

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
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PUBLIC LAWS
OF THE
STATE OF MAINE

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nection with an application for assistance pursuant to this chapter.

2. Wrongful disclosure prohibited. A member, officer, employee or agent of a municipality may not knowingly divulge or disclose information declared confidential by this section, except that:

A. A municipality or its agent may make such full and complete reports concerning its administration of programs provided with state or federal funds as required by State Government or Federal Government;

B. A municipality or its agent may publish statistics or other information of a general nature drawn from information declared confidential by this section, provided that the publication is accomplished in a manner that preserves confidentiality;

C. A municipality or its agent may comply with a subpoena, request for production of documents, warrant or court order issued or made upon lawful authority; and

D. In any litigation or proceeding in which a municipality or its agent is a party, the municipality or its agent may introduce evidence based on any information deemed confidential that is within the control or custody of the municipality or its agent.

3. Waiver. This section may not be construed to limit in any way the right of any person whose interest is protected by this section to waive, in writing or otherwise, the benefits of that protection.

4. Penalty. A person violating any provision under subsection 2 commits a civil violation for which a forfeiture of not more than \$200 may be adjudged. Each separate act of disclosure is considered a separate offense.

See title page for effective date.

CHAPTER 323

H.P. 735 - L.D. 1039

An Act to Resolve Municipal Secret Ballot Elections that Result in a Tie Vote

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

30-A MRSA §2528, sub-§10, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

10. Election by plurality vote; tie vote. Election ~~shall~~ must be by plurality vote. In the case of a tie vote,

the meeting ~~shall~~ must be adjourned to a day certain, when ballots ~~shall~~ are again be cast for the candidates tied for the office in question, unless the municipality's legislative body has provided by ordinance that any tied candidate may withdraw from a subsequent election by delivering written notice of withdrawal signed by the candidate and notarized to the municipal offices within the 5-day period following the election. After the 5-day period has expired, the municipal officers shall call a runoff election between the remaining candidates by posting a warrant in the manner required for calling a town meeting. If only one candidate remains, that candidate is declared the winner and sworn into office.

See title page for effective date.

CHAPTER 324

H.P. 810 - L.D. 1164

An Act to Clarify the Appointment of Civil Emergency Preparedness Directors

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

Sec. 1. 37-B MRSA §782, first ¶, as amended by PL 1987, c. 582, Pt. B, §6, is further amended to read:

A director ~~shall~~ must be appointed for each local civil preparedness agency. A director of a civil emergency preparedness agency ~~shall~~ may not be at the same time an executive officer or member of the executive body of a municipality or interjurisdictional or regional agency of the State or a county commissioner. Notwithstanding this section or any other law, a town manager or administrative assistant may also be appointed to serve as the director of a civil emergency preparedness agency or as a liaison officer. A director may be removed by the appointing authority for cause.

Sec. 2. 37-B MRSA §782, sub-§1, as enacted by PL 1983, c. 460, §3, is amended to read:

1. Municipal agency director; liaison officer. ~~The governing body of a municipality~~ municipal officers shall appoint the director of the municipality's civil emergency preparedness agency. ~~Each~~ In each municipality ~~which~~ that is not required to establish an agency of its own, the municipal officers shall designate a liaison officer to the appropriate interjurisdictional agency to facilitate cooperation in the work of disaster prevention, preparedness, response and recovery.

See title page for effective date.
