

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

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

Effective May 31, 1997.

CHAPTER 386

S.P. 634 - L.D. 1851

**An Act to Amend the Laws
Regarding Proposed Unaccepted
Streets**

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

Sec. 1. 23 MRSA §3032, sub-§1, as enacted by PL 1987, c. 385, §2, is repealed.

Sec. 2. 23 MRSA §3032, sub-§1-A is enacted to read:

1-A. Deemed vacation. A proposed, unaccepted way or portion of a proposed, unaccepted way laid out on a subdivision plan recorded in the registry of deeds prior to September 29, 1987 is deemed to have been subject to an order of vacation under section 3027 if, by the later of 15 years after the date of the recording of the subdivision plan laying out the way or portion of the way or September 29, 1997, both of the following conditions have been met:

A. The way or portion of the way has not been constructed or used as a way; and

B. The way or portion of the way has not been accepted as a town, county or state way or highway or as a public, utility or recreational easement.

A way or portion of a way considered vacated under this subsection is subject to section 3033.

See title page for effective date.

CHAPTER 387

H.P. 446 - L.D. 596

**An Act to Require the Department of
Labor to Ensure That Housing
Provided as an Incident of
Employment by Agricultural
Employers Meets Minimum
Standards of Habitability**

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

Sec. 1. 22 MRSA §454, as amended by PL 1989, c. 487, §4, is repealed and the following enacted in its place:

§454. Duties

1. Reporting; action on complaints. In a book kept for that purpose, the local health officer shall make and keep a record of all the proceedings, transactions, doings, orders and regulations of that local health officer. The local health officer shall assist in the reporting, prevention and suppression of diseases and conditions dangerous to health, and that local health officer is subject to the supervision and direction of the department.

The local health officer shall report promptly to the Commissioner of Human Services, or the commissioner's designee, facts that relate to communicable diseases occurring within the limits of the health officer's jurisdiction, and shall report to the commissioner, or the commissioner's designee, every case of communicable disease as the rules of the department require. Those diseases that the rules of the department may require to be reported are known, under the terms of this Title, as notifiable diseases.

The local health officer shall receive and evaluate complaints made by any of the inhabitants concerning nuisances posing a potential public health threat within the limits of the health officer's jurisdiction. With the consent of the owner, agent or occupant, the local health officer may enter upon or within any place or premises where nuisances or conditions posing a public health threat are known or believed to exist, and personally, or by appointed agents, inspect and examine the same. If entry is refused, the municipal health officer shall apply for an inspection warrant from the District Court, pursuant to Title 4, section 179, prior to conducting the inspection. When the local health officer has reasonable cause to suspect the presence of a communicable disease, the local health officer shall consult with the commissioner, or a designee. The health officer shall then order the suppression and removal of nuisances and conditions posing a public health threat found to exist within the limits of the health officer's jurisdiction. For purposes of this section, "public health threat" means any condition or behavior that can reasonably be expected to place others at significant risk of exposure to infection with a communicable disease.

2. Departmental intervention. If the local health officer, or individual designated as the local health officer pursuant to section 451, fails to perform the duties of the local health officer as those duties are described under this section, the department may intervene to perform those duties.

Sec. 2. 26 MRSA c. 6, sub-c. III is enacted to read: