

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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.

K. J. Printing Co.
Augusta, Maine

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

C. All fish sold under this section shall be identified with the name and address of the source of the fish in a manner approved by the commissioner. No person may offer for sale any commercially grown or imported fish that is not so identified.

Effective July 3, 1980

CHAPTER 601

S. P. 697 — L. D. 1833

AN ACT to Amend the Provisions of the Maine Certificate of Need Act Governing the Issuance of an Emergency Certificate of Need.

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

Sec. 1. 22 MRSA § 308, sub-§ 2, as enacted by PL 1977, c. 687, § 1, is repealed and the following enacted in its place:

2. Waiver of other requirements. In order to expedite the review of an application submitted in response to an emergency situation, the department, after consultation with the Health Systems Agency, may:

A. Waive the requirement that an applicant shall file a letter of intent with the department no less than 60 days prior to the date on which an application is to be filed;

B. Limit the period within which the Health Systems Agency may comment on the completeness of an application to less than 10 working days from the date on which it was filed with the department; and

C. Establish a schedule for the review of an application which commences on a day other than the first day of an established review cycle and requires the Health Systems Agency to submit its recommendations and comments to the department in less than 70 days from the day on which the review period commenced, provided that the Health Systems Agency shall be afforded no less than 2/3 of the time the department has allotted for the completion of its review.

Sec. 2. 22 MRSA § 308, sub-§ 3 is enacted to read:

3. Emergency defined. The department shall determine that an emergency situation exists whenever it finds that an applicant has demonstrated:

A. The necessity for immediate or temporary relief due to natural disaster, fire, unforeseen safety consideration or other circumstances;

B. The serious adverse effect of delay on the applicant and the community that would be occasioned by compliance with the regular requirements of this chapter and the rules and regulations promulgated by the department; and

C. The lack of substantial change in the facility or services which existed before the emergency situation.

Effective July 3, 1980

CHAPTER 602

H. P. 1788 — L. D. 1907

AN ACT Relating to the Vocational-Technical Institutes.

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

Whereas, this Act makes significant changes in the laws relating to the vocational-technical institutes; and

Whereas, these changes should be carried out prior to the end of the current fiscal year in preparation for the beginning of the 1980-81 school year in order to ensure a smooth transition; 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. 5 MRSA § 1507, first ¶, 2nd sentence, as repealed and replaced by PL 1975, c. 771, § 67, is amended to read:

The Governor may allocate from such account amounts not to exceed in total the sum of \$300,000 in any fiscal year in accordance with the purposes specified in subsections 1, 2, 3 and 4 and 4-A.

Sec. 2. 5 MRSA § 1507, sub-§ 4-A is enacted to read: