

MAINE STATE LEGISLATURE

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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

of a variance. This delegation of authority does not authorize the reduction of dimensional standards required under the mandatory shoreland zoning laws, Title 38, chapter 3, subchapter 1, article 2-B.

See title page for effective date.

CHAPTER 245

H.P. 448 - L.D. 615

An Act Regarding New Motor Vehicle Emission Standards

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

Sec. 1. 38 MRSA §585-D, as amended by PL 1999, c. 582, §1, is further amended to read:

§585-D. New motor vehicle emission standards

Subject to the provisions of this section, the ~~Board~~ board may adopt and enforce standards that meet the requirements of the federal Clean Air Act, Section 177, 42 United States Code, Section 7507 relating to control of emissions from new motor vehicles or new motor vehicle engines. These standards, known as a "low-emission vehicle program," must be designed to prevent air pollution and achieve and maintain ambient air quality standards within the State.

The department may not implement the low-emission vehicle program if the implementation of that program includes the adoption, sale, or use of the reformulated gasoline approved for sale and use in California.

~~By December 1, 2000, the board shall evaluate the feasibility of the State's zero emission vehicle mandate in existence on March 1, 2000. This evaluation must include an examination of zero emission vehicle technology, price, performance and consumer acceptability and implementation issues relating to use of those vehicles in the State. Following this evaluation, any rule adopted by the board containing a zero emission vehicle mandate is a major substantive rule pursuant to Title 5, chapter 375, subchapter II-A.~~

The department shall annually evaluate whether the State should continue to implement and enforce California low-emission vehicle standards relating to the control of emissions from new motor vehicles or new motor vehicle engines. The evaluation must include a review of the benefits and costs of enforcing the California standards and the benefits and costs of adopting the federal standards. The department shall report on its evaluation to the joint standing committee

of the Legislature having jurisdiction over natural resources matters by January 15, 2007 and by January 15th every year thereafter. The joint standing committee of the Legislature having jurisdiction over natural resources matters may report out legislation related to the department's evaluation to the Legislature.

See title page for effective date.

CHAPTER 246

H.P. 745 - L.D. 1092

An Act To Increase County Filing Fees

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

Sec. 1. 33 MRSA §751, sub-§1, as amended by PL 2003, c. 55, §8, is further amended to read:

1. Instruments generally. Receiving, recording and indexing any instrument that may be recorded and for which a specific fee is not set forth in this section or in any other section, the sum of ~~\$8~~ \$13 for the first record page and \$2 for each additional record page or portion of an additional record page. In addition, if more than 4 names are to be indexed, a fee of \$1 must be paid for each additional name, counting all grantors and grantees;

Sec. 2. 33 MRSA §751, sub-§9, as repealed and replaced by PL 1981, c. 279, §28, is amended to read:

9. Plans. Recording, indexing and preserving plans, the sum of ~~\$40~~ \$15;

Sec. 3. 33 MRSA §751, sub-§13-A, as enacted by PL 2003, c. 55, §9, is amended to read:

13-A. Previously recorded instrument. An instrument satisfying, releasing, discharging, assigning, subordinating, continuing, amending or extending an instrument previously recorded in the county in which recording is requested, must make reference to only one previously recorded instrument, or a fee of ~~\$8~~ \$13 for each additional previously recorded instrument referred to must be paid.

See title page for effective date.