

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

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1987

action or proceeding is brought is apparent on the face of the disclosure statement, except where the assignment was involuntary. For the purpose of this section, a violation apparent on the face of the disclosure statement includes, but is not limited to:

A. A disclosure which can be determined to be incomplete or inaccurate from the face of the disclosure statement or other documents assigned; or

B. A disclosure which does not use the terms required to be used by this Article.

Effective September 29, 1987, unless otherwise indicated.

CHAPTER 130

H.P. 670 — L.D. 903

AN ACT to Clarify Definition Language under the Site Location of Development Laws.

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

38 MRSA §482, sub-§2, as amended by PL 1985, c. 162, §7, is repealed and the following enacted in its place:

2. Development which may substantially affect the environment. "Development which may substantially affect the environment," in this article called "development," means any state, municipal, quasi-municipal, educational, charitable, commercial or industrial development, including any subdivision:

A. Which occupies a land or water area in excess of 20 acres;

B. Which contemplates drilling for or excavating natural resources on land or under water where the area affected is in excess of 60,000 square feet;

C. Which is a mining activity as defined in this section;

D. Which is a hazardous activity as defined in this section; or

E. Which is a structure as defined in this section.

The term does not include state highways, state aid highways, borrow pits for sand, fill or gravel of less than 5 acres, or when regulated by the Department of Transportation, and such borrow pits entirely within the jurisdiction of the Maine Land Use Regulation Commission under Title 12, chapter 206-A, and those activities regulated by the Department of Marine Resources under Title 12, section 6072.

No person may construct or cause to be constructed or operate or cause to be operated, or in the case of a sub-

division, sell, offer for sale or cause to be sold, any development requiring approval under section 483, without first having obtained approval for such construction, operation or sale from the Board of Environmental Protection.

Effective September 29, 1987.

CHAPTER 131

H.P. 779 — L.D. 1051

AN ACT to Amend the Definition of Seasonal Under the Employment Security Law.

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

26 MRSA §1251, sub-§3, ¶A, as amended by PL 1983, c. 750, §2, is further amended to read:

A. Any hotel, motel, inn, variety store, trading post, sporting camp or other lodging facility, including camps operated for boys and girls, restaurants and other eating establishments, which customarily conducts its operations which are primarily related to the production of its characteristic goods or services for a regularly recurring period or periods of less than 26 weeks in any one year shall be deemed seasonal.

Effective September 29, 1987.

CHAPTER 132

H.P. 813 — L.D. 1087

AN ACT to Restructure the Method of Appointment of Members of the Maine Land Use Regulation Commission.

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

12 MRSA §683, as amended by PL 1985, c. 345, is amended to read:

§683. Creation of Maine Land Use Regulation Commission

The Maine Land Use Regulation Commission, as established by Title 5, section 12004, subsection 5, to carry out the purposes stated in section 681, is created within the Department of Conservation, and in this chapter called the "commission." The commission is charged with implementing this chapter in all of the unorganized and deorganized areas of the State. The commission shall consist of 7 public members, none of whom shall be state employees, who shall be appointed by the Governor, subject to review by the ~~Joint Standing Committee on~~