

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

**CHAPTER 91
H.P. 593 - L.D. 862**

**An Act To Improve the Health
of Maine Citizens and Safety of
Pedestrians**

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

Sec. 1. 29-A MRSA §2056, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Pedestrian on way. Where sidewalks are not provided, a pedestrian shall walk facing approaching traffic on the left side of the public way or the way's shoulder when practicable. An operator of a motor vehicle who is passing a pedestrian on a public way or the way's shoulder shall exercise due care by leaving a distance between the motor vehicle and the pedestrian of not less than 3 feet while the motor vehicle is passing the pedestrian. A motor vehicle operator may pass a pedestrian in a no-passing zone only when it is safe to do so.

See title page for effective date.

**CHAPTER 92
H.P. 343 - L.D. 481**

**An Act To Allow the
Department of Corrections To
Certify Community
Intervention Programs**

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

Sec. 1. 34-A MRSA §1206-A is enacted to read:

§1206-A. Certification of community intervention programs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Community agency" means a person, a public or private nonprofit organization or a firm, partnership or business corporation operated for profit that:

- (1) Operates a community intervention program; and
- (2) Is not an administrative unit of the Federal Government or State Government.

B. "Community intervention program" means a program operated at the community level provid-

ing services designed to intervene in the risk factors for reoffending, including, but not limited to, mental health, sex offender treatment, social service and substance abuse treatment programs, but not including a batterers' intervention program under Title 19-A, section 4014.

C. "Nonprofit organization" means any agency, institution or organization that is, or is owned and operated by, one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual, and that has a territory of operations that extends to a neighborhood, community or region or the State.

2. Rules establishing standards and procedures for certification. The department may adopt rules in consultation with other appropriate state agencies that establish standards and procedures for certification of community intervention programs. The department may review and certify programs that meet the standards and may require certification of programs providing services to clients of the department, regardless of whether the department disburses funds to the community agency. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 93
H.P. 542 - L.D. 793**

**An Act To Improve Juvenile
Correctional Services**

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

Sec. 1. 15 MRSA §712, sub-§2, ¶A, as amended by PL 1997, c. 361, §3, is further amended to read:

A. Either the sender or receiver of that communication is a person residing in an adult or juvenile correctional facility administered by the Department of Corrections; and

Sec. 2. 15 MRSA §3103, sub-§1, ¶D, as amended by PL 1995, c. 470, §3, is repealed.

Sec. 3. 15 MRSA §3105-A, sub-§2, ¶C, as amended by PL 2005, c. 87, §2, is further amended to read:

C. A prosecution for conduct specified in section 3103, subsection 1, paragraph B, C, D, E, F or H must be commenced within one year after it is committed.