

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

amended; or any similar qualified retirement plan pursuant to federal law, and the regulations promulgated thereunder at the time the trust or account was established and accepted by the institution, is determined subsequently not to be such a qualified plan, or ceases subsequently to be such a qualified plan, in whole or in part, the institution may nevertheless continue to act as trustee of any deposit theretofore made under such plan and to dispose of the same in accordance with the directions of the depositor and the beneficiaries thereof.

Sec. 3. 9-B MRSA §823, sub-§5, as enacted by PL 1975, c. 500, §1, is amended to read:

5. Trustee, self-employment retirement plans. A credit union shall have the power to act as trustee for a member under a retirement plan established pursuant to the "Self-employed Individuals Retirement Act of 1962", as amended, or the "Employee Retirement Income Security Act of 1974", as amended, subject to the conditions and limitations set forth in section 442.

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

Effective March 18, 1986.

CHAPTER 589

H.P. 1407 - L.D. 1987

AN ACT to Improve the Processing of Matters
Delegated by the Board of
Environmental Protection to the
Department of Environmental
Protection.

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

Sec. 1. 38 MRSA §344, sub-§3, as repealed and replaced by PL 1983, c. 453, §2, is amended to read:

3. Time limits for processing applications. Whenever the commissioner receives a properly completed application for any permit or license in a category delegated under subsection 2, he shall make

a decision as expeditiously as possible. For those delegated applications which fall under the permit by rule provisions of subsection 7, the decision shall be made within 20 working days after receipt of the notification. For those delegated applications which do not fall under the permit by rule provisions, the commissioner shall make a decision within 60 working days after acceptance of the application. If the commissioner determines that an application for a permit or license in a category delegated to him under subsection 2 is policy setting or precedent setting or has generated substantial public interest, he shall request that the board act on the application. In delegating applications by regulation or individual applications by majority vote, the board may extend the time for the commissioner to make a decision to a time not later than 80 working days after acceptance of the application.

Whenever the commissioner accepts a properly completed application for any permit, license, approval or certificate not delegated to him under subsection 2, the board shall make a decision as expeditiously as possible, but in no case may this decision be later than 105 working days after acceptance of the application.

Sec. 2. 38 MRSA §345-A, sub-§1, as amended by PL 1983, c. 743, §3, is further amended to read:

1. Hearings. Except as provided in the Maine Administrative Procedure Act, Title 5, section 8052, subsection 2, whenever the board or the Department of Environmental Protection is required or empowered to conduct a hearing pursuant to any provision of law, the hearing may be conducted by any member of the board or any employee or representative of the Department of Environmental Protection so authorized by the board and may be held if at least 2 members of the board are present. Hearings conducted by the Department of Environmental Protection on applications delegated under section 344, subsection 2, for decision may be held without members of the board being present.

Effective July 16, 1986.

CHAPTER 590

S.P. 840 - L.D. 2129

AN ACT Concerning the Regulation of Itinerant Vendors.