

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 209

H.P. 842 - L.D. 1208

An Act to Provide that General Assistance Payments be Made in Vouchers and in Greater Compliance with General Assistance Laws

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

Whereas, federal law amended, effective August 1, 1991, an Act to provide that local general assistance payments will be exempt from being counted as income in the food stamp program if they are pursuant to a state law requiring such payments to be in the form of vouchers; and

Whereas, present general assistance law and food stamp regulations have been interpreted to require that family's food stamps be reduced when they receive general assistance to the detriment of the most needy families in the State and to the detriment of municipal general assistance programs and budgets; 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. 22 MRSA §4304, sub-§1, as amended by PL 1989, c. 699, is further amended to read:

1. Local office. There must be in each municipality a general assistance office or designated place where any person may apply for general assistance at regular, reasonable times designated by the municipal officers. Notice must be posted of these times, the name of the overseer available to take applications in an emergency at all other times, the fact that the municipality must issue a written decision on all applications within 24 hours and the department's toll-free telephone number for reporting alleged violations in accordance with section 4321.

Sec. 2. 22 MRSA §4305, sub-§2, as enacted by PL 1983, c. 577, §1, is amended to read:

2. Availability of ordinance. ~~Each~~ The ordinance ~~shall and a copy of this chapter must~~ be available in the town office and ~~shall otherwise~~ be easily accessible to any member of the public. Notice to that effect ~~shall must~~ be posted. A copy of this chapter must be distributed by the department to each municipality.

Sec. 3. 22 MRSA §4305, sub-§6 is enacted to read:

6. Assistance by vouchers or contract. Except when determined impractical by the administrator for good cause shown, assistance is provided in the form of a voucher payable to vendor or vendors or through direct municipal contract with a provider of goods or services.

Sec. 4. Effective date. Section 3 of this Act takes effect August 1, 1991.

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

Effective May 29, 1991, unless otherwise indicated.

CHAPTER 210

H.P. 840 - L.D. 1206

An Act Relating to the Sale of Business Opportunities

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

Sec. 1. 32 MRSA §4691, sub-§3, ¶A, as amended by PL 1985, c. 597, §1, is further amended to read:

A. The sale, lease or distribution of any services, products, equipment, supplies, goods, or commodities, including plants used for cultivation and animals used for breeding, or services which that are sold, leased or distributed by the seller or an affiliated person; to the purchaser for the purpose of enabling the purchaser to start a business, for which the purchaser ~~pays to the seller a fee which is required to pay an amount that exceeds \$250 either as a single payment or in multiple payments during any consecutive 6-month period and in which the seller represents that:~~

- (1) ~~That the~~ The seller or an affiliated person will provide locations or assist the purchaser in finding locations for the use or operation of vending machines, racks, display cases or other similar devices or currency-operated amusement machines or devices, on premises neither owned nor leased by the purchaser or seller;
- (2) ~~That the~~ The seller or an affiliated person will purchase any or all products made, produced, fabricated, grown, bred or modified by the purchaser using in whole or in part, the supplies, services or chattels sold to the purchaser;
- (3) ~~That the~~ The seller guarantees that the purchaser will derive income from the business opportunity ~~which that~~ exceeds the price paid for the business opportunity;
- (4) ~~That if~~ If the purchaser is unsatisfied with the business opportunity, the seller will refund