MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
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Twin City Printery
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1987

PUBLIC LAWS

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1987

of the board in refusing to issue or renew a license or to waive application of a particular rule may appeal the board's decision to the department's hearings unit for a full adjudicatory hearing and for a final decision by the commissioner. The board's decision shall stand until such time as the commissioner issues a decision to uphold, modify or overrule the board's decision.

Any person or organization aggrieved by a final decision of the commissioner in refusing to issue or renew a license or to waive application of a particular rule may appeal the commissioner's decision to the Superior Court in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter VII.

Effective September 29, 1987.

CHAPTER 274

S.P. 81 — L.D. 167

AN ACT to Expedite the Processing of Environmental Permits.

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

Sec. 1. 38 MRSA §344, sub-§2, ¶E, as amended by PL 1985, c. 746, §9, is further amended to read:

E. Applications under section 483 for site location development permits for subdivisions and for structures at an existing industrial or commercial facility, approved pursuant to section 483 or 484, which do not increase the square footage of the total ground area of the facility by more than 50%;

Sec. 2. 38 MRSA §344, sub-§2, ¶H, as enacted by PL 1983, c. 453, §1, is amended to read:

H. Applications under section 590 pertaining to air emissions licenses for all petroleum storage facilities, for incinerators or boilers with capacities of less than ~~150,000,000~~ 250,000,000 British Thermal Units per hour, or which do not result in a net increase in emissions at any industrial or commercial facility, and for all general process sources;

Effective September 29, 1987.

CHAPTER 275

H.P. 662 — L.D. 895

AN ACT to Extend Maine's Bottle Bill.

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

Sec. 1. 32 MRSA §1862, sub-§1, as enacted by PL 1975, c. 739, §16, is amended to read:

1. Beverage. "Beverage" means beer, ale or other drink produced by fermenting malt, soda water or other nonalcoholic carbonated drink in liquid form and intended for human consumption. "Beverage" also includes wine coolers. "Wine cooler" means a beverage containing wine and more than 15% added natural or artificial blending material, such as fruit juices, flavors, flavorings or adjuncts; plain, carbonated or sparkling water; coloring; or preservatives, and which contains less than 7% of alcohol by volume.

Sec. 2. Effective date. This Act shall take effect July 1, 1988.

Effective July 1, 1988.

CHAPTER 276

S.P. 499 — L.D. 1516

AN ACT to Clarify the Laws Pertaining to Payment for Medical Services.

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

34-A MRSA §3031, sub-§2, as amended by PL 1985, c. 752, §3, is further amended to read:

2. Medical care. Adequate professional medical care, not including medical treatment requested by the ~~prisoner~~ committed offender which the correctional facility's treating physician deems unnecessary. The State may bring a civil action in any court of competent jurisdiction to recover the cost of any medical, dental, psychiatric or psychological expenses incurred by the State on behalf of any ~~prisoner~~ committed offender incarcerated in a correctional facility. The following assets are not subject to judgment under this subsection:

A. Joint ownership, if any, that the offender may have in real property;

B. Joint ownership, if any, that the offender may have in any assets, earnings or other sources of income; and

C. The income, assets, earnings or other property, both real and personal, owned by the offender's spouse or family;.

Effective September 29, 1987.

CHAPTER 277

S.P. 521 — L.D. 1573