

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

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

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

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

20 MRSA § 3718 is enacted to read:

§ 3718. School budget adoption period extended

Notwithstanding any other provision of statute or charter to the contrary, municipalities, School Administrative Districts and community school districts may, during the current fiscal year 1976, adopt their respective annual budgets at any time prior to April 15, 1976. Municipal officers and school directors or trustees may not certify to the assessors any amount to be raised by taxation until such time as a final budget has been approved that includes the total educational cost estimates for the current or ensuing fiscal year. Expenditures may be made by municipalities or school districts after the commencement of, and prior to adoption of a final budget for, the current fiscal year 1976 based on interim or partial budgets adopted by the municipal officers, boards of directors of School Administrative Districts or boards of trustees of community school districts. A final budget approved by a municipality or school district prior to the effective date of this Act may be reconsidered and any warrants issued to assessors pursuant to such adopted budgets may be revoked.

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

Effective March 10, 1976

CHAPTER 668

AN ACT Concerning the Identification by Fingerprints of Past Offenders.

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

15 MRSA § 1702-A, as enacted by PL 1975, c. 398, is repealed.

Effective July 29, 1976

CHAPTER 669

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, sub-§ 1-A is enacted to read:

§ 1-A. Portland Peninsula Air Quality Region. The Portland Peninsula Air Quality Region shall consist of that section of the City of Portland bordered on the west by Interstate 95, on the south and east by the Fore River and on the north by Casco Bay and the inlet to Back Bay.

Sec. 2. 38 MRSA § 601, sub-§ 1, ¶ B, as enacted by PL 1973, c. 438, § 8, is amended to read:

B. June 1, 1975 for all existing incinerators, except existing wood waste teepee incinerators; and

Sec. 3. 38 MRSA § 601, sub-§ 1, ¶ C is enacted to read:

C. June 1, 1980 for all existing wood waste teepee incinerators.

Sec. 4. 38 MRSA § 603, as enacted by PL 1973, c. 438, § 8, is repealed and the following enacted in place thereof:

§ 603. Low sulfur fuel

1. Prohibitions.

A. In the Central Maine, Downeast, Aroostook County and Northwest Maine Air Quality Regions, no person shall sell, distribute, buy or use any fuel with a sulfur content greater than 2.5% by weight anytime after November 1, 1973. In the Metropolitan Portland Air Quality Region outside the Portland Peninsula Air Quality Region, no person shall sell, distribute, buy or use any fuel with a sulfur content greater than 2.5% by weight anytime after June 1, 1975.

B. In the Portland Peninsula Air Quality Region, no person shall use any fuel with a sulfur content greater than 1.5% by weight anytime after November 1, 1975.

C. In the Portland Peninsula Air Quality Region, no person shall use any fuel with a sulfur content greater than 1.0% by weight anytime after November 1, 1985.

2. Records. Any person importing residual oil or coal into the State of Maine shall submit to the Department of Environmental Protection a record of the sulfur content of each shipment of such fuel. Any person blending oil for use within the Portland Peninsula Air Quality Region shall submit to the Department of Environmental Protection on a monthly basis a report indicating the total volume and average sulfur content actually supplied.

3. Exemptions.

A. A source that installs one or more sulfur collecting devices that reduce sulfur dioxide emissions to the equivalent level allowed in that air quality region shall be exempt from this regulation.

B. If, during periods of energy crisis or equipment outage, an oil supplier is unable to supply conforming fuel, that supplier may apply for a temporary variance to the Commissioner of Environmental Protection. The commissioner may without hearing issue that variance for a period not to exceed 60 days if the application in his judgment meets the criteria of the applicable statutory variance requirements. Such temporary variance cannot be renewed.

Sec. 5. 38 MRSA § 608 is enacted to read:

§ 608. Stationary source performance standards

1. Treatment requirement standards. New stationary source of air emissions shall be subject to the best practicable treatment requirements promulgated in 40 Code Federal Regulations Part 60.
2. Federal standards. All stationary sources of hazardous air pollutants shall be subject to the best practicable treatment requirements promulgated in 40 Code Federal Regulations Part 61.

Effective July 29, 1976

CHAPTER 670

AN ACT to Exempt Small Financial Institutions from Certain Insurance Requirements.

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

9-B MRSA § 422, sub-§ 1, as enacted by PL 1975, c. 500, § 1, is amended by adding at the end the following:

The superintendent may waive this requirement for a financial institution with assets of less than \$250,000, if such institution demonstrates to the superintendent that it is satisfying a particular community need which cannot be sufficiently met by other financial institutions and that it has adequate security for its deposits or accounts.

Effective July 29, 1976

CHAPTER 671

AN ACT to Extend Collective Bargaining Rights to the Employees of Maine Maritime Academy.

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

Sec. 1. 26 MRSA § 1021, as enacted by PL 1975, c. 603, § 1, is amended to read:

§ 1021. Purpose

It is declared to be the public policy of this State and it is the purpose of this chapter to promote the improvement of the relationship between public employers and their employees by providing a uniform basis for recognizing the right of the University of Maine employees and Maine Maritime Academy employees to join labor organizations of their own choosing and to be represented by such organizations in collective bargaining for terms and conditions of employment.