

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
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3. **Plan of action.** The state air search and rescue plan shall provide a plan of action for search and rescue which will mobilize all state agencies which can contribute in those emergencies, in accordance with agreements reached in advance and which relies upon the Maine Wing Civil Air Patrol to coordinate and control specific air search operations. The plan shall provide that its first objective shall be saving human life and rendering prompt aid to survivors.

4. **Authority.** The Commissioner shall have the responsibility and authority in providing for the execution and overall coordination of air search and rescue efforts initiated in support of the plan by those state agencies which can contribute in those emergencies.

Effective September 18, 1981

CHAPTER 42

H. P. 175 — L. D. 224

AN ACT to Amend the Statutes Relating to the Developmental Disabilities Council.

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

Sec. 1. 34 MRSA § 13 is enacted to read:

§ 13. State Planning and Advisory Council on Developmental Disabilities

1. **Council established.** The Governor shall establish a State Planning and Advisory Council on Developmental Disabilities and appoint appropriate representatives as are required as a condition of eligibility for benefits under "Amendments to the Developmental Disabilities Services and Facilities Construction Act of 1978," United States P.L. 95-602, 42 United States Code, section 6000 et seq., but also ensuring that there is at least one representative from each of the regions established by the Department of Mental Health and Corrections. Regional representatives shall not be in addition to those required by PL 95-602. This council shall consult and coordinate with the Commissioner of Mental Health and Corrections in carrying out the purposes of the program.

2. **Sole administering agency; powers.** Except where a single state agency is otherwise designated or established in accordance with any other state law, the department is designated to be the sole agency of the State to develop jointly the statewide plan with the council and to be the sole administering agency for that plan, which plan is now or may hereafter be required as a condition to the eligibility for benefits pursuant to the provisions of the Federal Act specified in subsection 1. The department is also authorized to receive, administer and expend

any funds that may be available under this Federal Act or from any other sources, public or private, for those purposes.

Sec. 2. 34 MRSA § 2614, as enacted by PL 1977, c. 502, § 4, is repealed.

Effective September 18, 1981

CHAPTER 43

H. P. 140 — L. D. 229.

AN ACT to Provide a Speedy Procedure to Authorize the Demolition of Unsafe and Irreparable Buildings and Structures.

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

17 MRSA § 2859 is enacted to read:

§ 2859. Summary process

In cases involving an immediate and serious threat to the public health, safety or welfare, in addition to any other remedies, a municipality may obtain an order of demolition by summary process in Superior Court, in accordance with this section.

1. **Commencement of action.** A municipality, acting through its building inspector, code enforcement officer, fire chief or municipal officers, shall file a verified complaint setting forth such facts as would justify a conclusion that a building or structure is "dangerous," as that term is defined in section 2851; and shall state therein that the public health, safety or welfare requires the immediate removal of that building or structure.

2. **Order of notice.** Whenever a complaint is filed under this section, the justice before whom it is brought, acting ex parte, shall promptly issue an order:

A. Requiring the owner and all parties-in-interest, as that term is defined in the statutes governing foreclosure by civil action, to appear and show cause why the building or structure should not be ordered demolished;

B. Specifying the method of service of the order and the complaint;

C. Setting a time and place for hearing the complaint, which shall be the earliest possible time but not be later than 10 days from the date of filing; and