

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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was issued or the heating, ventilation and air-conditioning system was installed, whichever is later; and

B. Operated continuously during school activity hours except:

(1) During scheduled maintenance and emergency repairs; and

(2) During periods for which school officials can demonstrate to the commissioner's satisfaction that the quantity of outdoor air supplied by an air supply system that is not mechanically driven and by infiltration meets the outdoor air supply rate required by paragraph A.

3. Inspection and record. Each school administrative unit is responsible for:

A. Inspection of the heating, ventilation and air-conditioning system at least annually and correction of any problems within a reasonable time; and

B. Maintaining written records of heating, ventilation and air-conditioning system inspection and maintenance for at least 5 years. The superintendent shall make these records available for examination upon request.

**Sec. 3. 26 MRSA §565-A, sub-§1**, as enacted by PL 1987, c. 733, §6, is amended to read:

**1. Advise and propose standards.** The board shall work with the Bureau of Public Improvements with respect to evaluation of indoor air quality and ventilation in public school buildings and buildings occupied by state employees and the preparation of the report pursuant to Title 5, section 1742, subsection 24, paragraph A.

A. The board may advise the Bureau of Public Improvements and propose for consideration by the bureau air quality and ventilation standards that are more stringent than the minimum standards as defined in Title 5, section 1742, subsection 24.

See title page for effective date.

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**CHAPTER 182**

**S.P. 413 - L.D. 1127**

**An Act to Increase the Probationary Period for Police Officers**

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

**30-A MRSA §2701**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**§2701. Employee probation periods**

Except as specifically provided otherwise by charter or ordinance, any reference to cause and hearing in this Part only applies to an employee who has completed a reasonable probation period established by the municipality. Periods of probation may not exceed 6 calendar months or the length of time in effect in a municipality on January 1, 1984, whichever is greater, except that in the case of police officers, a longer probationary period not to exceed one year may be established as the result of collective bargaining or provided for by the municipality in the absence of a bargaining agent.

See title page for effective date.

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**CHAPTER 183**

**H.P. 1019 - L.D. 1492**

**An Act to Permit Orderly Consideration of Department of Environmental Protection Applications**

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

**38 MRSA §344, sub-§1-A** is enacted to read:

1-A. Governing rules. An application for a permit, license or approval is processed under the substantive rules in effect on the date the application or request for approval is determined to be complete for processing.

See title page for effective date.

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**CHAPTER 184**

**S.P. 242 - L.D. 646**

**An Act to Provide for the Recovery of Overpayments by the Maine State Retirement System**

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

**Sec. 1. 5 MRSA §17054, sub-§§1 and 2**, as enacted by PL 1985, c. 801, §§5 and 7, are amended to read:

**1. Retirement allowance available for child support.** A member's retirement allowance ~~shall be~~ is available to satisfy any child support obligation ~~which that~~ is otherwise enforceable by execution, garnishment, attachment, assignment or other process; ~~and~~

**2. Accumulated contributions available for child support.** A member's accumulated contributions, being