

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 652**S.P. 852 - L.D. 2165****An Act to Authorize Forest Rangers to Enforce the Rules and Laws Pertaining to the Bureau of Public Lands****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 12 MRSA §8901, sub-§2, ¶D, as amended by PL 1987, c. 816, Pt. KK, §14, is further amended to read:

D. Enforce all laws relating to forests and forest preservation ~~and~~ laws relating to the Maine Land Use Regulation Commission ~~and laws and rules relating to lands under the jurisdiction of the Bureau of Public Lands~~;

Sec. 2. 12 MRSA §8901, sub-§3, as amended by PL 1987, c. 816, Pt. KK, §15, is further amended to read:

3. Law enforcement powers. Forest rangers and the state supervisor, for the purpose of enforcing forest and forest preservation laws ~~and~~ laws of the Maine Land Use Regulation Commission ~~and laws and rules relating to the lands under the jurisdiction of the Bureau of Public Lands~~, shall have the law enforcement powers equivalent to a sheriff or sheriff's deputy, including the right to arrest violators, prosecute ~~the same violators~~, serve criminal process against offenders, require aid in executing forest ranger duties and deputize temporary aides.

See title page for effective date.

CHAPTER 653**H.P. 1589 - L.D. 2243****An Act to Clarify the Zoning Provisions Administered by the Maine Land Use Regulation Commission**

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

Whereas, current law considers changes in land use districts and resulting zoning maps as rule-making proceedings; and

Whereas, current law requires each state agency to issue a regulatory agenda that lists rules that the agency expects to propose prior to the next regulatory agenda due date; and

Whereas, site-specific zoning petitions are filed with the Maine Land Use Regulation Commission each year by landowners, at times suitable to their purposes; and

Whereas, delay in acting upon citizen petitions may result in undue financial hardships to individuals and private enterprise development; 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:

12 MRSA §685-A, sub-§7, as amended by PL 1989, c. 810, §1, is further amended by amending the 5th paragraph to read:

At hearings, interested owners, lessees, officials, agencies and individuals may appear and be heard. They are allowed at least 10 days after the close of the public hearing, or within such longer time period as the commission may direct, to file written statements with the commission. Except as provided in this chapter, any hearings required or authorized under this subsection or subsection 8 must be conducted in accordance with the requirements for rulemaking set forth in Title 5, chapter 375, subchapter II; provided that the requirements of Title 5, section 8052, subsections 5, 5-A and 7; ; section 8053-A; ; section 8056, subsections 1, 3 and 4; ; section 8056-A; ; section 8057, subsection 2; ; and sections 8057-A, 8060 ~~and~~, 8062 ~~and~~ 8064 do not apply to these procedures.

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

Effective March 9, 1992.

CHAPTER 654**H.P. 1118 - L.D. 1643****An Act to Protect Telephone Customer Privacy****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 35-A MRSA §7101-A is enacted to read:

§7101-A. Telecommunications privacy; policy

The Legislature declares and finds the following.