

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

1989-90 1990-91

**HUMAN SERVICES,
DEPARTMENT OF**

Division of Eye Care

Capital Expenditures \$1,500 \$2,000

Provides funds for capital repair and replacement associated with vending facilities operated by blind persons.

See title page for effective date.

CHAPTER 45

H.P. 296 - L.D. 408

**An Act to Extend Reporting Deadlines of the
Therapeutic Pharmaceutical Monitoring Panel**

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

Whereas, this legislation is necessary so that the requirement for the Therapeutic Pharmaceutical Monitoring Panel to report by a certain date will be repealed before the reporting date takes effect; and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:

32 MRSA §2428, sub-§6, as amended by PL 1987, c. 586, is repealed and the following enacted in its place:

6. Report. The panel shall prepare reports summarizing the findings of the panel regarding the use of therapeutic pharmaceutical agents.

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

Effective April 20, 1989.

CHAPTER 46

H.P. 410 - L.D. 553

**An Act Relating to Highway Maintenance
Compact Areas**

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

Sec. 1. 23 MRSA §705, as amended by PL 1981, c. 492, Pt. C, §5, is repealed and the following enacted in its place:

§705. Culverts

The Department of Transportation shall be responsible for administering the placement of culverts within the right-of-way on improved state and state aid highways lying outside the compact section, or within the compact section of a municipality having a population of less than 6,000. Whenever an abutter wants an entrance to be constructed on these highways, the abutter shall petition the department for a permit as provided under section 704. Should a permit be issued and a culvert is required, the abutter shall provide, at the abutter's expense, a culvert satisfactory to the department, which the department shall install and thereafter maintain.

For locations on town ways and on state and state aid highways within the compact area of a municipality having a population of 6,000 and over, the municipality shall be petitioned by the abutter pursuant to section 704. Should a permit be issued, the abutter shall provide, at the abutter's expense, a culvert satisfactory to the municipality, which the municipality shall install and thereafter maintain.

Sec. 2. 23 MRSA §754, as amended by PL 1981, c. 588, §1, is further amended to read:

§754. Town maintenance in compact areas

Except as otherwise provided, all state and state aid highways within compact or built-up sections of towns having a population of 6,000 and over, as determined by the department, shall be maintained in good repair by the town ~~wherein~~ in which the same highways are located at the expense of the town. For the purposes of this section, compact or built-up sections include compact areas as determined by the department in which compact sections may be intermittent and separated by a short interval or intervals of sections that are not compact. Municipalities shall be notified one year in advance of changes in compact or built-up sections which place additional maintenance responsibilities on the municipalities. Whenever any town ~~shall neglect~~ so neglects to maintain the highways within 14 days after notice given its municipal officers by the department, the department may proceed to make necessary repairs to ~~such that~~ way, which shall be paid for by the State and the cost thereof shall be withheld from funds due the town under chapter 19, subchapter VI, Local Road Assistance Program. The amounts ~~so~~ collected from such these towns shall be added to the fund for maintenance of state and state aid highways. The depart-