

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
January 2, 1980 to April 3, 1980

CHAPTER 598

H. P. 1669 — L. D. 1786

AN ACT to Amend the Capitol Planning Commission Law.

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

Sec. 1. 5 MRSA § 298, last 3 ¶¶, as amended, are repealed and the following enacted in their place:

The Director of Public Improvements shall serve as the secretariat of the commission in exercising its administration. The commission may, in accordance with the Maine Administrative Procedure Act, chapter 375, make and enforce such rules and regulations as it deems necessary for the purposes of carrying out this chapter. These rules shall have the full force and effect of law.

Among these rules and regulations, the commission shall adopt and promulgate regulations governing the height, setback, location of driveways, exterior design and materials, landscaping, location of parking and parking ratio of parking area to building area of all buildings erected or reconstructed within the Capitol Area of the City of Augusta, provided that the regulations shall not apply to the erection, reconstruction or repair of buildings which are used for residential purposes and do not exceed 8 dwelling units.

Sec. 2. 5 MRSA § 305, first sentence, as amended by PL 1975, c. 647, § 5-A, is further amended to read:

The commission shall report biennially to the **Legislature Joint Standing Committee of the Legislature which is assigned jurisdiction over the subject of State Government** facts and recommendations relating to the work and needs of the commission.

Effective July 3, 1980

CHAPTER 599

H. P. 1684 — L. D. 1793

AN ACT to Eliminate Restrictions on Grants Made by the Bureau of Mental Retardation.

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

Whereas, the Bureau of Mental Retardation is bound by a federal court order, resulting from the Pineland Center right to treatment class action suit, to develop community based services and programs for members of that class of plaintiffs; and

Whereas, new service and program development often necessitates financial participation by the Bureau of Mental Retardation up to 100% of total costs of the services and programs; and

Whereas, current statutes prohibit the Bureau of Mental Retardation from participating financially in any more than 50% of the operating costs of community programs and services when grants are made from the General Fund; 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:

34 MRSA § 2646, first sentence, as enacted by PL 1977, c. 502, § 4, is repealed and the following enacted in its place:

The Bureau of Mental Retardation may make grants to nonprofit corporations for amounts which are reasonable relative to quantity and quality of services to be provided by the grantee. The Bureau of Mental Retardation may request a display of effort on the part of the grantee that appropriate local governmental and other funding sources have been sought to assist in the financing of the services for which the bureau is making the grant.

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

Effective February 22, 1980

CHAPTER 600

H. P. 1710 — L. D. 1815

AN ACT to Amend the Law Dealing with the Identity of Fish Produced by Aquaculture.

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

12 MRSA § 7201, sub-§ 3, ¶ C, as enacted by PL 1979, c. 420, § 1, is repealed and the following enacted in its place: