

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

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

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Sec. 1. 26 MRSA § 1001, sub-§ 3, is amended to read:

3. Council. "Council" shall mean the State Apprenticeship and Training Council.

Sec. 2. 26 MRSA § 1002, first sentence, is amended to read:

The State Apprenticeship and Training Council, as heretofore established, shall be composed of 11 members to be appointed by the Governor and made up as follows: 4 members shall be representatives of employees and shall be bona fide members of a recognized major labor organization; 4 members shall be representatives of employers and shall be bona fide employers or authorized representatives of bona fide employers; and 3 members shall be representatives of the public and shall be selected from neither industrial employers nor employees, nor shall they be directly concerned with any particular industrial employer or employee.

Sec. 3. 26 MRSA § 1004, sub-§ 6, is amended to read:

6. Probation. Provision for a period of probation during which the Apprenticeship and Training Council shall be directed to terminate the apprenticeship agreement at the request in writing of any party thereto. After the probationary period, the Apprenticeship and Training Council shall be empowered to terminate the registration of an apprentice upon agreement of the parties;

Sec. 4. 26 MRSA § 1004, sub-§ 7 is amended to read:

7. Services of Apprenticeship and Training Council. Provision that the services of the Apprenticeship and Training Council may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement, where such differences cannot be adjudged locally or in accordance with the established trade procedure;

Effective September 14, 1979

CHAPTER 9

H. P. 100 — L. D. 148

AN ACT to Allow Prison Inmates to Attend the Funeral of a Brother or Sister.

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

34 MRSA § 704, first sentence, as repealed and replaced by PL 1967, c. 297, is amended to read:

A prisoner at the State Prison at the discretion of the warden may attend the funeral of his natural or adoptive mother, father, son or daughter, ~~or~~ of his wife **or of his brothers or sisters** or may be permitted one supervised deathbed visit to any of the persons aforesaid, if the funeral or visit is held within the State.

Effective September 14, 1979

CHAPTER 10

S. P. 9 — L. D. 16

AN ACT to Strengthen and Streamline the Habitual Offender Law.

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

Whereas, more than 700 habitual offender cases were presented during the last fiscal year; and

Whereas, there is often a delay of over a year in simply scheduling and processing habitual offender complaints before the Superior Court; and

Whereas, the cost to the State in fees for filing complaints and services of process alone were in excess of \$9,000 and the cost for attorneys' time and travel far exceed that sum; and

Whereas, the experiences of the last few years have demonstrated that the habitual offender law has placed an extraordinary and unnecessary burden on the entire Superior Court system; 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. 29 MRSA c. 18, as enacted by PL 1971, c. 410 and as amended, is repealed.

Sec. 2. 29 MRSA c. 18-A is enacted to read:

CHAPTER 18-A

HABITUAL OFFENDERS

§ 2291. Declaration of policy

It is declared to be the public policy of Maine: