

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
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1991

of Transportation, the Commissioner of Marine Resources, the Commissioner of Economic and Community Development and the Commissioner of Inland Fisheries and Wildlife on ways to provide and disseminate information and education to public and private clubs, organizations and civic groups on making outdoor recreation accessible to persons with disabilities; and

E. Conduct, upon request, accessibility evaluations and provide technical assistance to outdoor recreational providers and users with regard to providing access for persons with disabilities.

§3100. Report

By January 15, 1993, the committee shall submit a report to the Governor and to the joint standing committee of the Legislature having jurisdiction over human resource matters. The report must include a description of the committee's activities, an assessment of the committee's effectiveness and an assessment of whether the committee should remain within the department.

See title page for effective date.

CHAPTER 371

S.P. 714 - L.D. 1903

An Act Concerning the Acquisition of Railroad Lines by the State

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

Whereas, the Department of Transportation, pursuant to Private and Special Law 1989, chapter 135, is acquiring certain portions of the Lewiston Lower Road and the Augusta-Brunswick Lower Road rail lines, which have not been subject to any abandonment petition before the Interstate Commerce Commission and therefore remain under the jurisdiction of the commission; and

Whereas, the acquisition by the State of ownership of those rail lines may make the State a "rail carrier" under federal law despite the fact that the State will not operate any rail service on the lines; and

Whereas, the Maine Revised Statutes, Title 23, section 7151 prohibits the State from being a "rail carrier under federal law" and therefore a conflict exists between state and federal laws that would prohibit the proposed transaction; and

Whereas, the department must purchase the rail lines on or before June 1, 1991, and it is in the best interest of the State that these railroad lines be acquired and preserved for railroad use; 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:

23 MRSA §7151, sub-§2, as repealed and replaced by PL 1989, c. 398, §7, is amended to read:

2. Declaration of policy. It is declared to be the policy of the State that the State and its agencies shall cooperate with the Congress of the United States and the appropriate federal agencies to assure the development and maintenance of safe, efficient and reliable rail service for the State. For any railroad line acquired under this chapter, it is the intent of the Legislature that the State may acquire the railroad line, but the State may not be an operator of the railroad ~~or a rail carrier under federal law.~~

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

Effective June 18, 1991.

CHAPTER 372

H.P. 112 - L.D. 155

An Act to Establish a Statewide Area Health Education Centers System

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

Sec. 1. 5 MRSA §12004-I, sub-§7-B is enacted to read:

<u>7-B.</u> <u>Education</u>	<u>Maine Area</u> <u>Health</u> <u>Education</u> <u>Centers</u> <u>Advisory</u> <u>Committee</u>	<u>Not</u> <u>Authorized</u>	<u>20-A MRSA</u> <u>§12856</u>
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Sec. 2. 20-A MRSA c. 435 is enacted to read:

CHAPTER 435

MAINE AREA HEALTH EDUCATION
CENTERS SYSTEM

§12851. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.