

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

CHAPTER 165

S.P. 100 - L.D. 278

An Act to Provide Additional Powers to the Public Utilities Commission

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

Sec. 1. 35-A MRSA §112, sub-§4, ¶C is enacted to read:

C. Subject to the requirements of the United States Constitution and the Constitution of Maine and upon a finding that there is probable cause to believe that a public utility is altering, amending, removing or destroying any of its books, accounts, papers or records in an attempt to frustrate an investigation of the commission, a Judge of the District Court or a Justice of the Peace, at the request of the commission and without notice, may issue a search warrant requiring seizure of those documents that are necessary for the commission to discharge its duties.

Sec. 2. 35-A MRSA §1316-A is enacted to read:

§1316-A. Information related to violation of state law; confidentiality

Subject to the requirements of Title 5, section 9055 regarding ex parte communications but notwithstanding any other provision of law, the commission may declare and treat as confidential communications from any person concerning the affairs of a utility that are reasonably related to a violation of state laws.

See title page for effective date.

CHAPTER 166

H.P. 388 - L.D. 501

An Act to Correct Errors and Inconsistencies in the Growth Management Laws

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

Sec. 1. 30-A MRSA §4301, sub-§9, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

9. Local growth management program. "Local growth management program" means a document containing the components described in section 4326, including the implementation program, which is consistent with the goals and guidelines established by subchapter II and

which regulates land use beyond that required by Title 38, chapter 3, subchapter I, article 2-B.

Sec. 2. 30-A MRSA §4301, sub-§15, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is repealed.

Sec. 3. 30-A MRSA §4301, sub-§15-A is enacted to read:

15-A. Zoning ordinance. "Zoning ordinance" means a type of land use ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district.

Sec. 4. 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 that regulates land use beyond that required by Title 38, chapter 3, subchapter I, article 2-B and that is not consistent with a comprehensive plan adopted under this subchapter is void 24 months after adoption of the plan.

Sec. 5. 30-A MRSA §4324, sub-§2, as amended by PL 1991, c. 622, Pt. F, §23, is further amended to read:

2. Local planning committee. ~~The~~ If a municipality chooses to prepare a local growth management program, the municipal officers of a municipality or combination of municipalities ~~may~~ shall designate and establish a local planning committee.

A. The municipal officers may designate any existing planning board or district established under subchapter IV, or a former similar provision, as the local planning committee. Planning boards established under former Title 30, section 4952, subsection 1, continue to be governed by those provisions until they are superseded by municipal charter or ordinance.

B. The local planning committee may develop and maintain a comprehensive plan and may develop an initial proposed zoning ordinance or an initial revision of an existing zoning ordinance. In performing these duties, the local planning committee shall:

(1) Hold public hearings and use other methods to solicit and strongly encourage citizen input; and

(2) Prepare the comprehensive plan and proposed zoning ordinance and make recommendations to the municipal reviewing authority and municipal legislative body regarding the adoption and implementation of the program or amended program.