

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

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

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

proceedings in the Supreme Judicial Court and in the Superior Court.

Sec. 3. 4 MRSA §651, 3rd ¶, as repealed and replaced by PL 1977, c. 208, §1, is amended by adding at the end a new sentence to read:

The Supreme Judicial Court may prescribe rules, requirements and regulations that will allow Class D and Class E criminal proceedings heard by a District Court Judge, sitting as a Superior Court Judge in a District Court facility on a jury waived trial, to be reported by whatever methods are available in District Court proceedings.

Sec. 4. 15 MRSA §2111, 2nd sentence, as repealed and replaced by PL 1965, c. 356, §59, is amended to read:

The appeal may be taken within 5 10 days after pronouncement of the judgment appealed from, in such manner and upon such conditions as the Supreme Judicial Court may by rule prescribe.

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

Effective April 8, 1982.

CHAPTER 648

S.P. 860 - L.D. 1993

AN ACT to Authorize Municipalities to Establish and Maintain Employment Offices.

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

26 MRSA §1084 is enacted to read:

§1084. Municipal employment service

1. Authorization. The legislative body of a municipality may authorize its municipal officers or their designee to enter into an agreement, not financed by the State, with the Director of the Maine Job Service or the Executive

Director of the Bureau of Employment Security for the purpose of providing job services or job service facilities, or both.

2. Liability of the State. Notwithstanding any other provision of law or agreement to the contrary, for the purposes of this section, the municipality shall be considered an agent of the State and the municipal officials and employees shall be considered to be acting on behalf of the State in its official capacity. The State shall indemnify, hold harmless and, with the consent of the municipality or its officials or employees, defend the municipality and its officials and employees against any claim which arises out of an act or omission occurring within the course or scope of employment for purposes of performing the duties within the purview of this section. If the defense of the municipality or its officials or employees creates a conflict of interest between the State and the municipality, official or employee, the State need not assume the defense; however, the State shall be liable for reasonable attorney's fees and court costs of the municipality, official or employee.

This subsection shall not apply if the municipality, official or employee settles the claim without the consent of the State, or if the municipality, official or employee does not notify the State within 30 days after receiving actual written notice of the claim against him or within 15 days after the service of the summons and complaint upon him and if the State is prejudiced thereby.

Effective July 13, 1982.

CHAPTER 649

H.P. 1734 - L.D. 1719

AN ACT Relating to Emergency Closure of Contaminated Shellfish Areas.

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

Whereas, bacterial infection and paralytic shellfish poisoning in contaminated shellfish can pose a grave and