

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

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

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

Sec. 1. 34-B MRSA §3863, sub-§4, 1B, as amended by PL 1985, c. 815, is repealed and the following enacted in its place:

B. The Department of Mental Health and Mental Retardation shall be responsible for any transportation expenses under this section, including return from the hospital if admission is declined. The department shall utilize any 3rd-party payment sources which are available.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Mental Health Services - Community

All Other \$44,651

Provides funds to pay for the cost of transporting individuals to a mental health hospital.

Sec. 3. Effective date. This Act shall become effective on February 1, 1991.

Effective February 1, 1991.

CHAPTER 569

H.P. 426 - L.D. 591

An Act to Clarify Parties Which May Petition the Board of Environmental Protection for a Water Level Hearing

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

Sec. 1. 38 MRSA §840, sub-§1, as amended by PL 1987, c. 402, Pt. A, §205, is further amended to read:

1. Power. The board may on its own motion and shall at the request of the owner, lessee or person in control of a dam, or upon receipt of petitions from the lesser of at least 25% or 50 of the littoral or riparian proprietors or from a water utility having the right to withdraw water from the body of water for which the water level regime is sought, conduct an adjudicatory hearing for the purpose of establishing a water level regime for the body of water impounded by any dam that is neither:

A. Licensed by the Federal Energy Regulatory Commission;

B. Authorized under the Federal Power Act, Section 23;

C. Used to store water for a downstream facility licensed by the Federal Energy Regulatory Commission or authorized under the Federal Power Act, Section 23, provided that the owner of the downstream facility possessed a majority ownership of the upstream dam as of January 1, 1983; nor

D. Operating with a permit setting water levels issued under the ~~great ponds laws, sections 391 to 394; the alteration of coastal wetlands laws, sections 471 to 478; protection of natural resources laws, sections 480-A to 480-S;~~ the site location of development laws, sections 481 to 490; the small hydroelectric generating facilities laws, sections 631 to 636; the land use regulation laws, Title 12, sections 681 to 689; ~~the stream alteration laws, sections 425 to 430;~~ or any other statute regulating the construction or operation of dams.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1989-90 1990-91

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land Quality Control

All Other \$3,000 \$3,000

Provides funds for anticipated expenses for additional water level hearings.

See title page for effective date.

CHAPTER 570

S.P. 517 - L.D. 1413

An Act to Establish a State Arbitration Program for Lemon Motor Vehicles

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

Sec. 1. 10 MRSA §1161, sub-§5 is enacted to read:

5. State-certified arbitration. "State-certified arbitration" means the informal dispute settlement procedure administered by the Department of the Attorney General which arbitrates consumer complaints dealing with new motor vehicles that may be so defective as to qualify for equitable relief under the Maine lemon laws.