

MAINE STATE LEGISLATURE

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(Emergency)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1639

S. P. 581

In Senate, May 29, 1979

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Make Additional Corrections of Errors and Inconsistencies in the Laws
of Maine.**

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

Whereas, Acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies cause difficulty and confusion in determining what is intended under the law; and

Whereas, it is vitally necessary that this difficulty and confusion be resolved in order to prevent any injustice or hardship on the citizens of Maine; 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. 1 MRSA § 151, last ¶ is amended to read:

At 2 o'clock ~~ante meridian~~ **antemeridian** of the last Sunday in April of each year, the standard time in this State shall be advanced one hour, and at 2 o'clock ~~ante~~

2. **Posting surety bonds.** The applicant has posted with the licensing authority a surety bond in an amount sufficient to:

A. Protect the public from claims, demands and actions arising out of improper construction or maintenance of the line and unsafe conditions thereon; and

B. Insure that the owner of the line, and his successors and assigns, will continue to properly maintain and repair the line and protect the public from harm.

3. **Duplication.** The Maine Public Utilities Commission has found that the line will not constitute a duplication of electric facilities.

This section shall not apply to state and state aid highways maintained by the State.

Sec. 249. 36 MRSA § 505, sub-§ 4, first sentence, as repealed and replaced by PL 1971, c. 367, is amended to read:

The date from and after which interest shall be collected accrue, which shall also be the date on which taxes shall become delinquent.

Sec. 250. 36 MRSA § 582, sub-§ 1, first sentence, as repealed by PL 1977, c. 694, § 686 and as amended by PL 1977, c. 720, § 4, is repealed.

Sec. 251. 36 MRSA § 1752, sub-§ 9-B, 3rd ¶, first sentence, as enacted by PL 1977, c. 477, § 8, is amended to read:

Production does not include biological processes, wood harvesting operations, the severance from of sand, gravel, oil, gas or other natural resources produced or severed from the soil or water, or activities such as cooking or preparing drinks, meals, food or food products by a retailer for retail sale.

Sec. 252. 36 MRSA § 1761, first sentence, is amended to read:

It shall be unlawful for any retailer to advertise or hold out or state to the public or to any consumer, directly or indirectly, that the tax or any part thereof imposed by chapters 211 to 225 will be assumed or absorbed by the retailer, or that it will not be added to or included in the selling price of the property sold, or if added or included that it or any part thereof will be refunded.

Sec. 253. 36 MRSA § 1765, as repealed and replaced by PL 1977, c. 686, § 4, is amended to read:

§ 1765. Trade-in credit for vehicles, boats or aircraft

When one or more motor vehicles, farm tractors, boats, aircraft or self-propelled vehicles used to harvest lumber is are traded in toward the sale price of another motor vehicle, farm tractor, boat, aircraft or self-propelled vehicle used to harvest lumber, the tax imposed by chapters 211 to 225 shall be levied only upon the difference between the sale price of the purchased vehicle and the sale price of

circumstances; and rights under the Act may **not** be protected unless a petition of award or approved agreement is on file with the commission within 2 years of the injury.

Sec. 327. P&SL 1941, c. 69, § 4, (a), (3), as amended by PL 1977, c. 694, § 761, is further amended to read:

(3) to adopt from time to time and amend by-laws covering its procedure, rules and regulations governing use of the turnpike and any of the other services made available in connection with said turnpike in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter 4 II;

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

STATEMENT OF FACT

Sec. 1.	Corrects spelling.
Sec. 2.	Corrects spelling.
Sec. 3.	Corrects spelling.
Sec. 4.	Corrects internal reference.
Sec. 5.	Corrects internal reference.
Sec. 6.	Corrects chapter title (name change)
Sec. 7.	Corrects reference to an official's title.
Sec. 8.	Corrects spelling.
Sec. 9.	Corrects reference to an official's title.
Sec. 10.	Corrects spelling.
Sec. 11.	Corrects title.
Sec. 12.	Corrects wording of subsection in reference to first paragraph of section.
Sec. 13.	Corrects grammar.
Sec. 14.	Corrects fee.
Sec. 15.	Corrects reference.
Sec. 16.	Deletes unnecessary wording.
Sec. 17.	Deletes unnecessary wording.
Sec. 18.	Deletes unnecessary wording.

- Sec. 230. Word changed to conform to style of Revised Statutes.
- Sec. 231. Word changed to conform to style of Revised Statutes.
- Sec. 232. Unnecessary words deleted.
- Sec. 233. Corrects reference to conform to style of Revised Statutes.
- Sec. 234. Language added to conform to style of Revised Statutes.
- Sec. 235. Reference changed to conform to style of Revised Statutes.
- Sec. 236. Reinstates section which was deleted in error.
- Sec. 237. Corrects agency title.
- Sec. 238. Language added for clarification.
- Sec. 239. Repeals obsolete subsection. Nonprofit organizations no longer filed with register of deeds.
- Sec. 240. Name changed to conform to present law.
- Sec. 241. Name change.
- Sec. 242. Deletes unnecessary language.
- Sec. 243. Language added to conform to style of Revised Statutes for definitions.
- Sec. 244. Form changed to conform to style of Revised Statutes.
- Sec. 245. Deletes unnecessary word.
- Sec. 246. Corrects internal reference.
- Sec. 247. Corrects internal reference.
- Sec. 248. Paragraph of section follows subsection 2 but should come at end of section.
- Sec. 249. Adds language to clarify the subsection.
- Sec. 250. Repeals sentence to eliminate conflict.
- Sec. 251. Corrects grammar.