

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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maintained and open for travel during the months of November, December, January, February, March and April or any part of these months.

2. Notice and hearing. Prior to an announcement under subsection 1, the municipal officers shall hold a hearing on the proposed winter closing of a road or roads or portion thereof. The municipal officers shall place a written notice of the hearing in some conspicuous, public place in the municipality at least 7 days before the hearing.

3. Order of closing. After a hearing under subsection 2, the municipal officers shall file with the municipal clerk any order specifying the location of the road, the months or portions thereof for which it is to be closed and for how many years, not to exceed 10, the closing shall be operative. The legislative body of the municipality shall by vote either approve each order or provide that orders so made by the municipal officers shall be a final determination.

4. Alteration of order. The municipal officers may on their own initiative, or upon petition by 7 legal voters of the municipality, at any time subsequent to one year from the date of a final determination, after notice and hearing, annul, alter or modify the original determination. The municipal officers shall file with the municipal clerk an order specifying any decision to annul, alter or modify, which shall not become final until the legislative body of the municipality by vote either approves each order or provides that orders so made by the municipal officers are a final determination.

5. Appeal. The final determination by the legislative body or the municipal officers may be appealed to the board of county commissioners of the county in which the municipality lies, upon petition by 7 legal voters of the municipality within 30 days after the final determination is made. In an appeal before a board of county commissioners, the decision of the commissioners shall be governed by the standards set forth in this section.

Effective September 18, 1981

CHAPTER 216

H. P. 893 — L. D. 997

AN ACT to Require Availability of Municipal Ordinances.

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

Sec. 1. 30 MRSA § 2153, sub-§ 4, is amended to read:

4. Application. ~~This section~~ Subsections 1, 2 and 3 shall not apply to ordinances which may be enacted by the municipal officers.

Sec. 2. 30 MRSA § 2153, sub-§ 5 is enacted to read:

5. Availability. Each ordinance shall be on file with the municipal clerk and shall be accessible to any member of the public. Copies shall be made available to any member of the public, at reasonable cost, at the expense of the person making the request. Notice of availability of the ordinance shall be posted.

Sec. 3. 33 MRSA § 662-A, as amended by PL 1973, c. 788, § 167, is repealed.

Effective September 18, 1981

CHAPTER 217

S. P. 274 — L. D. 783

AN ACT to Clarify the Application of Military Service Credits to Retirement Benefits for Employees of Local Districts under the Maine State Retirement System.

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

5 MRSA § 1094, sub-§ 13, as last amended by PL 1975, c. 622, §§ 35 and 36, is further amended by inserting after the first paragraph a new paragraph to read:

A local district may elect, with regard to special retirement plans under section 1092, subsection 3 and section 1121, subsections 4, 8 and 9, that military service credits under this subsection shall only apply to additional retirement benefits under section 1092, subsection 3-A and shall not apply to age or service requirements of retirement. Nothing in this paragraph may be construed to affect in any way the rights of public employees to collectively bargain for terms and conditions of employment.

Effective September 18, 1981

CHAPTER 218

H. P. 12 — L. D. 6

AN ACT to Overrule Federal Preemption of Certain Maximum Rate Ceilings of the Maine Consumer Credit Code.

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