

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

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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

tion 7507 and the first motor vehicle model year that is required to meet standards under the low-emission vehicle program in Maine is not an earlier model year than the first model year required to meet standards under a low-emission vehicle program in any of those 3 New England states; and

2. Ozone transport region adoption. Jurisdictions comprising more than 60% of the total registrations of new passenger cars and light-duty trucks in the ozone transport region have adopted a low-emission vehicle program that meets the requirements of the federal Clean Air Act, Section 177, 42 United States Code, Section 7507 and the first model year required to meet standards under the low-emission vehicle program in any of those states is not later than motor vehicle model year 1998. For purposes of this paragraph, "ozone transport region" means the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont, and the consolidated metropolitan statistical area that includes the District of Columbia.

The department may not implement the low-emission vehicle program if the implementation of that program includes the adoption, sale, or use of any type of reformulated gasoline other than the federal reformulated gasoline that is certified by the United States Environmental Protection Agency under 42 United States Code, Section 7545(k) for sale and use in states other than California.

See title page for effective date.

CHAPTER 359

H.P. 806 - L.D. 1092

An Act Repealing Advisory Boards on Housing and Economic Development Matters

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

PART A

Sec. A-1. 5 MRSA §12004-I, sub-§6, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. A-2. 5 MRSA c. 403, as amended, is repealed.

PART B

Sec. B-1. 5 MRSA §12004-I, sub-§6-A, as enacted by PL 1989, c. 601, Pt. B, §1, is repealed.

Sec. B-2. 30-A MRSA §4722, sub-§1, ¶U, as amended by PL 1991, c. 610, §2, is further amended to read:

U. Consult with the ~~Affordable Housing Alliance, Advisory Committee and the~~ Interagency Task Force on Homelessness and Housing Opportunities, as defined in chapter 202, section 5002, with respect to the implementation of housing programs to make the best use of resources and make the greatest impact on the affordable housing crisis;

Sec. B-3. 30-A MRSA §5002, sub-§1, as amended by PL 1991, c. 610, §3, is repealed.

PART C

Sec. C-1. 5 MRSA §12004-I, sub-§26, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. C-2. 10 MRSA §965, sub-§1, as amended by PL 1991, c. 854, Pt. A, §1, is repealed and the following enacted in its place:

1. Selected board members. Two members selected by the Governor from the appointed members of the Maine Education Assistance Board.

Sec. C-3. 10 MRSA §965, sub-§3, as amended by PL 1991, c. 854, Pt. A, §2, is further amended to read:

3. At-large members. Five Seven members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over economic development matters and subject to confirmation by the Legislature must be appointed from at large. Two of the at-large members must be veterans and 2 of the at-large members must be knowledgeable in the field of natural resource enterprises or financing.

Sec. C-4. 10 MRSA §972, sub-§1, as amended by PL 1989, c. 698, §7, is further amended to read:

1. Employ directors. In accordance with procedures of the authority, employ the directors of the divisions established by the authority. ~~During the selection process, the authority or its designee, the chief executive officer, shall consult with the Natural Resource Financing and Marketing Board concerning the appointment of a director of the Division of Natural Resources Financing and Marketing and with the Maine Education Assistance Board concerning the appointment of a director of the Maine Education Assistance Division.~~ The directors shall serve at the pleasure of the chief executive officer;

Sec. C-5. 10 MRSA §973, as amended by PL 1989, c. 698, §8, is further amended to read:

§973. Conflicts of interest

Notwithstanding Title 5, section 18, subsection 1, paragraph B, each member of the authority, each member of the ~~Natural Resource Financing and Marketing Board, each member of the Maine Veterans' Small Business Loan Board, each member of the Maine Education Assistance Board and each employee, contractor, agent or other representative of the authority is deemed an "executive employee" solely for purposes of Title 5, section 18, and for no other purpose, provided except that the chief executive officer shall in addition be is deemed an "executive employee" for purposes of Title 5, section 19. In addition, Title 17, section 3104, shall be applicable, in accordance with its provisions, to all such does not apply to any of those representatives of the authority.~~

PART D

Sec. D-1. 5 MRSA §12004-I, sub-§31, as amended by PL 1989, c. 503, Pt. A, §30, is repealed.

Sec. D-2. 30-A MRSA §4723, sub-§2, ¶A, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is repealed.

Sec. D-3. 30-A MRSA §4723, sub-§2, ¶D, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

D. Any person ~~may serve as a member of the advisory board, and any person~~ who, at the time of appointment, is a resident of the State, may serve as a commissioner, except that the director need not be a resident of the State before being appointed.

(1) Each commissioner, except for the director and the Treasurer of State, ~~and each advisory board member shall serve~~ serves a 4-year term beginning with the expiration of the term of ~~the~~ that person's predecessor, except that a vacancy occurring in ~~such~~ a position before the normal expiration of the appointment ~~shall must~~ be filled as soon as practicable by a new gubernatorial appointee who ~~shall serve~~ serves for the remainder of the unexpired term. Each ~~advisory board member and~~ commissioner ~~shall continue~~ continues to hold office after the term expires until a successor is appointed. In any instance in which more than one commissioner ~~or advisory board member~~ is serving beyond the original term, any new appointee is deemed to succeed the commissioner ~~or advisory board member~~ whose term expired first.

(2) The Secretary of State shall prepare a certificate evidencing the appointment of

each ~~advisory board member and~~ commissioner. An original of this certificate ~~shall~~ must be provided to the appointee. One authenticated copy ~~shall must~~ be retained by the Maine State Housing Authority and one by the Secretary of State. An authenticated certificate of appointment is conclusive evidence of the appointment.

See title page for effective date.

CHAPTER 360**H.P. 807 - L.D. 1093****An Act Repealing Advisory Boards on Human Resources**

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

PART A

Sec. A-1. 5 MRSA §12004-G, sub-§28, as enacted by PL 1987, c. 786, §5, is amended to read:

28.	Region II	Expenses	34-B MRSA
Mental Health	Crisis In-	Only	§3621
and Mental	tervention		<u>§3624</u>
Retardation	Program		
	Advisory		
	Board		

Sec. A-2. 34-B MRSA §3624 is enacted to read:

§3624. Region II Crisis Intervention Program Advisory Board

1. Definition. As used in this section, "program" means the crisis intervention program established pursuant to section 3621.

2. Purpose. The Region II Crisis Intervention Program Advisory Board, as established by Title 5, section 12004-G, subsection 28, advises the program.

3. Members. The board consists of 12 members as follows:

A. The superintendent of the Bangor Mental Health Institute, or the superintendent's designee;

B. The chief executive officer of the hospital that participates in the program, or the chief executive officer's designee;

C. The director of community support services for the community mental health center serving Region II;