

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

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~~maintenance organization's proposed plan of operation meets the requirements of this section organization has received a certificate of need;~~

Sec. 5. 24-A MRSA § 4204, sub-§ 2, ¶ F, as enacted by PL 1975, c. 503, and as amended, is repealed as follows:

~~F. Any deficiencies certified by the Commissioner of Human Services have been corrected~~

Effective September 14, 1979

CHAPTER 217

H. P. 1165 — L. D. 1430

AN ACT Relating to the Division of Probation and Parole.

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

Sec. 1. 34 MRSA § 1591, 2nd paragraph, as repealed and replaced by PL 1969, c. 319, § 3, is amended to read:

The Division of Probation and Parole shall be under the direction of the Director of Probation and Parole, in this chapter called the "director," who shall be appointed by the **commissioner upon the recommendation of the** Director of Corrections, subject to the Personnel Law.

Sec. 2. 34 MRSA § 1593, as enacted by PL 1969, c. 326, § 1, is repealed and the following enacted in its place:

§ 1593. Assistant director

1. Powers. The Assistant Director of the Division of Probation and Parole shall have the power in the absence of the director, to perform duties and be subject to all obligations and responsibilities of the director.

The Assistant Director shall have the power, upon designation by the director, to issue warrants for the arrest of parole violators.

2. Delegation of responsibilities. The Director of the Division of Probation and Parole shall have the authority with the approval of the Director of Corrections, in special instances and in the absence or illness of the Assistant Director of Probation and Parole, to delegate any and all responsibilities of the assistant director to a district supervisor. This appointment shall not exceed 20

working days, during which time the district supervisor so appointed shall have all responsibilities and obligations of the assistant director.

Effective September 14, 1979

CHAPTER 218

H. P. 1097 — L. D. 1376

AN ACT to Clarify Home Rule Authority.

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

Whereas, several municipalities will amend their municipal charter before this Act would normally become effective; and

Whereas, clarification of certain provisions for home rule have become necessary; and

Whereas, it is desirable that these clarifications be made to allow greater flexibility in the charter amendments as prepared by the charter commissions; and

Whereas, the charter amendments will be unduly delayed if this legislation does not become effective as soon as possible; 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. 20 MRSA § 476, as amended by PL 1967, c. 425, § 19, is further amended to read:

§ 476. Applicability of provisions to certain towns or cities

Sections 471 and 472 shall not apply to cities **or towns** whose charters specify the methods of ~~election~~ **selection** and term of office of a **superintending** school committee or board of education; nor to towns, cities and incorporated districts authorized by private and special laws to choose school committees other than those herein provided for.