

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

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PUBLIC LAWS
OF THE
STATE OF MAINE
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Sec. 4. 25 MRSA § 2704 is enacted to read:

§ 2704. Penalty

Any violation of this chapter by any person, firm or organization responsible for the design or construction of any public building or facility shall be a civil violation punishable by a fine of not more than \$500, or subject to other appropriate equitable relief designed to secure substantial compliance with this chapter.

All civil violations under this chapter are enforceable by the Attorney General, his representative or any other appropriate public official in a civil action to recover what may be designated a fine or other sanction.

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

Effective April 14, 1977

CHAPTER 81

AN ACT to Revise the Method of Funding Water Pollution Abatement Planning.

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

38 MRSA § 412, as repealed and replaced by PL 1973, c. 694, § 2, is repealed and the following enacted in its place:

§ 412. Grants by State for planning

1. Grants by State for planning. The Department of Environmental Protection is authorized to pay an amount at least 15%, but not to exceed 25%, of the expense incurred by a municipality or quasi-municipal corporation in preliminary or final planning of a pollution abatement program in the form of a grant. Such amount may not be paid until the governing body of the municipality or the quasi-municipal corporation duly votes to proceed with preliminary or final planning of a pollution abatement program, as appropriate.

A. Preliminary planning. For the purposes of this section, "preliminary planning" means engineering studies which include analysis of existing pollution problems; estimates of the cost of alternative methods of waste treatment, studies of areas to be served by the proposed facilities and estimates of the cost of serving such areas; preliminary sketches of existing and proposed sewer and treatment plant layouts; and estimates of alternative methods of financing, including user charges, and other studies and estimates designed to aid the municipality or quasi-municipal corporation in deciding whether and how best to proceed with a pollution abatement program.

B. Final planning. For the purposes of this section, "final planning" means the preparation of engineering drawings and specifications for the construction of waste treatment facilities, interceptor systems and outfalls or other facilities specifically designated in departmental regulations. All proceeds from the sale of bonds for the planning of pollution abatement facilities to be expended under the direction and supervision of the Department of Environmental Protection shall be segregated, apportioned and expended as provided by the Legislature.

Effective October 24, 1977

CHAPTER 82

AN ACT to Facilitate the Sale of Community Industrial Buildings.

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

Sec. 1. 10 MRSA § 680 is enacted to read:

§ 680. Interim lease of the project

If a community industrial building remains unoccupied, after construction and marketing efforts, and the local development corporation certifies to the authority that there is no prospect for sale in the foreseeable future, and if the authority concurs in that finding, the authority may permit an interim lease of the premises, upon such terms and conditions as it may deem appropriate for the protection of the Community Industrial Building Fund. The occupation of the premises under such an interim lease shall not require payment in full of the entire loan within 90 days after occupancy, as is provided for in section 676.

Sec. 2. 10 MRSA § 703, sub-§ 3, ¶ A, as last amended by PL 1971, c. 343, § 1, is further amended to read:

A. Any lands, buildings, real estate improvements, including community industrial buildings constructed under chapter 102, or machinery and equipment, with auxiliary real and personal property, used by an industrial, manufacturing, fishing or agricultural enterprise for the manufacturing, processing, assembling or preparing for market of raw materials or other products, not including farm machinery or machinery used on a farm, including, but not limited to, an industry constructing sea-going ships and vessels, or for the purposes of research and development for such enterprises;

Effective October 24, 1977

CHAPTER 83

AN ACT to Repeal Certain Statutory Provisions Relating to the Regulation of Food, Cosmetics and Work Places.