

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND ELEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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of the school administrative unit may not open a bid until the appointed time.

3. Public opening. At the time and place stated in the public notice, and open to the public, all bids shall be opened by the superintendent or, in the superintendent's absence or disability, by any school board member designated for the purpose by the chairman of the school board.

4. Reading. If any citizens who are not school board members or employees of the school administrative unit, or if any representatives of the press are present, bids shall at the time either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.

5. Exceptions. The following contracts are exempt from the requirements of this section:

A. Contracts for bus services under \$4,000; and

B. Contracts between school administration units.

Effective September 23, 1983.

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## CHAPTER 176

S.P. 459 - L.D. 1390

AN ACT Relating to Periodic Justification  
of Departments and Agencies of State  
Government under the Maine  
Sunset Laws.

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and agencies will become due and payable on or immediately after July 1, 1983; and

Whereas, certain independent agencies will termi-

nate unless continued by the Legislature prior to June 30, 1983; 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:

PART A

Sec. 1. 3 MRSA §507-B, sub-§4 is enacted to read:

4. Agencies scheduled for termination on June 30, 1983. Pursuant to section 507, subsection 4, paragraph B, the following agencies, scheduled for termination on June 30, 1983, are continued or modified by an Act of the Legislature passed prior to June 30, 1983.

A. Agencies continued without modification are:

(1) State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals;

(2) Maine Health Facilities Cost Review Board;

(3) Maine Medical Laboratory Commission;

(4) State Planning and Advisory Council on Developmental Disabilities; and

(5) Maine Committee on Problems of the Mentally Retarded.

B. Agencies continued as modified by an Act of the Legislature are:

(1) Board of Chiropractic Examination and Registration;

(2) Board of Dental Examiners;

(3) Board of Registration in Medicine;

(4) State Board of Nursing;

(5) State Board of Optometry;

(6) Board of Osteopathic Examination and Registration;

(7) Board of Commissioners of the Profession of Pharmacy;

(8) Examiners of Podiatrists;

(9) Governor's Committee on Employment of the Handicapped; and

(10) Division of Community Services.

Sec. 2. 3 MRSA §553 is enacted to read:

§553. Lapse of unused General Fund bond issues

All General Fund bond issues passed by the Legislature for presentation to the voters shall contain language which stipulates that bond proceeds which have not been expended 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 3. 5 MRSA c. 330 is enacted to read:

#### CHAPTER 330

#### MAINE COMMUNITY SERVICES ACT

##### §3511. Title

This chapter may be cited as the "Maine Community Services Act."

##### §3512. Purpose and intent

It is the purpose and intent of this Act to delineate a system of community services and community action agencies to enhance and stimulate economic opportunity and self-sufficiency for all citizens. It is the purpose of this system to assure an effective focusing of local, state and federal resources upon these goals, enabling disadvantaged citizens and their families to attain the skills, knowledge, motivation and opportunities needed to become self-sufficient.

It is the further purpose and intent of this Act to establish maximum local flexibility with the most effective use of state planning and monitoring capabilities.

§3513. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Advisory board. Advisory board means the Community Services Advisory Board as established by section 3517.

2. Community action agency. "Community action agency" means a private nonprofit agency which has previously been designated by and authorized to accept funds from the Federal Community Services Administration under the United States Economic Opportunity Act of 1964.

3. Director. "Director" means the Director of Community Services.

4. Division. "Division" means the Division of Community Services.

5. Poverty level. "Poverty level" means the official poverty level issued by the United States Secretary of Health and Human Services pursuant to the United States Omnibus Budget Reconciliation Act of 1981, Section 673(2), United States Code, Title 42, Section 9902.

6. Service area. "Service area" means the geographical area within the jurisdiction of a community action agency.

§3514. Division of Community Services

There is established, to carry out the purposes of this chapter, the Division of Community Services in the Executive Department, which shall carry out the responsibilities of State Government relating to planning and financing community services and community action agencies and shall administer state and federal community services' programs and other block grants that may be available, including, but not limited to, energy assistance and weatherization.

