

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

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1991

subsection 2, a zoning ordinance based on a comprehensive plan voided under this subsection remains valid and in effect until amended or repealed.

2. Zoning ordinances. Any zoning ordinance not consistent with a comprehensive plan adopted according to this subchapter is void 18 months after the applicable date established under section 4343, subsection 1 unless the office has extended the deadline for submission of the zoning ordinance pursuant to section 4343, subsection 1-B, in which case any zoning ordinance not consistent with a comprehensive plan adopted according to this subchapter is void 6 months after the extended deadline.

Sec. 2. 30-A MRSA §4326, sub-§5, as amended by PL 1989, c. 562, §6, is further amended to read:

5. Implementation program. An implementation program ~~shall~~ must be adopted that is consistent with the strategies in subsection 3. ~~A~~ Except as otherwise provided in this subsection, a zoning ordinance shall must be adopted within 18 months of the applicable deadline date established in section 4343, subsection 1, with the remainder of the strategies adopted according to the timetable set in the plan and the provisions of section 4313. If the office has extended the deadline for submission of the zoning ordinance pursuant to section 4343, subsection 1-B, a zoning ordinance must be adopted within 6 months after the extended deadline, with the remainder of the strategies adopted according to the timetable set in the plan and the provisions of section 4313.

Sec. 3. 30-A MRSA §4343, sub-§1-B, as enacted by PL 1989, c. 562, §10, is repealed and the following enacted in its place:

1-B. Zoning ordinance; schedule. Municipalities shall follow the following schedule for zoning ordinance submission.

A. Each municipality shall submit for review a zoning ordinance proposed as part of its implementation program within one year of the applicable date for submission of the comprehensive plan established under subsection 1.

B. Each municipality may request up to a 6-month extension of the zoning ordinance submission deadline determined under paragraph A. The office shall revise the submission deadline by up to 6 additional months if the office finds that the municipality has made a good faith effort to develop a plan and zoning ordinance consistent with this subchapter and that the municipality is likely to be eligible for state assistance under section 4344, subsection 4.

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

Effective June 14, 1991.

CHAPTER 279

H.P. 661 - L.D. 940

An Act to Increase the Availability of Sign Language Training

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

Sec. 1. 1 MRSA §132 is enacted to read:

§132. Deaf Culture Week

The Governor shall annually issue a proclamation setting aside the last full week in September as Deaf Culture Week. The proclamation must invite and urge the people of the State to observe the week in schools and other suitable places with appropriate ceremony and study. The Department of Education shall make appropriate information available to the people and the schools within its budget.

Sec. 2. 1 MRSA §219 is enacted to read:

§219. Official state language of the deaf community

American sign language is the official state language of the deaf community.

Sec. 3. 20-A MRSA §4726, as repealed and replaced by PL 1985, c. 178, is amended to read:

§4726. Foreign languages

Each school administrative unit:

1. Required to offer. Shall offer one 2-year sequence in a foreign language; and

2. Encouraged to offer. Is encouraged to offer one or more additional foreign languages as part of its secondary school program; ~~and~~ .

~~**3. American sign language.** May offer American sign language to fulfill the foreign language requirement under subsection 2.~~

American sign language is a foreign language and may be offered to fulfill the requirements of this section.

Sec. 4. 20-A MRSA §4805, sub-§8 is enacted to read:

8. Deaf Culture Week. Deaf Culture Week is the last full week in September in accordance with Title 1, section 132.

Sec. 5. Pilot project. Representatives from the Governor Baxter School for the Deaf, the Department of Education and the University of Maine System shall produce as a pilot project a course of instruction in American

sign language to be offered at secondary school sites using the University of Maine System's interactive television system. The purpose of the pilot project is to assess the demand for secondary school courses in American sign language and the effectiveness of interactive television in meeting that demand. Representatives from the Governor Baxter School for the Deaf, the Department of Education and the University of Maine System shall provide a pilot project plan to the Joint Standing Committee on Education by January 15, 1992. The pilot project must begin in school year 1992-93 as long as the necessary resources, including interactive television time and sign language instructors, are available.

See title page for effective date.

CHAPTER 280

H.P. 1036 - L.D. 1509

An Act to Include Land Surveyors in the Lien Laws

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

10 MRSA §3251, as amended by PL 1971, c. 421, is further amended to read:

§3251. Lien established

Whoever performs labor or furnishes labor or materials, including repair parts of machines used, or performs services ~~either~~ as a surveyor, an architect or an engineer or as an owner-renter, owner-lessor, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such above-named objects are constructed, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest such owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of such land, building, wharf or pier, so contracting, is a minor or married woman, such lien ~~shall exist~~ exists and such minority or coverture ~~shall~~ does not bar a recovery in any proceeding brought to enforce it.

See title page for effective date.

CHAPTER 281

S.P. 540 - L.D. 1438

An Act to Exempt from Right-to-know Laws Information Contained in the Personnel File of Department of Corrections Employees

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

Whereas, Department of Corrections employees are often threatened and harassed away from the job; and

Whereas, their nonbusiness addresses and phone numbers are not adequately protected from disclosure. Keeping such nonbusiness information confidential will not injure the public and will provide some protection for the employees constantly facing life-threatening situations; 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:

34-A MRSA §1212 is enacted to read:

§1212. Confidential information

The following information pertaining to department employees and independent contractors is confidential and that part of any record of the department containing this information is not a public record, as defined in Title 1, section 402, subsection 3:

1. Addresses and telephone numbers. Nonbusiness addresses and telephone numbers;

2. Information regarding other persons. The existence, names, addresses and telephone numbers of family members, household members and persons to be notified in the event of an emergency; and

3. Work schedules. Information pertaining to work schedules.

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

Effective June 14, 1991.
