

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

Whereas, this legislation clarifies that these agreements are permissible under Maine law; 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. 9-B MRSA §243-A, sub-§3, as corrected by RR 1997, c. 2, §36, is amended to read:

3. Agreement to share electronic terminals. An agreement to share electronic terminals may not prohibit, limit or restrict the right of a financial institution authorized to do business in this State to charge a customer any fees allowed by state or federal law, or require a financial institution to limit or waive its rights or obligations under this section.—~~This subsection applies to all agreements to share use of electronic terminals in existence on or entered into after June 30, 1992, except that a financial institution or credit union authorized to do business in this State may mutually agree with one or more other financial institutions or credit unions not to charge foreign transaction fees, as that term is defined in subsection 1, to the customers or members of those financial institutions or credit unions that are parties to the agreement.~~

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

Effective March 22, 1999.

CHAPTER 26

S.P. 284 - L.D. 802

An Act to Make Technical Changes in the Marine Resources Laws

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

Sec. 1. 12 MRSA §6431-E, sub-§1, ¶A, as enacted by PL 1997, c. 693, §1 and affected by §3, is amended to read:

A. "Family member" means a spouse, brother, sister, son-in-law, daughter-in-law, parent by blood, parent by adoption, mother-in-law, father-in-law, child by blood, child by adoption, step-child, stepparent, grandchild or grandparent.

Sec. 2. 12 MRSA §6749-W, sub-§§4 and 5, as enacted by PL 1997, c. 177, §6, are repealed.

Sec. 3. 12 MRSA §6749-Z, sub-§§4 and 5 are enacted to read:

4. Limitation on approving zone changes. The commissioner may not authorize a zone change between August 1st and December 31st.

5. Effective date of zone change. The effective date of a zone change authorized by the commissioner is August 1st.

Sec. 4. 12 MRSA §6858, sub-§5-C is enacted to read:

5-C. Exception for certain lobster meat. This section does not apply to lobster meat processed under a lobster tail permit issued under section 6862.

See title page for effective date.

CHAPTER 27

H.P. 12 - L.D. 22

An Act to Designate Wintergreen as the State Herb

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

Sec. 1. 1 MRSA §221 is enacted to read:

§221. State herb

The herb wintergreen (gaultheria procumbens) is the official state herb.

See title page for effective date.

CHAPTER 28

H.P. 128 - L.D. 159

An Act to Allow the Bureau of Labor Standards to Better Secure Payment of Unpaid Wages and Severance Pay for Workers

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

Sec. 1. 26 MRSA §52 is enacted to read:

§52. Liens

1. Form; effect. Upon the failure of an employer to pay the amount assessed for unpaid wages or