

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 FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

with a local comprehensive plan, municipalities shall prepare and submit to the commissioner zoning and land use ordinances that are consistent with or are no less stringent than the minimum guidelines adopted by the board and, for coastal communities, that address the coastal management policies cited in section 1801. When a municipality determines that special local conditions within portions of the shoreland zone require a different set of standards from those in the minimum guidelines, the municipality shall document the special conditions and submit them, together with its proposed ordinance provisions, to the commissioner for review and approval.

Notwithstanding section 435, a municipality may limit to 75 feet the shoreland zone around a freshwater wetland that has not been rated by the Department of Inland Fisheries and Wildlife as having moderate or high value provided that the municipality applies the requirements of this article regarding streams as defined under section 436-A to any outlet stream from any freshwater wetland.

See title page for effective date.

CHAPTER 197

S.P. 178 - L.D. 592

An Act to Clarify the Appointment, Powers and Duties of Building Committees

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

Sec. 1. 20-A MRSA §15902, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Building committee. The legislative body of a school administrative unit may ~~at a regular or specially called meeting~~ establish a special building committee at a regular or specially called meeting held prior to a school construction project receiving the concept approval provided in section 15901. If the legislative body does not establish a special building committee, ~~then~~ the school board shall act as the building committee and may delegate the powers and duties of the building committee to the superintendent. If a vacancy occurs in the membership of a special building committee established under this subsection by the legislative body, the legislative body may fill that vacancy. The powers and duties of the building committee must be determined at the time of its establishment by the legislative body of the school administrative unit, or by the school board when it acts as the building committee and delegates those powers and duties to the superintendent. Powers and duties not assigned to the building committee that are not specifically delegated to other entities in this section remain with the school board.

See title page for effective date.

CHAPTER 198

H.P. 109 - L.D. 151

An Act to Amend the Laws Governing Termination of Parental Rights and Placement of Children

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

Sec. 1. 22 MRSA §4038, sub-§7, ¶D is enacted to read:

D. The court shall consider, but is not bound by, the wishes of the child in making a determination under paragraph A, if the child is 12 years of age or older.

Sec. 2. 22 MRSA §4055, sub-§3, as enacted by PL 1979, c. 733, §18, is amended to read:

3. Wishes of child. The court ~~shall~~ may not order termination if the child is at least 14 years old and objects to the termination. The court shall consider, but is not bound by, the wishes of a child 12 years of age or older in making an order under this section.

See title page for effective date.

CHAPTER 199

H.P. 236 - L.D. 304

An Act to Amend the Laws Regarding Protection from Harassment to Include the Protection of Rental Property

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

Sec. 1. 5 MRSA §4651, sub-§2, as amended by PL 1987, c. 695, §1, is further amended to read:

2. Harassment. "Harassment" means any repeated act of intimidation, harassment, physical force or threat of physical force directed against any person, family, landlord or their property or advocate with the intention of causing fear or, intimidation or destruction of rental property or to deter free exercise or enjoyment of any rights or privileges secured by the Constitution of Maine and the United States Constitution. This definition does not include any act protected by the constitutional guarantee of free speech.

Sec. 2. 5 MRSA §4653, sub-§1, as amended by PL 1987, c. 708, §3, is further amended to read: