

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

§1865. Reporting requirement

1. Report. Each health care institution which receives funds from the department shall annually report to the department the amount paid to any person for the purpose of influencing its employees, respecting unionization, or attempts to coerce employees to otherwise interfere with or restrain the exercise of employee rights to organize and choose representatives for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

2. Violation. Violation of this section shall result in an administrative fine of up to \$500 for each offense, as determined pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375.

§1866. Rules

The Commissioner of Human Services shall adopt rules in order to implement this chapter, pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375.

Effective September 23, 1983.

CHAPTER 474

S.P. 604 - L.D. 1731

AN ACT Relating to the Transportation of Hazardous Material and Waste.

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

Sec. 1. 25 MRSA §2104, sub-§2, as enacted by PL 1977, c. 622, is repealed and the following enacted in its place:

2. Shipping papers. Shipping papers are prepared in accordance with 49 Code of Federal Regulations, Subpart C, Sections 172.200 to 172.204 and accompany the hazardous material in accordance with 49 Code of Federal Regulations, Subpart C, Section 177.817. This requirement shall apply to both intrastate and interstate carriers.

Sec. 2. 25 MRSA §2104, sub-§3 is enacted to read:

3. Interstate tank carriers. Interstate car-

riers transporting hazardous wastes either have tanks constructed with baffles to prevent shifting loads, unstable travel of the vehicle and potential discharge of dangerous liquid substances or these same carriers otherwise meet the requirements of 49 Code of Federal Regulations, Subchapter H, Sections 178.245 to 178.272, Subchapter J, Sections 178.315 to 178.343.

Effective September 23, 1983.

CHAPTER 475

S.P. 503 - L.D. 1519

AN ACT to Clarify the Law Concerning Certain Appeals from Planning Board Decisions.

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

Whereas, a recent Law Court decision interpreted certain Maine statutes to require all appeals from planning board decisions to go to a board of appeals; and

Whereas, this interpretation seems contrary to legislative intent and the best resolution of certain zoning conflicts; and

Whereas, this decision affects the enforcement of zoning ordinances throughout the State; 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:

Sec. 1. 30 MRSA §4963, sub-§1, as amended by PL 1979, c. 541, Pt. A, §196, is further amended to read:

1. Establishment. A board of appeals is established in any municipality which adopts a zoning ordinance for the purpose of hearing appeals from actions or failure to act of the ~~office~~ official charged with the enforcement of the zoning ordinance. Such board of appeals shall be governed by section