

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

equipment. The Advisory Committee on State Telecommunications is established to assist the Department of Finance and Administration in providing for the coordination of state telecommunications services.

§ 351. Committee membership; organization

The commissioners of the departments of Conservation; Finance and Administration; Inland Fisheries and Game; Marine Resources; Public Safety; and Transportation shall each designate a member of their departments to be a member of the Advisory Committee on State Telecommunications. The Adjutant General shall designate a member of the Bureau of the Military and a member of the Bureau of Civil Emergency Preparedness to be members of the committee. The Executive Director of the Maine Law Enforcement Planning and Assistance Agency or his designee shall be a member of the committee.

The designee of the Commissioner of Finance and Administration shall be the chairman of the committee. The committee shall meet at the call of the chairman or upon the request of a majority of the committee members. The committee shall meet at least quarterly.

§ 352. Duties

The Advisory Committee on State Telecommunications shall advise the Department of Finance and Administration in regard to the carrying out of the department's general administrative responsibilities for state telecommunications services. The committee shall advise and assist the department in providing for the coordination of engineering assistance, systems maintenance, frequency allocation, systems planning, and the purchase of services and equipment related to state telecommunications services.

Effective October 1, 1975

CHAPTER 282

AN ACT to Amend the Protection and Improvement of Air Statutes.

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

Sec. 1. 38 MRSA § 583-A is enacted to read:

§ 583-A. Regulations for hearing and applications

1. Administration. The board may adopt reasonable rules and regulations necessary for the proper administration, enforcement and implementation of the requirements of this chapter, including:

- A. Form and content of applications;
- B. Public notice and comment; and
- C. Public hearing procedures.

Sec. 2. 38 MRSA § 584, 2nd ¶, as last amended by PL 1971, c. 618, § 12, is further amended to read:

Prior to the establishment or amendment of ambient air quality standards, the board shall conduct a public hearing in some municipality within the region, and shall give public notice of its intent to establish standards for the region and of the date, time and place of the hearing by publication in some newspaper of general circulation throughout the region, or if none, in the state paper; the date of the first publication to be at least 15, and the date of the last publication to be at least 3 days before the date of the hearing.

Sec. 3. 38 MRSA § 587, 2nd ¶, as last amended by PL 1973, c. 682, is repealed and the following enacted in place thereof:

No variance shall be granted except after a public hearing in the municipality where the applicant maintains the building or business in connection with which the variance is sought.

Sec. 4. 38 MRSA § 590, 2nd ¶, 5th sentence, as enacted by PL 1971, c. 462, § 5, is repealed as follows:

Public notice of the date, time and place of any such hearing shall be published in some newspaper of general circulation within the region where the proposed emission is to be located, once a week for 2 successive weeks, the last publication to be at least 3 days before the hearing, and notice thereof shall also be given to the applicant at least 14 days in advance.

Sec. 5. 38 MRSA §§ 595 and 596, as last amended by PL 1971, c. 618, § 12, are repealed and the following enacted in place thereof:

§ 595. Enforcement; violations

All orders and regulations of the board and provisions of this chapter shall be enforced by the Attorney General. If any order or regulation of the board or provisions of this chapter is not complied with within the time period specified, the board shall immediately notify the Attorney General of this fact. Thereafter, the Attorney General may commence an action in the Superior Court of any county where the violation of the board's order or regulation has occurred, seeking injunctive relief to prohibit further violation thereof or penalties prescribed in sections 453 and 454.

§ 596. Violations of orders and regulations; penalties

Any person who violates any provision of this chapter or any order or regulation of the board issued in accordance with this chapter shall be subject to the penalties set forth in sections 453 and 454.

Sec. 6. 38 MRSA § 606 is enacted to read:

§ 606. Nonpoint sources or indirect sources; review of public ways

1. Prohibition. No person, firm, corporation, municipality, state agency or other entity shall commence construction of any highway project of 4 or more lanes in the State unless the Board of Environmental Protection has first determined that the project will not violate the State of Maine Ambient Air Quality Standards. The person or agency proposing to construct a highway resulting in 4 or more lanes shall submit to the Department of Environmental Protection an air quality impact analysis. This analysis shall be con-

ducted in accordance with such mathematic modeling techniques as are mutually acceptable to the department, The Federal Environmental Protection Agency and the Federal Highway Administration.

2. Exemptions. The foregoing shall not apply, however, to highway projects that will have no significant effect on air quality, such as lights, signs, landscaping and resurfacing.

3. Scope. The requirements of this section shall apply in all the air quality regions of the State.

Sec. 7. Effective date. Section 6 of this Act shall be retroactive to April 10, 1974.

Effective October 1, 1975

CHAPTER 283

AN ACT to Allow the Seed Potato Board to Test Foundation Seed Potatoes and to Sell Potatoes Grown on Land Owned by that Board.

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

7 MRSA § 2154, 4th sentence is amended to read:

Said board shall have authority to purchase, own or otherwise acquire farm real estate and farm equipment if necessary for the purpose of producing acreages of foundation seed potatoes or providing for the testing thereof, and any salable material resulting from such ownership or operation may be sold to the best advantage of the board.

Effective October 1, 1975

CHAPTER 284

AN ACT Relating to Clarification of Interlocking Loans under the Maine Consumer Credit Code.

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

Sec. 1. 9-A MRSA § 3-404, sub-§ 1, ¶A, as enacted by PL 1973, c. 762, § 1, is amended to read:

A. ~~The sale is for an amount financed~~ cash price of the item with respect to which a dispute exists is in excess of \$50 and is made in this State by a seller who allows the consumer to purchase the goods or services pursuant to a lender credit card or similar arrangement involving third parties and the residence of the consumer is in this State and the consumer has made a good faith effort to communicate to the seller the existence of the dispute;