

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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1979

PUBLIC LAWS
OF THE
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AS PASSED AT THE
SECOND REGULAR SESSION
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ONE HUNDRED AND EIGHTH LEGISLATURE
January 4, 1978 to April 6, 1978

compared by the association and the first mutually agreeable candidate shall be invited to serve.

B. If no mutually agreed upon neutral arbitrator is selected, then a 2nd list shall be sent in the same manner.

C. If no mutually agreed upon neutral arbitrator is selected from the 2nd list, then, under the applicable rules and procedures of the association, the association shall appoint a neutral arbitrator. The appointment by the association shall be subject to challenge by any party for cause. The challenge may allege facts to establish that unusual community or professional pressures will unreasonably influence the objectivity of the neutral arbitrator. A request to strike the arbitrator for cause shall be determined by the regional director or comparable officer of the association.

D. If the appointment is struck for cause, the association shall appoint another neutral arbitrator in the same manner, until an appointment stands.

3. Agreements of parties concerning arbitrators. Notwithstanding subsections 1 and 2, the parties may agree upon arbitrators or any method of selecting arbitrators or the number of arbitrators, provided the agreement is made after the commencement of arbitration proceedings.

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

Effective March 20, 1978

CHAPTER 663

AN ACT to Empower the Oil Burner Men's Licensing Board to Inspect and Approve Coal and Wood Fuel Central Heating Equipment.

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

Sec. 1. 32 MRSA § 2301, sub-§ 5 is enacted to read:

5. Coal and wood central heating equipment. "Coal and wood fuel central heating equipment" shall mean any heating plant equipped with a furnace or boiler using coal or wood, or both, as fuel and designed specifically to be attached to or as an integral part of a central heating distribution system. Fireplace stoves and radiant room heaters as defined by the National Fire Protection Association or Underwriters Laboratories Inc. shall not be considered to be within the definition of central heating equipment.

Sec. 2. 32 MRSA § 2301-A is enacted to read:

§ 2301-A. Approval process

No coal or wood central heating equipment shall be sold or offered for sale in this State unless the equipment is approved by the Oil Burner Men's Licensing Board. Devices listed for a specific purpose by Underwriters Laboratories Inc., or any other nationally recognized testing facility may be considered as meeting the requirements of the standards of the board. All other equipment shall be submitted to the board for review. The board may require the equipment to be tested by the Southern Maine Vocational-Technical Institute.

Effective July 6, 1978

CHAPTER 664

AN ACT to Amend the Maine Juvenile Code.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there are certain amendments which must be made to the Maine Juvenile Code which takes effect on July 1, 1978; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 15 MRSA § 3002, sub-§ 1, ¶ A, as enacted by PL 1977, c. 520, § 1, is amended to read:

A. To secure for each juvenile subject to these provisions such care and guidance, preferably in his own home, as ~~well~~ will best serve his welfare and the interests of society;

Sec. 2. 15 MRSA § 3003, sub-§ 3, as enacted by PL 1977, c. 520, § 1, is amended to read:

3. **Bind over hearing.** "Bind over hearing" means a hearing at which the juvenile court determines whether it ~~shall continue to exercise the jurisdiction given it by this Part over the juvenile alleged to have committed a juvenile crime~~