

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

municipality or plantation in connection with its approval of the district, tax increment revenues on all captured assessed value may not be taken into account for purposes of calculating any limitation on the municipality's or plantation's annual expenditures or appropriations, and the payment of tax increment revenues on captured assessed value is not subject to any limitation or restriction on the municipality's or plantation's authority or power to enter into contracts with respect to making payments for a term equal to the term of the district.

Sec. 28. 30-A MRSA §7051, sub-§9-A is enacted to read:

9-A. Development districts for municipalities and plantations. Chapter 206, subchapter 1;

Sec. 29. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 30-A, chapter 206, subchapter 1, in the subchapter headnote, the words "municipal development districts" are amended to read "development districts for municipalities and plantations" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 102

H.P. 416 - L.D. 533

An Act To Clarify the Use of Tax Increment Financing Funds for Recreational Development

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

Sec. 1. 30-A MRSA §5225, sub-§1, ¶C, as amended by PL 2009, c. 314, §11, is further amended to read:

C. Costs related to economic development, environmental improvements, recreational trails or employment training within the municipality, including, but not limited to:

- (1) Costs of funding economic development programs or events developed by the municipality or funding the marketing of the municipality as a business or arts location;
- (2) Costs of funding environmental improvement projects developed by the municipality for commercial or arts district use or related to such activities;
- (3) Funding to establish permanent economic development revolving loan funds or investment funds;

(4) Costs of services to provide skills development and training for residents of the municipality. These costs may not exceed 20% of the total project costs and must be designated as training funds in the development program;

(5) Quality child care costs, including finance costs and construction, staffing, training, certification and accreditation costs related to child care;

(6) Costs ~~relating to planning, design, construction, maintenance, grooming and improvements to~~ associated with new or existing recreational trails determined by the department to have significant potential to promote economic development, including, but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails, which may include bridges that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses; and

(7) Costs associated with a new or expanded transit service, limited to:

(a) Transit service capital costs, including but not limited to: transit vehicles such as buses, ferries, vans, rail conveyances and related equipment; bus shelters and other transit-related structures; and benches, signs and other transit-related infrastructure; and

(b) In the case of transit-oriented development districts, ongoing costs of adding to an existing transit system or creating a new transit service and limited strictly to transit operator salaries, transit vehicle fuel and transit vehicle parts replacements; and

See title page for effective date.

CHAPTER 103

H.P. 411 - L.D. 528

An Act To Change the Frequency of Alcoholic Beverage Tastings Allowed in a 12-month Period

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

Sec. 1. 28-A MRSA §460, sub-§2, ¶J, as amended by PL 2009, c. 510, §1, is further amended to read:

J. The agency liquor store may conduct up to 3 tastings per month ~~but no more than 24 taste testing events per year~~, including tastings conducted under sections 1205 and 1207.

Sec. 2. 28-A MRSA §1205, sub-§2, ¶H, as amended by PL 2009, c. 510, §4, is further amended to read:

H. The retail licensee may conduct up to 3 tastings per month ~~but no more than 24 taste testing events per year~~, including tastings conducted under sections 460 and 1207;

Sec. 3. 28-A MRSA §1207, sub-§2, ¶H, as amended by PL 2009, c. 510, §9, is further amended to read:

H. The retail licensee may conduct up to 3 tastings per month ~~but no more than 24 taste testing events per year~~, including tastings under section 460 or 1205.

See title page for effective date.

CHAPTER 104

H.P. 241 - L.D. 297

An Act To Allow Treasurers To Process Tax Lien Discharge and Sanitary District Sewer Lien Documents Using Facsimile Signatures

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

Sec. 1. 36 MRSA §943, 3rd ¶ is amended to read:

In the event that ~~said~~ the tax, interest and costs shall be underlying the tax lien are paid within the period of redemption, the municipal treasurer or assignee of record shall prepare and record a discharge of the tax lien mortgage in the same manner as is now provided for the discharge of real estate mortgages, except that a facsimile signature of the treasurer or treasurer's assignee may be used.

Sec. 2. 36 MRSA §944, sub-§2, as amended by PL 1987, c. 736, §57, is further amended to read:

2. Form. The waiver of foreclosure ~~shall~~ must be substantially in the following form:

The foreclosure of the tax lien mortgage on real estate for a tax assessed against to dated (name) (name of municipality) and recorded in registry of deeds in Book, Page is hereby waived.

Dated this date of ~~49~~ 20..

..... A.B.
Treasurer of

State of Maine

..... ss. ~~49~~ 20...

Then personally appeared the above named A.B. Treasurer and acknowledged the foregoing instrument to be ~~his~~ a free act and deed in ~~his~~ the Treasurer's said capacity.

Before me,
.....
Notary Public

The form required by this subsection must be dated, signed by the treasurer or bear the treasurer's facsimile signature and notarized.

~~There shall be included in the amount secured by the tax lien mortgage a~~ A charge to the municipality of 50¢ for the waiver of foreclosure and the charges of the registry of deeds for the recording ~~thereof which shall be of the waiver~~ in accordance with the fees set forth in Title 33, section 751, subsection ~~40~~ 1 must be included in the amount secured by the tax lien mortgage.

Sec. 3. 38 MRSA §1208, 2nd ¶, as amended by PL 2001, c. 319, §1, is further amended to read:

The treasurer of the district has full and complete authority and power to collect the rates, tolls, rents and other charges established under section 1202 and the ~~same~~ rate, toll, rent or other charge must be committed to the treasurer. The treasurer may, after demand for payment, sue in the name of the district in a civil action for any rate, toll, rent or other charge remaining unpaid in any court of competent jurisdiction. In addition to other methods established by law for the collection of rates, tolls, rents and other charges, and without waiver of the right to sue for the ~~same~~ rate, toll, rent or other charge, the lien created may be enforced in the following manner. The treasurer, when a rate, toll, rent or other charge has been committed to the treasurer for collection, may, after the expiration of 3 months and within one year after the date when the ~~same~~ rate, toll, rent or other charge became due and payable, give to the owner of the real estate served, or