

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

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

The chief operating officer of the State Harness Racing Commission is the executive director.

1. Position. The executive director is an unclassified position within the department.

2. Appointment. The executive director is appointed by the commissioner in consultation with the commission. The executive director serves at the pleasure of the commissioner.

3. Qualifications. The executive director must have knowledge of harness racing and a proven record of leadership.

4. Duties. The executive director has the following duties:

A. Management of the work of the commission, including:

- (1) Rulemaking;
- (2) Processing appeals;
- (3) Licensing of tracks and off-track betting facilities; and
- (4) Setting race dates; and

B. Management of the work of the department regarding harness racing and off-track betting, including:

- (1) Supervision of all staff involved in harness racing and off-track betting functions;
- (2) Management of the collection and distribution of revenues under this chapter;
- (3) Budget development and management;
- (4) Policy development with regard to harness racing and off-track betting;
- (5) Management of participant licensing;
- (6) Enforcement of harness racing and off-track betting statutes and rules;
- (7) Investigation of harness racing and off-track betting violations;
- (8) Facilitating the development of positive working relationships in the harness racing industry and State Government; and
- (9) Making reports to the Governor and Legislature and recommendations to the commissioner regarding harness racing and off-track betting operations and the need for changes in statutes and rules.

Sec. 3. 8 MRSA §265, as amended by PL 1991, c. 579, §7, is further amended to read:

§265. Compensation

~~Except as provided for the chair in section 261-A, subsection 5, members~~ Members of the commission are entitled to be compensated as provided in Title 5, chapter 379.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1997-98	1998-99
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
State Harness Racing Commission		
Personal Services	\$27,466	\$26,475
Appropriates funds for the net costs of replacing the full-time chair of the commission with an executive director position.		

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

Effective June 12, 1997.

CHAPTER 528

H.P. 1318 - L.D. 1868

An Act to Implement the Recommendations of the Harness Racing Task Force

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

Sec. 1. 5 MRSA §12004-G, sub-§3-B, as enacted by PL 1993, c. 388, §1, is repealed.

Sec. 2. 7 MRSA §62, first ¶, as amended by PL 1993, c. 388, §2, is further amended to read:

There must be appropriated annually from the State Treasury a sum of money equal to 5% of the amount contributed under Title 8, section ~~275-H~~ 287, and additional sums of money as provided and limited by Title 8, section ~~275-F~~ 286, which is known as the state stipend for aid and encouragement to agricultural