State Tax Assessor~~ assessor to constitute the full amount of the liability;

C. The ~~State Tax Assessor~~ assessor determines at any time that the interest of this State in the property has no value; or

D. The ~~State Tax Assessor~~ assessor determines that the taxes are sufficiently secured by a lien on other property of the taxpayer or that the release or subordination of the lien will not endanger or jeopardize the collection of the taxes.

3. Enforcement. The lien provided for by subsection 1 may be enforced at any time after the tax liability with respect to which the lien arose becomes collectible under section 173, subsection 1 by a civil action brought by the Attorney General in the name of the State in the Superior Court of the county in which the property is located to subject any property, of whatever nature, in which the taxpayer has any right, title or interest, to the payment of such tax or liability. The court shall, after the parties have been duly notified of the action, proceed to adjudicate all matters involved in the action and finally determine the merits of all claims to and liens upon the property, and, in all cases where a claim or interest of the State therein is established, may decree a sale of the property by the proper officer of the court and a distribution of the proceeds of such sale according to the findings of the court. If the property is sold to satisfy a lien held by

the State, the State may bid at the sale such sum, not exceeding the amount of that lien plus expenses of sale, as the ~~State Tax Assessor~~ assessor directs.

4. Recording fees part of tax liability. Fees paid by the ~~State Tax Assessor~~ assessor to registrars of deeds for recording notices of lien pursuant to subsection 1 and notices of release of a lien pursuant to subsection 2 may be added to the tax liability that gave rise to the lien and, in the case of a tax imposed by this Title, may be collected by all the methods provided for in chapter 7. In the case of other obligations owned to the State and authorized to be collected by the bureau, the fees may be collected by any collection method authorized by this section or section 176-A.

Sec. 11. 36 MRSA §176-A, sub-§1, ¶A, as enacted by PL 1989, c. 880, Pt. E, §3, is amended to read:

A. "Delinquent," when used to refer to a tax imposed by this Title, means a tax liability reported by a taxpayer or a tax assessed by the assessor that is not paid by its due date and to which no further administrative or judicial review is available pursuant to section 151. ~~The term "delinquent"~~ "Delinquent" may also refer to any other obligation owed to the State and authorized to be collected by the bureau or to a taxpayer liable for delinquent taxes.

Sec. 12. 36 MRSA §176-A, sub-§2, ¶A, as enacted by PL 1989, c. 880, Pt. E, §3, is amended to read:

A. Upon determining that any taxpayer is delinquent, the assessor may cause notice and a demand letter, complying in all respects with section 171, to be served on the taxpayer. The demand letter must expressly warn the taxpayer that, ~~pursuant to section 151~~, no further administrative or judicial review of the tax delinquency is available pursuant to section 151 or any other provision of law and that the assessor may levy upon the taxpayer's property in accordance with the provisions of this section unless full payment of the delinquent amount is received within 10 days after the taxpayer receives the demand letter.

The notice must set forth the procedures applicable to the levy and sale of property under this section, the administrative appeals available to the taxpayer with respect to the levy and sale and the procedures relating to appeals, the alternatives available to taxpayers that could prevent levy on the property under this Title, including installment agreements, the provisions of this Title relating to redemption of property and release of liens on property and the procedures applica-

ble to the redemption of the property and the release of the lien on property under this Title.

Sec. 13. 36 MRSA §176-A, sub-§16, as amended by PL 1995, c. 639, §3, is further amended to read:

16. Time for collection of taxes. Taxes imposed by this Title must be collected by levy within 10 years after the assessment of the tax becomes final or before the expiration of the period of collection agreed upon in writing by the assessor and the taxpayer. Other obligations owed to the State and authorized to be collected by the bureau must be collected by levy within 10 years from the time the obligation arises. The period agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. A levy action ordered by the assessor before the expiration of the 10-year period continues beyond the expiration of the 10-year period for a period of 6 months from the date the levy is first made or until the liability out of which the levy arose is satisfied or becomes unenforceable, whichever occurs first. The running of the 10-year period is stayed during the time that a consensual payment plan between the taxpayer and the assessor is in effect. When a taxpayer files for protection under the United States Bankruptcy Code, the assessor's right to collect the tax due by levy continues until 6 years after the date of discharge or dismissal of the bankruptcy proceeding or until 10 years after the assessment of the tax becomes final, whichever occurs later.

Sec. 14. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "Bureau of Taxation" appear or reference is made to those words, they are amended to read and mean "Bureau of Revenue Services," and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 15. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Bureau of Revenue Services - Interdepartmental Services		
All Other	\$500	\$500
Provides initial allocations to authorize expenditures of the amounts deducted from		

revenue collected by the Bureau of Revenue Services for other state departments and agencies.

See title page for effective date.

CHAPTER 527

H.P. 1314 - L.D. 1865

An Act to Implement the Recommendation of the Harness Racing Task Force Requiring an Executive Director of the State Harness Racing Commission

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

Whereas, the Harness Racing Task Force, established by Executive Order No. 6 95/96, has recommended that the position of full-time chair of the State Harness Racing Commission be replaced with an executive director position; and

Whereas, the position of full-time chair has been vacant since July 1995; and

Whereas, the Harness Racing Task Force has determined that the leadership needs of the State Harness Racing Commission must be met immediately in order for issues confronting the harness racing industry to be addressed effectively; 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. 8 MRSA §261-A, sub-§6, as amended by PL 1991, c. 780, Pt. RR, §2, is further amended to read:

6. Chair. The Governor shall appoint one of the 5 commission members who has no industry affiliation as chair. ~~Beginning July 1, 1992, this position is a full-time, unclassified position and is entitled to an annual salary as determined by the Governor within salary range 28.~~ The chair serves at the pleasure of the Governor.

Sec. 2. 8 MRSA §263-A is enacted to read:

§263-A. Executive director