

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

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

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

leave at the owner's last and usual place of abode, or send by certified mail, return receipt requested, to the owner's last known address, a notice in writing signed by the treasurer or bearing the treasurer's facsimile signature, stating the amount of that rate, toll, rent or other charge, describing the real estate upon which the lien is claimed and stating that a lien is claimed on the real estate to secure the payment of the rate, toll, rent or other charge and demanding the payment of the rate, toll, rent or other charge within 30 days after service or mailing, with \$1 for the treasurer for mailing the notice together with the certified mail, return receipt requested, fee. The notice must contain a statement that the district is willing to arrange installment payments of the outstanding debt. For the purpose of this section, a mobile home is defined as real estate. After the expiration of a period of 30 days and within one year thereafter, the treasurer shall record in the registry of deeds of the county in which the property of such person is located a certificate signed by the treasurer or bearing the treasurer's facsimile signature setting forth the amount of such rate, toll, rent or other charge, describing the real estate on which the lien is claimed, and stating that a lien is claimed on the real estate to secure payment of the rate, toll, rent or other charge and that a notice and demand for payment of the same rate, toll, rent or other charge has been given or made in accordance with this section and stating further that such rate, toll, rent or other charge remains unpaid. At the time of the recording of any such certificate in the registry of deeds as provided, the treasurer shall file in the office of the district a true copy of such certificate and shall mail a true copy of the certificate by certified mail, return receipt requested, to each record holder of any mortgage on the real estate, addressed to such record holder at the record holder's last and usual place of abode.

Sec. 4. 38 MRSA §1208, 3rd ¶, as amended by PL 1979, c. 541, Pt. A, §276, is further amended to read:

The filing of the certificate in the registry of deeds ~~shall be deemed to create, and shall create, creates a mortgage on the underlying real estate therein described to the district which shall have that has priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for taxes, and shall give gives to the district all the rights usually possessed by mortgagees, except that the district as mortgagee shall does not have any right to possession of said the real estate until the right of redemption provided for shall have has expired. If the mortgage, together with interest and costs, shall has not have been paid within 18 months after the date of filing of said the certificate in the registry of deeds as provided, the mortgage shall be is deemed to have been be foreclosed and the right of redemption to have expired. The filing of the certificate in the registry of deeds shall be is sufficient notice of the existence of~~

~~the mortgage provided for created in this paragraph. In the event that said If the rate, toll, rent or other charge, with interest and costs, shall be is paid within the period of redemption provided for, the treasurer of the district shall discharge the mortgage in the same manner as provided for the discharge of real estate tax lien mortgages pursuant to Title 36, section 943.~~

See title page for effective date.

CHAPTER 105

H.P. 267 - L.D. 334

An Act To Promote Further Stability within the Workers' Compensation System by Extending the Number of Terms That May Be Served on the Maine Employers' Mutual Insurance Company Board of Directors

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation extends the number of terms that may be served on the Maine Employers' Mutual Insurance Company from 3 terms to 4 terms; and

Whereas, immediate enactment of this legislation is necessary to authorize current board members whose terms are expiring to be appointed to additional terms; 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. 24-A MRSA §3703, sub-§6, as amended by PL 1999, c. 120, §1, is further amended to read:

6. Terms. A full term on the board of directors is 3 years. An individual may not serve more than ~~3~~ 4 consecutive full terms as a director, except for the president and chief executive officer. All members shall serve for the terms provided and until their successors are appointed or elected and qualified.