

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST SPECIAL SESSION**

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

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

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**January 3, 1990 to April 14, 1990**

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posed to be adopted, the purpose, time and place of the hearing, the time and place where copies of the proposed maps or standards may be inspected or obtained prior to the hearing, and the manner and time within which comments may be submitted to the commission for consideration.

At least 30 days prior to all hearings held under this subsection, notices ~~shall~~ must be sent to appropriate state and federal agencies. Public notice ~~shall~~ must be given by 3 publications in ~~the state paper and such other daily papers~~ a newspaper of general circulation published in the State ~~as is determined will~~ to bring the proposals to the attention of interested parties; the date of the first publication to be at least 30, and the last publication to be ~~a~~ at least 3, days prior to the hearing.

At hearings, interested owners, lessees, officials, agencies and individuals may appear and be heard. They ~~shall~~ are allowed at least 15 days following the public hearing to file written statements with the commission. Except as provided in this chapter, any hearings required or authorized under this subsection or subsection 8 ~~shall~~ must be conducted in accordance with the requirements for ~~rule-making~~ rulemaking set forth in Title 5, chapter 375, subchapter II; provided that the requirements of Title 5, section 8052, subsection 5, section 8056, subsections 1, 3 and 4 and section 8057, subsection 2, ~~shall~~ do not apply to these procedures.

The commission, acting in accordance with Title 5, chapter 375, subchapter II, shall adopt, and may amend and repeal, rules for the conduct of public hearings held under this section, including adjournments and continuations ~~thereof~~ of those hearings. A complete verbatim recording ~~shall~~ must be made of all hearings held pursuant to this section.

The land use district boundaries or standards ~~shall~~ must be adopted within 45 days from final adjournment of the hearing.

Land use maps and standards so adopted ~~shall~~ become effective 15 days after their adoption by the commission, provided the applicable requirements of the Maine Administrative Procedure Act, as modified by this chapter, are met, and provided the maps and standards are available in the appropriate registry of deeds for each county. Notice of this adoption of land use maps, standards or amendments ~~thereto~~ to those maps or standards must be given by publication once in those newspapers in which notice to the public is provided for under this subsection. Notice of this adoption ~~shall~~ must also be filed with the Secretary of State indicating, in addition, that current copies of land use maps and standards are on file in the commission's offices and the method by which copies may be obtained.

Permanent land use standards so adopted ~~shall~~ be are effective immediately, but ~~shall~~ must be submitted to the next regular or special session of the Legislature for approval or modification. If the Legislature fails to act, such standards ~~shall~~ continue in full force and effect.

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

Effective February 23, 1990.

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## CHAPTER 625

H.P. 1452 - L.D. 2026

### An Act to Amend Continuing Educational Requirements for Licensed Insurance Agents, Brokers and Consultants

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

**24-A MRSA §1877**, as enacted by PL 1989, c. 31, §4, is amended to read:

#### **§1877. Educational requirements**

As a prerequisite to renewal on or after ~~July~~ January 1, 1992 of any license subject to this subchapter, licensees must complete 30 hours of continuing education within 2 years prior to the date of renewal in programs or courses approved by the superintendent. The superintendent may, for good cause shown, grant an extension of time to any person to allow that person to comply with this subchapter.

See title page for effective date.

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## CHAPTER 626

H.P. 1352 - L.D. 1869

### An Act to Require Consultation with the Department of Conservation on Abandoned Railroad Lines

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

**23 MRSA §7105, sub-§3, 1A**, as enacted by PL 1989, c. 398, §7 and as amended by PL 1989, c. 600, Pt. A, §§11 and 12, is further amended to read:

A. Before dismantling any track that results in a cessation of rail service upon all or part of a railroad line, or offering any railroad property for sale, or upon the abandonment of service along all or a portion of a railroad line, the department shall be given the first option to lease or purchase, on just and reasonable terms, the railroad line, any part of the railroad line or other property. In the event that a lease is negotiated for the rights-of-way, the department shall consult with municipal officials and officers in the municipalities affected by the