§3515. Director of Community Services

1. Appointment. The Governor shall appoint a full-time Director of Community Services, subject to confirmation by the joint standing committee of the Legislature having jurisdiction over health and institutional services. The director shall serve at the pleasure of the Governor and shall be paid a salary fixed by the Governor.

2. Powers and duties. The director shall exercise the powers of the Division of Community Services and shall be responsible for the execution of its duties. The director shall:

A. Administer the office and adopt such methods of administration, not inconsistent with the law, as the director may determine necessary to render the division efficient;

B. Appoint and remove the staff of the office and prescribe their duties as may be necessary to implement the purposes of this chapter. Professional employees shall be hired as unclassified employees. All other employees shall be subject to the Personnel Law;

C. Prepare and submit, for executive and legislative action thereon, the budget of the division;

D. Advise the Governor and other officials of State Government on matters relating to the extent and nature of poverty in this State;

E. Advise the Governor and other officials of State Government on matters relating to fuel assistance programs and weatherization services for low income people;

F. Administer for the State any federal funds appropriated under federal law relating to the authorized programs of the division and direct activities that are necessary for the purpose of carrying out that federal law;

G. Administer for the State aid or contributions from any source of either money, property, labor or other things of value to carry out authorized programs of the division;

H. Enter into contracts with any other state agency, municipality, district, private corporation, copartnership, association or individual for the purpose of providing services relating to authorized programs of the division; and

I. Be informed about the perspectives and concerns of the state's community action agencies and represent their opinions to the Governor and other state officials.

#### §3516. Rules

With input and advice from the Community Services Advisory Board, the division shall promulgate rules



to carry out all the programs it administers.

§3517. Community Services Advisory Board

1. Appointment. The Governor shall appoint a Community Services Advisory Board to advise the Governor, the Legislature and the Director of Community Services on programs and policy matters relative to this chapter.

2. Membership. The Community Services Advisory Board shall consist of the following 12 members: One member of the House of Representatives to be appointed by the Speaker of the House of Representatives, to serve a term of 4 years; one member of the Senate to be appointed by the President of the Senate, to serve a term of 4 years; the Director of Community Services, to serve ex officio; and 9 members, to be appointed by the Governor, who shall serve 4-year terms, except those first appointed, who shall serve terms as follows: An executive director of a community action agency to serve for 3 years; an elected official from one of the municipalities which act as local program operators to serve for 3 years; 2 representatives from boards of directors of community action agencies, one to serve for 4 years, the other to serve for 2 years; 2 recipients of assistance or service from a subgrantee of the Division of Community Services, one to serve for 4 years and one to serve for 2 years; and 3 members from the general public, one to serve for 2 years, one to serve for 3 years, and one to serve for 4 years. Each member shall hold office until a successor has been duly appointed and has qualified. Vacancies shall be filled by appointment for the unexpired term.

Attention shall be given towards ensuring that statewide geographic representation is reflected in the board's membership. A chairman shall be elected by a majority vote of the board.

3. Meetings. The board shall meet at the call of the chairman or at the call of at least 3 members. The board shall meet at least 6 times per year. Members shall be reimbursed for reasonable expenses, to include expenses for travel, meals, lodging and child care.

A majority of the board members shall constitute a quorum for the purpose of conducting the business of the board. The board shall keep minutes of all meetings, including a list of people in attendance.

§3518. Division of Community Services; powers and duties

1. Federal funds. Through plans and contracts developed with input and advice from the board, the division shall obtain, distribute and administer federal community services' funds, including block grants, energy assistance, weatherization and other federal funds as may become available.

