

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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OF THE
STATE OF MAINE
AS PASSED BY THE
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In instances in which the residential facility is utilized for purposes other than those for which payment is provided in the first paragraph of this section; including but not limited to, the provision of residential services for mentally retarded persons during the summer months and the provision of residential services in connection with vocational rehabilitation programs for mentally retarded persons, the residential facility may charge the mentally retarded person or his parent or guardian for costs of residential services furnished, in accordance with rates fixed by the Director of the Bureau of Mental Retardation; the residential facility may receive payment of such costs in accordance with such rates from any public or private agency providing financial assistance to, or on behalf of, the mentally retarded person.

All amounts received by the residential facility under this section shall be paid to the General Fund.

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

Effective June 28, 1971

Chapter 535

AN ACT to Provide Certain State Level Land Use Controls.

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

R. S., T. 12, Part 7, additional. Title 12 of the Revised Statutes is amended by adding a new Part 7, to read as follows:

PART 7

STATE LEVEL LAND USE CONTROLS

CHAPTER 424

MANDATORY ZONING AND SUBDIVISION CONTROL

§ 4811. Shoreland areas

To aid in the fulfillment of the state's role as trustee of its navigable waters and to promote public health, safety and the general welfare, it is declared to be in the public interest that shoreland areas defined as those land areas any part of which are within 250 feet of the normal high water mark of any navigable pond, lake, river or salt water body be subjected to zoning and subdivision controls. The purposes of such controls shall be to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish, aquatic life, bird and other wildlife habitat; control building sites, placement of structures and land uses; and conserve shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty.

§ 4812. Municipal control

Municipal units of government pursuant to presently existing enabling legislation are authorized to plan, zone and control the subdivision of land. With respect to the shoreland areas defined in section 4811, municipalities shall be given until June 30, 1973 to adopt zoning and subdivision control ordinances.

§ 4813. Municipal failure to accomplish purposes

If any municipality fails to adopt zoning and subdivision control ordinances for shoreland areas as defined in section 4811 by June 30, 1973 or if the Environmental Improvement Commission and the Maine Land Use Regulation Commission determine that particular municipal ordinances because of their laxity and permissiveness fail to accomplish the purposes outlined in section 4811, the Environmental Improvement Commission and the Maine Land Use Regulation Commission shall, following consultation with the State Planning Office, with respect to these shoreland areas, adopt suitable ordinances for these municipalities, which ordinances the respective municipalities shall then administer and enforce.

§ 4814. Cooperation

The Environmental Improvement Commission, the Maine Land Use Regulation Commission, municipalities and all state agencies shall mutually cooperate to accomplish the objectives of this chapter. To that end, these commissions shall consult with the governing bodies of municipalities and to whatever extent necessary with other state agencies to secure voluntary uniformity of regulations, so far as practicable, and shall extend all possible assistance therefor.

Effective September 23, 1971

Chapter 536

AN ACT to Create the Maine Historic Preservation Commission.

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

Sec. 1. R. S., T. 27, c. 17, additional. Title 27 of the Revised Statutes is amended by adding a new chapter 17 to read as follows:

CHAPTER 17

MAINE HISTORIC PRESERVATION COMMISSION

§ 501. Declaration of policy

The Legislature declares it is the policy of the State that in order to preserve the architectural, historic and environmental heritage of the people of the State, and to develop and promote the cultural, educational and economic