

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

sary to take advantage of enhanced federal matching funds that may become available.

G. If, upon thorough analysis, the department determines that a waiver under this subsection is not feasible or would not significantly benefit participants in the elderly low-cost drug program, the department may decide not to pursue the waiver. Within 30 days of a decision not to proceed with a waiver and before taking action on that decision, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and shall provide a detailed analysis of the reasons for reaching that decision.

Sec. 4. Report. The Department of Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the status of the waiver request pursuant to the Maine Revised Statutes, Title 22, section 3174-G, subsection 1-C on or before January 12, 2003. The report must include information on cost sharing, including copayments, under the waiver program and on benefits for enrollees in the program.

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

Effective April 9, 2002.

CHAPTER 651

S.P. 779 - L.D. 2119

An Act Relating to Subdivision Review and Title Search Procedures

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

Sec. 1. 30-A MRSA §4401, sub-§4, ¶C, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10 and amended by c. 326, §1, is further amended to read:

C. A lot of 40 or more acres ~~shall not~~ must be counted as a lot, except:

~~(1) When the lot or parcel from which it was divided is located entirely or partially within any shoreland area as defined in Title 38, section 435, or a municipality's shoreland zoning ordinance; or~~

(2) When a municipality has, by ordinance, or the municipal reviewing authority has, by regulation, elected not to count lots of 40 or more acres as lots for the purposes of this

subchapter when the parcel of land being divided is located entirely outside any shoreland area as defined in Title 38, section 435, or a municipality's shoreland zoning ordinance.

Sec. 2. 30-A MRSA §4401, sub-§4, ¶H, as repealed and replaced by PL 2001, c. 359, §4 and affected by §8 and affected by c. 523, §§1 and 2, is repealed.

Sec. 3. 30-A MRSA §4401, sub-§4, ¶H-1 is enacted to read:

H-1. This subchapter may not be construed to prevent a municipality from enacting an ordinance under its home rule authority that:

(1) Expands the definition of "subdivision" to include the division of a structure for commercial or industrial use; or

(2) Otherwise regulates land use activities.

A municipality may not enact an ordinance that expands the definition of "subdivision" except as provided in this subchapter. A municipality that has a definition of "subdivision" that conflicts with the requirements of this subsection at the time this paragraph takes effect shall comply with this subsection no later than January 1, 2006. Such a municipality must file its conflicting definition at the county registry of deeds by June 30, 2003 for the definition to remain valid for the grace period ending January 1, 2006. A filing required under this paragraph must be collected and indexed in a separate book in the registry of deeds for the county in which the municipality is located.

See title page for effective date.

CHAPTER 652

S.P. 828 - L.D. 2210

An Act Relating to Tax Expenditure Review and Other Tax Reporting Requirements

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

Sec. 1. 5 MRSA §1710-J, as enacted by PL 1995, c. 368, Pt. J, §1, is amended to read:

§1710-J. Access to information

In order to assist the committee, the Department of Administrative and Financial Services shall provide information and data to the committee on request. The