

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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together with any necessary implementing legislation. The commission shall report to the Joint Standing Committee on Judiciary with respect to its funding from all sources and detailed expenditures of the commission on November 15, 1991, and ~~November 15, 1992~~ February 28, 1993.

**Sec. 2. PL 1989, c. 891, Pt. B, §B-8** is amended to read:

**Sec. B-8. Commencement and continuation of commission.** The commencement and continuation of the commission through ~~November 15, 1992~~ February 28, 1993, are contingent on the commission's successful solicitation of funds from sources other than the General Fund. The chair is authorized to solicit and receive funds on behalf of the commission before its first meeting.

See title page for effective date.

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## CHAPTER 540

H.P. 1371 - L.D. 1955

### An Act to Amend the Maine Administrative Procedure Act

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

**Whereas**, under current law, agencies are required to issue regulating agendas within 100 days after adjournment; and

**Whereas**, this legislation seeks to make changes that will directly affect agencies in issuing those agendas; and

**Whereas**, it is vitally necessary that this legislation be enacted as an emergency measure in order that agencies may comply with the terms of the law in a timely and complete manner; 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. 5 MRSA §8060, sub-§6**, as enacted by PL 1989, c. 547, §8, is amended to read:

**6. Application.** Nothing in this section or section 8053-A may be construed to prohibit agencies from adopting emergency rules ~~or rules~~ that have not been listed or

included in the regulatory agenda pursuant to this section.

**Sec. 2. 5 MRSA §8064** is enacted to read:

#### §8064. Limitation

Except for emergency rules, as provided in section 8060, subsection 6, an agency may not adopt any rule unless the agency has complied with the provisions in sections 8053-A and 8060, which includes legislative review of the rule.

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

Effective July 8, 1991.

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## CHAPTER 541

H.P. 1357 - L.D. 1949

### An Act to Revise the Salaries of Certain County Officers

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

**Whereas**, it has become necessary to revise the salaries of certain county officials; and

**Whereas**, it is desired to have these revisions retroactive to January 1, 1991; 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. 30-A MRSA §2, sub-§1**, as repealed and replaced by PL 1989, c. 928, is repealed and the following enacted in its place:

1. County officers' salaries. Notwithstanding other sections of this chapter, counties that are not required to obtain legislative approval of their budgets under section 702 are not required to obtain legislative approval of the salaries of county officers under this section. The county commissioners, treasurers, sheriffs, judges of probate, registers of probate and registers of deeds in those counties whose budgets require legislative approval under section 702 are entitled to receive in weekly, biweekly or monthly payments annual salaries from the county treasury as follows: