

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

to correct the condition at the landlord's expense. If the landlord fails to comply within 14 days after being notified by the tenant in writing by certified mail, return receipt requested, or as promptly as conditions require in case of emergency, the tenant may cause the work to be done ~~in a workmanlike manner~~ with due professional care with the same quality of materials as are being repaired. Installation and servicing of electrical, oil burner or plumbing equipment ~~shall~~ must be by a professional licensed pursuant to Title 32. After submitting to the landlord an itemized statement, the tenant may deduct from ~~his~~ the tenant's rent the actual and reasonable cost or the fair and reasonable value of the work, not exceeding the amount specified in this subsection. This subsection does not apply to repairs of damage caused by the tenant or the tenant's invitee.

See title page for effective date.

CHAPTER 237

H.P. 1029 - L.D. 1381

An Act to Clarify the Law Concerning Complimentary Licenses for Disabled War Veterans

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

Whereas, clarification of the law is immediately necessary to ensure that all resident disabled war veterans may receive the complimentary hunting and fishing licenses to which they are entitled; 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. 12 MRSA §7076, sub-§4, ¶C, as amended by PL 1989, c. 264, is further amended to read:

C. Has served in a combat zone during ~~either World War I, World War II, the Korean War or the Vietnam War~~ any armed conflict in which participants were exposed to war-risk hazards as defined in 42 United States Code, Section 1711 (b); and

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

Effective June 2, 1993.

CHAPTER 238

H.P. 1026 - L.D. 1378

An Act Regarding the Holding of Juveniles in the Penobscot County Jail

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

Sec. 1. 15 MRSA §3203-A, sub-§7, ¶B-3 is enacted to read:

B-3. Notwithstanding any other provision of law, until December 31, 1995, a juvenile may be detained in the Penobscot County Jail, as long as the juvenile is detained in a separate juvenile section approved by the federal Office of Juvenile Justice and Delinquency Prevention and in compliance with paragraph A.

See title page for effective date.

CHAPTER 239

S.P. 468 - L.D. 1460

An Act Relating to Publication of Legal Notices

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

Whereas, the Somerset Gazette, a weekly newspaper published in Skowhegan in the County of Somerset since April 16, 1990, has been publishing probate notices, notices of foreclosure, other legal notices, legal advertising and other matter required by law to be published in a newspaper; and

Whereas, this newspaper is entered as 3rd class postal matter in the United States mails at the post office in Skowhegan, Maine; and

Whereas, pursuant to the Maine Revised Statutes, Title 1, section 601, for a newspaper to be qualified as a medium for the publication of legal notices, legal advertising and other matter required by law to be published in a newspaper, that newspaper must be entered as 2nd class postal matter in the United States mail; and

Whereas, the legal efficacy of any procedure requiring notice when that notice has been published in the Somerset Gazette may be called into question; and

Whereas, in the opinion of the Legislature, these facts require immediate action in order to remove any doubt as to the present and future validity of these notices and the procedures based upon them; 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. 1 MRSA §602 is enacted to read:

§602. Additional media for publication of notices

Notwithstanding section 601, all probate notices, notices of foreclosure, other legal notices, legal advertising and other matter required by law to be published in a newspaper that have been published in the Coastal Journal from the date of its first publication on November 3, 1966 and in the Somerset Gazette from the date of its first publication on April 16, 1990 to the effective date of this Act, and that would have been valid but for the provision of section 601 that requires a newspaper carrying such notices to be entered as 2nd class postal matter, are declared to be valid.

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

Effective June 2, 1993.

CHAPTER 240

H.P. 1002 - L.D. 1348

An Act to Prohibit the Board of Environmental Protection from Adopting a Numeric Water Quality Criterion Prior to January 1, 1994

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

Sec. 1. 38 MRSA §420, sub-§2, ¶H is enacted to read:

H. Notwithstanding paragraphs D and G, the board may not adopt any numeric water quality criteria for, or acceptable level of additional cancer risk from exposure to, 2, 3, 7, 8 - tetrachlorodibenzo-p-dioxin prior to January 1, 1994.

See title page for effective date.

CHAPTER 241

S.P. 497 - L.D. 1517

An Act to Make Additional Appropriations and Allocations and to Make Technical Corrections to the Laws for the Fiscal Years Ending June 30, 1993 and June 30, 1994

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to July 1, 1993; 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:

PART A

Sec. A-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1993 to the departments listed, the following sums.

1992-93

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Budget - Bureau of the

Capital Expenditures (\$593)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

(593)

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF