

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL 22,544

TOTAL ALLOCATIONS SECTION 5 \$22,544

Sec. 6. Allocation. The following funds are allocated from Federal Block Grant funds to carry out the purposes of this Act.

1992-93

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Mental Health Services - Community

All Other \$168,537

Provides for the allocation of funds from an anticipated transfer of funds from the Office of Substance Abuse for community mental health services.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
TOTAL 168,537

TOTAL ALLOCATIONS SECTION 6 \$168,537

Sec. 7. PL 1993, c. 6, Pt. L, §3 is repealed.

Sec. 8. PL 1991, c. 780, Pt. KKK, §7, under the caption "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF", the part related to Departments and Agencies - Statewide, first line is amended to read:

Unallocated (~~\$900,000~~)
(\$875,681)

Sec. 9. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1992-93

HUMAN SERVICES, DEPARTMENT OF

Administration - Social Services

Positions - Legislative Count (-1.0)
 Personal Services (\$27,955)
 All Other (7,431)

TOTAL (35,386)

Provides for the deappropriation of funds from the transfer of one Social Service Program Specialist II position to the Child Care Food Program, Federal Expenditure Fund.

DEPARTMENT OF HUMAN SERVICES
TOTAL (35,386)

TOTAL APPROPRIATIONS SECTION 9 (\$35,386)

Sec. 10. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

1992-93

HUMAN SERVICES, DEPARTMENT OF

Child Care Food Program

Positions - Other Count (1.0)
 Personal Services \$27,955
 All Other 7,431

TOTAL 35,386

Provides for the allocation of funds from the transfer of one Social Service Program Specialist II position from Administration - Social Services, General Fund.

DEPARTMENT OF HUMAN SERVICES
TOTAL 35,386

TOTAL ALLOCATIONS SECTION 10 \$35,386

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

Effective April 23, 1993.

CHAPTER 71

H.P. 223 - L.D. 291

An Act to Restrict the Use of State Facilities

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

Sec. 1. 5 MRSA §1825-I is enacted to read:

§1825-I. Consultants

While under contract with the State, a consultant may use state facilities and state property only for the project or projects to which a contract applies.

See title page for effective date.

CHAPTER 72

H.P. 306 - L.D. 394

An Act to Change the Definition of Beverage Container for the Purposes of Recycling

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

Sec. 1. 32 MRSA §1862, sub-§2, as amended by PL 1989, c. 585, Pt. D, §§4 and 11 and affected by c. 869, Pt. C, §12, is further amended to read:

2. Beverage container. "Beverage container" means a bottle, can, jar or other container made of glass, metal or plastic ~~which~~ that has been sealed by a manufacturer and ~~which~~, at the time of sale; contains ~~one gallon~~ 4 liters or less of a beverage.

See title page for effective date.

CHAPTER 73

S.P. 150 - L.D. 482

An Act to Provide an Adequate Period for the Adoption of Local Ordinances

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

Whereas, the Office of Comprehensive Land Use Planning was abolished on December 24, 1991; and

Whereas, that action created administrative delays for municipalities choosing to proceed with the implementation of comprehensive plans adopted before December 24, 1993; and

Whereas, existing law voids municipal zoning ordinances that are not consistent with comprehensive plans 24 months after the adoption of those plans; 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 §4314, sub-§2, as enacted by PL 1991, c. 722, §6 and affected by §11, is amended to read:

2. Zoning ordinances. Notwithstanding section 4352, subsection 2, a zoning ordinance not consistent with a comprehensive plan adopted under this subchapter is void 24 months after adoption of the plan or by July 1, 1994, whichever date is later.

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

Effective April 27, 1993.

CHAPTER 74

H.P. 467 - L.D. 604

An Act to Reaffirm the Prohibition of Spaghetti-lots

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

Sec. 1. 12 MRSA §682-A, first ¶, as enacted by PL 1989, c. 762, §2 and affected by §4, is amended to read:

A person may not ~~subdivide~~ divide a parcel of land in the jurisdiction of the Maine Land Use Regulation Commission in such a way as to create a spaghetti-lot. This prohibition does not apply to:

Sec. 2. 12 MRSA §682-A, as enacted by PL 1989, c. 762, §2 and affected by §4, is amended by adding at the end a new paragraph to read:

This section applies to any division of land within the jurisdiction of the Maine Land Use Regulation Commission.

See title page for effective date.

CHAPTER 75

H.P. 493 - L.D. 651

An Act to Promote Safety of School Buses

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