

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

the wages to which they are entitled. The county commissioners shall certify the names of the clerks to the county treasurer. The county commissioners may provide for a county pay scale, vacations and sick leave for clerical help.

**Sec. 3. 30-A MRSA §704, sub-§2**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

**2. Procedure if federal funds could not be anticipated.** If federal funds become available to the county for expenditure by the county ~~while the Legislature is not in session~~, and if the availability of those funds could not reasonably have been anticipated and included in the estimate adopted ~~by the Legislature~~ for the fiscal year in question, the county may accept and spend these funds in compliance with federal and state law. Upon application for those funds and upon receipt of those funds, the ~~chairman~~ chair of the county commissioners shall submit to the clerk of each municipality in the county ~~and to each member of the county legislative delegation~~ a statement:

A. Describing the proposed federal expenditure in the same manner as it would be described in the estimate; and

B. Containing a statement as to why the availability of these federal funds and the necessity of their expenditure could not have been anticipated in time for that expenditure to be adopted as part of the estimates for that particular fiscal year.

**Sec. 4. 30-A MRSA §932, sub-§1**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106; and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

**1. Taxes.** The county commissioners of all counties may borrow in anticipation of taxes. If the county budget has not yet been approved ~~by the Legislature~~, the county commissioners of each county may borrow an amount not exceeding 80% of the previous year's budget, except as otherwise provided.

See title page for effective date.

## CHAPTER 80

H.P. 273 - L.D. 360

### An Act To Allow Retired Firefighters To Retain Their Firefighter License Plates

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

**Sec. 1. 29-A MRSA §519**, as amended by PL 1999, c. 470, §5, is further amended to read:

### §519. Registration plates for firefighters

#### 1. Authority to issue special registration plate.

Upon application by an active firefighter whose status is certified by the fire chief, assistant fire chief or acting fire chief appointed or elected pursuant to Title 30-A, section 3153, the Secretary of State shall issue a special firefighter registration plate.

**2. Registration plate design.** The Secretary of State may design a numerical registration plate.

**3. Use of registration plate.** The registration plate may be used ~~only~~ only on one motor vehicle with a registered gross weight of not more than 9,000 pounds.

**4. Fee for registration plate.** An additional one-time fee of \$5 is charged for a set of firefighter registration plates.

**5. Recall of registration plate.** ~~If~~ Except as provided in subsection 6, when a firefighter ceases to be an active firefighter, the fire chief shall notify the Secretary of State and the Secretary of State shall recall the registration plate.

**6. Retired firefighter; retention of registration plate.** Upon approval by the fire chief, assistant fire chief or acting fire chief, a retired firefighter may continue to use the registration plates issued under this section. Upon the death of the firefighter, the family of the firefighter may retain the registration plates but may not use them on a vehicle.

**7. Firefighter vanity plates.** Effective March 1, 2006 the Secretary of State shall issue firefighter registration plates that are also vanity plates. Firefighter registration vanity plates are issued in accordance with section 453. Firefighter registration vanity plates may not duplicate vanity registration plates in any other class of plate.

See title page for effective date.

## CHAPTER 81

H.P. 46 - L.D. 50

### An Act To Ban Remote-control Hunting

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

**Sec. 1. 7 MRSA §1344**, as enacted by PL 1999, c. 765, §3, is amended to read:

**§1344. Violation; penalties**

**1. Operating commercial large game shooting area without license.** A person who operates a commercial large game shooting area without a license issued under section 1342 is guilty of a Class E crime.

**1-A. Remote-control hunting.** A person who owns or operates a commercial large game shooting area that uses remote-control hunting in violation of section 1347 commits a Class E crime.

**2. Civil violations.** Except for operating a commercial large game shooting area without a license or using remote-control hunting as provided in subsections 1 and 1-A, a person who violates any provision of this chapter or any rule adopted pursuant to this chapter commits a civil violation for which a forfeiture not to exceed \$500 for a first violation and not to exceed \$1,000 for a 2nd violation may be adjudged.

**3. Revocation of license.** The commissioner may revoke a license issued under section 1342 for any violation of this chapter or rule adopted pursuant to this chapter or any violation of chapter 739 or Title 17, chapter 42, subchapter ~~III~~ 3.

**Sec. 2. 7 MRSA §1347** is enacted to read:

**§1347. Remote-control hunting**

An owner or operator of a commercial large game shooting area may not use a website or a service or business via any other means that permits a person to shoot or attempt to shoot any large game that is located in this State through the use of a computer-controlled gun, shooting apparatus or any other remote-control device when the person using the website, service or business is physically removed from the immediate vicinity of the large game animal.

**Sec. 3. 12 MRSA §12103** is enacted to read:

**§12103. Remote-control hunting**

An owner or operator of a commercial shooting area may not use a website or a service or business via any other means that permits a person to hunt or attempt to hunt a wild animal or wild bird that is located in this State through the use of a computer-controlled gun, shooting apparatus or any other remote-control device when the person using the website, service or business is physically removed from the immediate vicinity of the wild animal or wild bird.

A person who violates this section commits a Class E crime.

See title page for effective date.

**CHAPTER 82**

**S.P. 196 - L.D. 587**

**An Act To Make Changes to the Banking Laws**

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

**Sec. 1. 9-B MRSA §131, sub-§32**, as repealed and replaced by PL 1975, c. 666, §4, is amended to read:

**32. Savings account.** "Savings account" or "savings deposit" means a deposit or account in a financial institution in which the depositor is not required by the deposit contract, but may at any time be required by the financial institution, to give notice in writing of an intended withdrawal not less than ~~30~~ 7 days before such withdrawal is made and ~~which that~~ is not payable on a specified date or at the expiration of a specified time after the date of deposit.

**Sec. 2. 9-B MRSA §131, sub-§37**, as amended by PL 1997, c. 398, Pt. A, §26, is further amended to read:

**37. Service corporation.** "Service corporation" means a corporation, limited liability company or limited partnership substantially all the activities of which consist of originating, purchasing, selling and servicing loans and participation interests therein; or clerical, bookkeeping, accounting and statistical or similar functions related to a financial institution or real estate activities; or management, personnel, marketing or investment counseling related to a financial institution or real estate activities; or establishing or operating one or more satellite facilities; or any activity authorized by the superintendent by rule or order that has been authorized under federal law for service corporations owned or controlled by national banks, federally chartered savings and loan associations, federally chartered savings banks or federally chartered credit unions. The purpose of authorizing any such activity is to maintain competitive equality between federally chartered and state-chartered institutions.

**Sec. 3. 9-B MRSA §231, sub-§1, ¶B**, as repealed and replaced by PL 1995, c. 628, §16, is amended to read:

B. The superintendent may restrict the withdrawal of funds from one or more financial institutions in an order issued under paragraph A if, in the opinion of the superintendent, extraordinary circumstances make such action necessary and appropriate for the protection of depositors, ~~shareholders~~ investors or the public.