

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

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

Sec. 1. 5 MRSA §191-B is enacted to read:

§191-B. Qualification

To serve as Attorney General, a person must be a member in good standing of the bar of the State. For purposes of this section, a person is a "member in good standing of the bar of the State" if that person is admitted to the practice of law in this State, is presently registered with the Board of Overseers of the Bar as an active practitioner and has not been and is not currently disbarred or suspended from practice pursuant to Title 4, chapter 17, subchapter II or Maine Bar Rule 7.2 or its successor.

See title page for effective date.

CHAPTER 146

H.P. 529 - L.D. 720

**An Act to Amend the Laws
Regarding Confidentiality of Library
Records**

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

Sec. 1. 27 MRSA §121, as amended by PL 1991, c. 67, is further amended to read:

§121. Confidentiality of library records

Records maintained by any public municipal library, ~~including the Maine State Library, the Law and Legislative Reference Library~~ and libraries of the University of Maine System and the Maine Maritime Academy, that contain information relating to the identity of a library patron relative to the patron's use of books or other materials at the library, are confidential. Those records may only be released with the express written permission of the patron involved or as the result of a court order.

~~Public municipal libraries shall have up to 5 years from the effective date of this chapter to be in compliance with this section.~~

Sec. 2. **Effective date.** This Act takes effect January 1, 1998.

Effective January 1, 1998.

CHAPTER 147

S.P. 277 - L.D. 885

**An Act to Amend the Qualifications
of the Administrator of the Maine
Veterans' Homes**

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

Sec. 1. 37-B MRSA §606, as enacted by PL 1983, c. 460, §3, is amended to read:

§606. Administrator

The administrator ~~shall~~ must be an honorably discharged ~~war~~ veteran who shall administer the home in accordance with the rules, guidelines and general policies established by the board. ~~He shall serve~~ The administrator serves an indefinite term, but may be removed for cause by the board. ~~His~~ The administrator's salary ~~shall be~~ is set by the board. The administrator shall hire the necessary employees to operate the home and, whenever possible, ~~shall~~ give preference in hiring to war veterans. These employees ~~shall~~ are not be deemed employees of the State.

See title page for effective date.

CHAPTER 148

H.P. 786 - L.D. 1074

**An Act to Establish Practical
Difficulty Standards for a Variance
from the Dimensional Standards of a
Municipal Zoning Ordinance**

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

Sec. 1. 30-A MRSA §4353, sub-§4, as amended by PL 1991, c. 659, §1, is further amended to read:

4. Variance. Except as provided in subsections 4-A ~~and~~, 4-B ~~and~~ 4-C, the board may grant a variance only when strict application of the ordinance to the petitioner and the petitioner's property would cause undue hardship. The term "undue hardship" as used in this subsection means:

A. The land in question can not yield a reasonable return unless a variance is granted;

B. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;