

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

§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:

Sec. 1. 29 MRSA §2012, sub-§1, ¶F, as amended by PL 1989, c. 700, Pt. A, §123, is further amended to read:

F. May be equipped with a system of stop arms, which ~~shall~~ may be operated only in conjunction with the red signal lamps; ~~and~~

Sec. 2. 29 MRSA §2012, sub-§1, ¶F-1 is enacted to read:

F-1. May be equipped with reflective strips of national school bus yellow; and

See title page for effective date.

CHAPTER 76

H.P. 498 - L.D. 656

An Act to Amend the Laws Governing the Dimming of Lights When Following Vehicles

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

Sec. 1. 29 MRSA §1072, as amended by PL 1989, c. 65, §1, is further amended to read:

§1072. Dimming of lights on approaching vehicles

Whenever the driver of a vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required and at other times when they are lighted, approaches an oncoming vehicle within 500 feet, or follows a vehicle within ~~400~~ 300 feet, the driver shall dim the headlights or switch to a low beam and ~~shall~~ turn off any fog or auxiliary light allowed by section 1367-B, subsection 1; ~~which that~~ exceeds 20,000 candlepower.

See title page for effective date.

CHAPTER 77

H.P. 544 - L.D. 740

An Act to Amend the Laws Exempting Aseptic Packaging of Milk Substitutes

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

Sec. 1. 32 MRSA §1862, sub-§1, as amended by PL 1991, c. 304, §1, is further amended to read:

1. Beverage. "Beverage" means beer, ale or other drink produced by fermenting malt, spirits, wine, wine

coolers, soda or noncarbonated water and all nonalcoholic carbonated or noncarbonated drinks in liquid form and intended for internal human consumption, except for unflavored rice milk, unflavored soymilk, milk and dairy-derived products.

Sec. 2. 32 MRSA §1862, sub-§12-D is enacted to read:

12-D. Rice milk. "Rice milk" means any liquid intended for internal human consumption of which the primary protein source is rice protein derived from partially milled brown rice.

See title page for effective date.

CHAPTER 78

H.P. 601 - L.D. 816

An Act to Eliminate the Bureau of Public Administration

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

Sec. 1. 5 MRSA §291, as amended by PL 1985, c. 779, §10, is further amended to read:

§291. Creation

There is established ~~a~~ the State Government Internship Program, referred to in this chapter as "the program," for attracting and placing qualified undergraduate and graduate college students temporarily within the State Government, to be administered by the ~~Bureau of Public Administration~~, Margaret Chase Smith Center for Public Policy within the University of Maine System.

Sec. 2. 5 MRSA §294, as amended by PL 1987, c. 735, §§7 and 8, is further amended to read:

§294. Duties of the Margaret Chase Smith Center for Public Policy

The State Government Internship Program ~~shall~~ be administered by the ~~Bureau of Public Administration~~, Margaret Chase Smith Center for Public Policy, referred to in this section as "the center," within the University of Maine System, ~~with the advice of the State Government Internship Program Advisory Committee.~~ The ~~bureau's center's~~ center's duties ~~shall~~ include the following.

1. General supervision. The ~~bureau center~~ shall exercise general supervision over the operation of the program and shall develop and put into effect administrative guidelines for interns and state government personnel; formulate policies and establish and administer operational procedures.