

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
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PUBLIC LAWS

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review with respect to rates, are exempt from prior review under this section.

Sec. 2. 35-A MRSA §3134, sub-§4 is enacted to read:

4. Plans of consumer-owned electric utilities. The commission may order the filing of a long-range energy plan, comparable to the plan authorized in this section, by a consumer-owned electric utility, as defined in section 3501. The order shall allow sufficient time for its preparation. A consumer-owned utility may file a comparable plan on its own initiative. Any plan submitted under this subsection may be filed in concert with other consumer-owned electric utilities. A plan is comparable to a plan otherwise authorized in this section if it provides the same or similar data to the fullest extent possible, taking into account the size and resources of the consumer-owned utility.

The plan shall be reviewed by the commission in accordance with subsection 2. If a plan has been approved by the commission, the consumer-owned electric utility shall not agree to the extension of an existing wholesale power contract, exempted from prior review under section 3133, which is not consistent with the plan.

Effective September 29, 1987.

CHAPTER 379

S.P. 600 — L.D. 1760

AN ACT to Assure Accessibility to Newly Constructed and Renovated Educational Facilities.

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

20-A MRSA §15903, sub-§5, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

5. Inspection and compliance. Review and inspection of school construction projects for compliance with approved plans and specifications shall be provided in accordance with this subsection.

A. If it appears to the commissioner that the school construction project has not been completed in conformity with the approved plans and specifications, the commissioner may cause an inspection of the project to take place.

B. Upon receipt by the commissioner of a written petition from one or more residents of the school administrative unit where the school construction project is located claiming that the project has not been completed in conformity with the approved plans and specifications, the commissioner shall cause an inspection of the project to be made or shall issue a written explanation to the petitioner or petitioners explaining his

refusal to do so. The petitioner or petitioners shall certify as part of the petition that the claim of nonconformance has been brought to the attention of the superintendent of the school administrative unit in which the school construction project is located and that the superintendent has failed to respond in a satisfactory manner to that claim.

C. If an investigation is held, the commissioner shall notify the building committee, or legislative body of the school administrative unit when no building committee exists, of the findings of the investigation and of any changes required. The building committee or legislative body of the school administrative unit shall make the changes within a reasonable period of time. Failure to do so shall render the school administrative unit liable to the penalties provided in section 6801-A.

Effective September 29, 1987.

CHAPTER 380

S.P. 462 — L.D. 1419

AN ACT to Establish a Cancer Prevention and Control Advisory Committee.

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

Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(34-A) is enacted to read:

(34-A) Human Services Cancer Prevention and Control Advisory Committee Expenses Only 22 MRSA §1405

Sec. 2. 22 MRSA §1405 is enacted to read:

§1405. Cancer Prevention and Control Advisory Committee

The Cancer Prevention and Control Advisory Committee, established by Title 5, section 12004, subsection 10, shall be appointed by the commissioner and shall consist of a committee of representatives to serve as an advisory body to the Department of Human Services on the operation of the Cancer Registry Program and on the development and maintenance of a coordinated statewide approach to cancer prevention and control.

The committee shall be solely advisory in nature, except that the committee shall review and approve requests for information from the Cancer Registry Program's data base from outside of the Department of Human Services.

The committee shall be composed of not less than 14 members. One half of the members shall be appointed by the Governor and 1/2 of the members shall be appointed jointly by the President of the Senate and the Speak-

er of the House. Members shall serve for 3-year terms, except that initially 5 shall be appointed for 3 years, 5 for 2 years and 4 for one year. Members shall include individuals with training and experience in the following fields: Medicine, M.D. or D.O.; oncology; medical and biological sciences; hospital administration; nursing; medical records administration; hospital tumor registry operations; health promotion and education; epidemiology; and biometry. The 5 members initially appointed for terms of 3 years and 2 of the members appointed for one year shall be appointed by the Governor. The 5 members initially appointed for a term of 2 years and 2 of the members appointed for one year shall be appointed jointly by the President of the Senate and the Speaker of the House. Members shall be compensated according to Title 5, chapter 379. The committee shall meet at least once annually in Augusta.

Effective September 29, 1987.

CHAPTER 381

H.P. 1285 — L.D. 1761

AN ACT to Protect the State's Freshwater Great Ponds and Rivers.

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

30 MRSA §3223-B is enacted to read:

§3223-B. Transfers of shoreland property

Any person transferring property on which a subsurface waste water disposal system is located within a shoreland area, as defined in Title 38, section 435, shall provide the transferee with a sworn statement at the time of transfer certifying with any necessary written documentation that:

1. Inspection. The disposal system has been inspected within the preceding 180 days by a person licensed pursuant to Title 22, section 42, and not found to be malfunctioning; and

2. Showings. At least one of the following conditions has been met:

A. The disposal system has received a permit and certificate of approval from an individual licensed pursuant to section 3222;

B. The subsurface waste water disposal system has been replaced by a connection to an approved sanitary sewer; or

C. The transferor provides documentation of an application and any necessary departmental approval as specified in the Maine State Plumbing Code, that, in the event of a future malfunction of the existing sys-

tem, a replacement subsurface waste water disposal system can be installed to serve the existing level of use.

Effective September 29, 1987.

CHAPTER 382

H.P. 1046 — L.D. 1409

AN ACT to Increase Penalties for Violation of Laws Relating to Vital Statistics.

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

22 MRSA §2708, sub-§2 is amended to read:

2. General. Any person who knowingly transports or accepts for transportation, interment or other disposition a dead body without an accompanying permit issued in accordance with this Title; any person who refuses to provide information required by this Title; or any person who violates any of the provisions of this Title having to do with the registration of vital statistics or neglects or refuses to perform any of the duties imposed upon him by this Title, having to do with the registration of vital statistics, ~~shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$100 on first offense commits a Class E crime and on 2nd and subsequent offenses commits a Class D crime.~~

Effective September 29, 1987.

CHAPTER 383

S.P. 599 — L.D. 1759

AN ACT to Reform the Animal Welfare Laws.

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

Sec. 1. 5 MRSA §12004, Sub-§8, ¶A, sub-¶(1) is amended to read:

(1) Agriculture	Animal Welfare	Legislative	17 MRSA §1051-A
	Board	Per Diem	7 MRSA §3903

Sec. 2. 7 MRSA Pt. 8, as amended, is repealed.

Sec. 3. 7 MRSA Pt. 9 is enacted to read:

PART 9

ANIMAL WELFARE

CHAPTER 717

ANIMAL WELFARE BOARD ACT