

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]

1. Seventy-five percent completion of treatment facility. Actual construction of an approved industrial project deemed necessary in achieving statutory water quality classifications and regulatory requirement is at least 75% completed.

An approved project shall include but not be limited to a new manufacturing facility which will replace the source of the licensee's existing discharge;

2. Contractual and financial commitments. Contractual and financial commitments to complete the approved project have been made; and

3. Cause for the failure. The cause for the failure to have completed the approved project in time to meet the statutory time schedule is not directly attributable to the licensee and shall include but not be limited to acts of God, labor disputes, failure of 3rd parties to deliver ordered construction materials, equipment or services on time.

Variances shall be issued for a term certain, not to extend past July 1, 1977, and the board shall modify any existing license to make it consistent with this variance.

Effective July 29, 1976

CHAPTER 684

AN ACT Relating to Requests for Absentee Ballots.

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

21 MRSA § 1253, sub-§ 2, last sentence, as enacted by PL 1973, c. 414, § 46, is repealed and the following enacted in place thereof:

The clerk shall not issue a 2nd absentee ballot to an applicant, unless the applicant in person or in writing requests one and states good cause, including but not limited to loss of, spoiling of or damage to the first absentee ballot.

Effective July 29, 1976

CHAPTER 685

AN ACT Concerning the Seining of Mackerel in the Territorial Waters of Washington County.

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

Whereas, the City of Eastport suffered a disastrous blow to its economy by the ground hog gale of recent date; and

Whereas, the Mearl Corporation has suffered a disastrous loss by the synthetic manufacture of pearl essence by a new method, pearl essence which the Mearl Corporation had been making from fish scales, necessitating the "lay off" of many employees ; and

Whereas, the Mearl Corporation has found a method of processing mackerel for food consumption by canning ; and

Whereas, the problem is to secure a source of mackerel in a sufficiently large quantity to insure the successful operation of the project, thereby putting these workers back on their jobs ; and

Whereas, an emergency preamble is necessary to enable the plant to start operating on the spring run of fish ; 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 :

12 MRSA § 4209, as enacted by PL 1969, c. 253, is amended by adding at the end a new paragraph to read :

This section shall not apply to the seining of mackerel in the territorial waters of Washington County.

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

Effective March 30, 1976

CHAPTER 686

AN ACT to Revise the Personnel System.

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

Sec. 1. 5 MRSA § 556, first ¶, as last repealed and replaced by PL 1973, c. 723, § 2, is amended to read :

Employment in the classified service shall be open to all qualified persons who have been residents of the State of Maine for at least 6 months immediately preceding ~~said~~ that employment, except that at the request of the appointing authority the residence requirement may be waived by the ~~Personnel Board~~ Director of Personnel in exceptional or emergency cases when such action is necessary for the good of the service.

Sec. 2. 5 MRSA § 592, as amended by PL 1973, c. 625, § 20, is repealed and the following enacted in place thereof :