

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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notice of debt; and

Sec. 8. 19 MRSA § 504, sub-§ 4, as enacted by PL 1975, c. 532, § 3, is repealed and the following enacted in its place:

4. Answer. Any persons served with an order to withhold and deliver shall answer the order within 20 days of receipt of the order.

Sec. 9. 19 MRSA § 504, sub-§ 5, 2nd sentence, as enacted by PL 1975, c. 532, § 3, is repealed and the following enacted in its place:

After 20 days from the date of receipt of this order and upon demand of the commissioner, the property of the responsible parent shall be delivered forthwith to the commissioner.

Sec. 10. 19 MRSA § 510, as enacted by PL 1975, c. 532, § 3, is amended by adding at the end a new sentence to read:

An aggrieved employee may maintain a civil action against his employer for violation of this section.

Effective September 14, 1979

CHAPTER 310

H. P. 583 — L. D. 733

AN ACT Concerning Benefits for Fire Fighters under the State Retirement System for Heart or Lung Injuries.

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

5 MRSA § 1092, sub-§ 12-A, is enacted to read:

12-A. Cardiovascular injury or disease or pulmonary disease suffered by a fire fighter.

A. In participating local districts which have not adopted the disability retirement benefits enacted by public law 1975, chapter 622, section 54, and subsequent amendments, it shall be presumed that a member has incurred a disability in the line of duty which occurred while in actual performance of duty at some definite time and place and was not caused by the willful negligence of the member if:

- (1) The disability is the result of a cardiovascular injury which occurred or

cardiovascular or a pulmonary disease which developed within 6 months of having participated in fire fighting or training or drill which actually involves fire fighting;

(2) The member was an active member of a municipal fire department or of a volunteer fire fighters' association, as defined in Title 30, section 3771, for at least 2 years prior to the injury or onset of the disease; and

(3) The member has been granted workers' compensation benefits for the cardiovascular injury or disease or the pulmonary disease.

This presumption is subject to rebuttal in accordance with the Maine Rules of Evidence, Rule 301.

B. For the purposes of this section, a person shall be considered an active member of a municipal fire department or of a volunteer fire department or volunteer fire fighters' association and if that person aids in the extinguishment of fires, regardless of whether or not that person has administrative duties or other duties as a member of the municipal fire department or volunteer fire fighters' association.

Effective September 14, 1979

CHAPTER 311

S. P. 405 — L. D. 1276

AN ACT Concerning Reserve Officer Standards for Professional Law Enforcement Personnel.

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

25 MRSA § 2805-A is enacted to read:

§ 2805-A. Standards for reserve and other part-time law enforcement officers

1. Purpose. The purpose of this section is to establish standards and training programs for reserve and other part-time law enforcement officers and to certify these officers.

2. Powers and duties. The Maine Criminal Justice Academy shall have the following powers and duties.

A. The academy shall establish standards of admission to training for reserve