

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1999-00	2000-01
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Positions - Legislative Count		(1,000)
Personal Services		\$19,500
All Other	\$6,000	
TOTAL	\$6,000	\$19,500
Provides funds for the General Fund share of one additional Supervisor position, to be established on August 1, 2000, and operating costs necessary to implement new sex offender registration and notification requirements.		

Sex Offender Registration - State Mandate Reimbursement

All Other	\$1,500	\$3,000
Appropriates funds for the General Fund share of reimbursing municipalities for certain new sex offender registration and notification costs.		

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

	\$7,500	\$22,500
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Sec. 5. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1999-00	2000-01
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Personal Services		\$29,250
All Other	\$9,000	
TOTAL	\$9,000	\$29,250
Allocates funds for the Highway Fund's share of one additional Supervisor position and operating costs necessary to		

implement new sex offender registration and notification requirements.

Sex Offender Registration - State Mandate Reimbursement

All Other	\$2,250	\$4,500
Allocates funds for the Highway Fund share of reimbursing municipalities for certain new sex offender registration and notification costs.		

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

	\$11,250	\$33,750
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Sec. 6. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Act.

1999-00

**PUBLIC SAFETY,
DEPARTMENT OF**

State Police

All Other	\$48,776
Allocates funds to purchase technology that is necessary for the implementation of a sex offender registration and notification program.	

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

	\$48,776
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See title page for effective date.

CHAPTER 438

H.P. 1412 - L.D. 2019

An Act to Remove the Statute of Limitations for Unlawful Sexual Contact and Sexual Abuse of Minors

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

Sec. 1. 17-A MRSA §8, sub-§1, as amended by PL 1991, c. 585, §1, is further amended to read:

1. It is a defense that prosecution was commenced after the expiration of the applicable period of

limitations provided in this section; provided that a prosecution for murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, a prosecution for: incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct, may be commenced at any time.

Sec. 2. 17-A MRSA §8, sub-§2, as amended by PL 1991, c. 585, §2, is further amended to read:

2. Prosecutions for crimes other than murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, prosecutions for: incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct, are subject to the following periods of limitations:

A. A prosecution for a Class A, Class B or Class C crime must be commenced within 6 years after it is committed; and

B. A prosecution for a Class D or Class E crime must be commenced within 3 years after it is committed.

Sec. 3. Application. This Act applies to the following crimes in which the victim has not attained 16 years of age at the time of the crime:

1. Unlawful sexual contact and sexual abuse of a minor committed on or after the effective date of this Act; and

2. Unlawful sexual contact and sexual abuse of a minor for which the prosecution has not yet been barred by the previous statute of limitations in force on the effective date of this Act.

See title page for effective date.

CHAPTER 439

H.P. 573 - L.D. 813

An Act to Amend the Requirements of Full-time Students for State-funding Purposes

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

Sec. 1. 20-A MRSA §5021, sub-§8 is enacted to read:

8. Reimbursement for students enrolled in equivalent instruction programs. A school administrative unit is entitled to receive state subsidy for any

student who receives instruction through one or more on-site academic courses from a public school but is not a full-time student. A school administrative unit that sends any tuition student to another school administrative unit or to a private school approved pursuant to chapter 219 is also entitled to receive state subsidy under this subsection. The rate of reimbursement must be established in increments of 0.25 full-time equivalent status up to 1.0 full-time equivalent status based on the average amount of time per day that a student receives on-site academic services from a public school. School administrative units shall keep an accurate count of the number of students receiving on-site academic services and shall include the full-time equivalency status of these students in the annual count of students attending school in accordance with section 6004.

See title page for effective date.

CHAPTER 440

H.P. 716 - L.D. 1006

An Act to Provide for Citizen Participation in the Hancock County Budget

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

Sec. 1. 30-A MRSA §763, sub-§1, as amended by PL 1993, c. 227, §1, is further amended to read:

1. Budget committee membership; election; term. ~~The municipal officers from each county commissioner district shall choose the budget advisory committee members by the following procedure. The budget advisory committee consists of 10 members, 3 members from each commissioner district selected as provided for in this section and a member of the Hancock County legislative delegation. Of the 3 members from each commissioner district, 2 must be municipal officers in the district and one must be either a municipal officer in the district or a member of the public who is a resident of the commissioner district.~~

A. Before September 15th of every year, the county commissioners shall notify all municipal officers in the county and the public to caucus by county commissioner districts at a specified date, time and place for the purpose of electing at least either one municipal officer or one representative of the public from each district as a member of the budget advisory committee. The county commissioner shall serve as nonvoting moderator for that district caucus. Nominations for ei-