

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
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1989

3. Relationship to boundary established. Is within 100 feet of any property boundary and that the application includes a depiction of the distance between any crop-producing area under consideration and any property boundary within 100 feet that is sufficient to determine the impact of Title 7, section 56, subsection 1, on abutting land.

A review under this section must be completed by May 1st of the calendar year in which the application is made.

Sec. 3. Transition clause. Any person seeking to register land as farmland after the effective date of this Act must apply pursuant to the provisions of the Maine Revised Statutes, Title 7, chapter 2-B. The registration of all farmland registered in accordance with Title 7, chapter 2-A, shall lapse June 15, 1990, unless the owner applies for registration under Title 7, chapter 2-B, between June 1 and June 15, 1990. An application for registration in accordance with chapter 2-B shall cause a registration under chapter 2-A to remain effective until registration pursuant to chapter 2-B is approved or denied. Registration under chapter 2-A shall remain effective until final action on any proceedings initiated under chapter 2-B, section 54, subsection 1 or 3.

Sec. 4. Repeal. The Maine Revised Statutes, Title 7, chapter 2-A, is repealed June 15, 1990.

See title page for effective date.

CHAPTER 479

H.P. 595 - L.D. 813

An Act to Improve Public Access to and Participation in Decisions Made by Quasi-municipal Corporations

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

30-A MRSA §2357 is enacted to read:

§2357. Public access to quasi-municipal decisions

1. Public notice and hearing required. All quasi-municipal corporations or districts must provide reasonable public notice and hearing, as provided by Title 5, chapter 375, before adopting any regulation or expanding or creating any program.

2. Regulation or program void. Except in the case of emergency regulations of limited duration, bond issues, rate proceedings or actions relating to indebtedness, any regulation adopted or program created or expanded by a quasi-municipal corporation or district after December 30, 1989, is void unless the quasi-municipal corporation or district provided reasonable public notice and hearing as required by subsection 1 before adopting the regulation or creating or expanding the program.

See title page for effective date.

CHAPTER 480

S.P. 469 - L.D. 1266

An Act to Amend Certain Provisions of the Maine Low-level Radioactive Waste Authority Act

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

Whereas, the Maine Low-level Radioactive Waste Authority desires to amend certain portions of the Maine Low-level Radioactive Waste Authority Act; and

Whereas, in order to comply with federal regulations governing the disposal and storage of low-level radioactive waste, the authority has deemed it advisable to amend the Act to provide for the interim storage of low-level radioactive waste while it continues to proceed with the planning and siting of a disposal facility; 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. 38 MRSA §1502, as enacted by PL 1987, c. 530, §4, is amended to read:

§1502. Legislative findings and purpose

The United States Low-level Radioactive Waste Policy Act of 1980, Public Law 96-573, requires that states assume responsibility for providing the capacity for the disposal of low-level radioactive waste generated within their borders. The State has expressed its intent to develop, if necessary, a site for the location of a low-level radioactive waste disposal or storage facility within the State. The State is continuing to try to negotiate a compact or agreement for low-level radioactive waste disposal out of the State. The United States Low-level Radioactive Waste Policy Amendments Act of 1985, Public Law 99-240, establishes January 1, 1988, as the milestone date for states which are not members of a compact to develop a siting plan for a low-level radioactive waste disposal facility. To accomplish that task, it is necessary for the State to provide for planning, siting, construction, operation and maintenance, site closure and long-term, post-closure control of a low-level radioactive waste disposal facility or facilities. In order to protect public health, safety and the environment, federal regulations require the effective isolation of low-level radioactive waste for 500 years following disposal site closure, observation and maintenance of the closed site and long-term institutional control of the site leading to termination of the operating license.

If an application for a license to operate a disposal facility has not been filed by January 1, 1990, federal law