2. Monitoring of poverty level. The division shall monitor the poverty level of Maine citizens and carry out the following activities:

A. Conduct an annual survey of poverty in Maine, reporting the results of this survey to the Governor, the Legislature and the public;

B. Make recommendations annually to the Governor and the Legislature on ways and means to combat and reduce poverty in Maine;

C. Seek federal, state and private funds to combat poverty in Maine; and

D. Advise the Governor, the Legislature and local officials on the impact of state and local policies on poverty in Maine.

3. Overseeing community action agencies. The division shall oversee community action agencies as follows.

A. The division shall designate community action agencies every 7 years pursuant to the requirements of this chapter.

B. The division shall establish audit requirements in accordance with the Human Services Community Agency Accounting Practices Act.

C. The division shall evaluate community action agencies every 2 years.

4. Planning and coordination for state services. The division shall provide planning and coordination for state services to low income people.

5. Technical assistance. The division shall provide technical assistance to community action agencies and other groups serving the interests of low income people in this State.

6. Research and assistance to Governor. The division shall provide research and assistance to the Governor as he may request.

7. Monitoring local program operators. The division shall be responsible for monitoring subgrantees to ensure conformance with appropriate rules.

§3519. Community action agencies

1. Designation. Community action agencies shall be designated by the Division of Community Services to carry out the purposes of this chapter. These designations shall be for 7 years.

2. Designation withdrawn. The division may withdraw its designation of a community action agency after an evaluation in which the agency has demonstrated substantial incompetency and a clear inability to carry out the purposes of this Act, unless there is or has been financial malfeasance, which may be cause for immediate withdrawal of designation.

The division shall notify an agency of a pending withdrawal of designation. Upon notification, the agency shall have up to 6 months to take corrective action, at which time a designation withdrawal evaluation shall be performed by the division. Failure to pass this evaluation shall mean immediate loss of designation.

Upon the final order from the division which rescinds a community action agency's designation, the community action agency may file a petition for review of this final decision in the appropriate Superior Court within 30 days, under the Maine Rules of Civil Procedure, Rule 80B.

3. Community action agencies. Community action agencies shall have the following powers and duties to:

A. Develop information as to the causes and conditions of poverty in the service area;

B. Determine how much and how effectively assistance is being provided to deal with those causes and conditions;

C. Establish priorities among projects, activities and areas as needed for the best and most efficient use of available resources;

D. Develop, administer and operate programs to reduce poverty with particular emphasis on self-help approaches and programs to promote economic opportunities through affirmative action;

E. Initiate, sponsor and provide programs and

services responsive to the needs of the poor which are not otherwise being met;

F. Promote interagency cooperation and coordination of all services and activities in the service area which are related to the purposes of this Act;

G. Establish effective procedures by which the poor and other concerned area residents will be enabled to influence the character of programs affecting their interests, provide for their regular participation in the implementation of those programs and provide technical and other support needed to enable low-income and neighborhood groups to secure on their own behalf available assistance from public and private sources;

H. Join with and encourage business, labor and other private groups and organizations to undertake, together with private officials and agencies, activities in support of the purposes of this Act which will result in the increased use of private resources and capabilities in providing social and economic opportunities to low-income citizens;

I. Enter into contracts with federal, state, local public agencies and private agencies and organizations, businesses and individuals, as necessary to carry out the purposes of this Act; and

J. Be eligible to receive funds from such federal, state, local and private sources as appropriate to carry out the purposes of this Act.

§3520. Governing board for community action agency

1. Board of directors; establishment. A community action agency shall establish a governing board of directors which shall consist of not less than 15 nor more than 30 members. One-third of the members shall be representatives of low-income residents of the service area who are selected through a democratic process in accordance with guidelines established by the Division of Community Services. One-third of the members shall be elected public officials or their designees or officials of public agencies operating in the service area. One-third of the members shall be representatives of private sector organizations, including business and industry, as well as educational, civic, labor and religious organizations.

2. Responsibilities. A community action agency

board of directors shall be responsible for the following:

- A. Overall director, oversight and policies of the agency;
- B. Selection, evaluation and dismissal of the executive director of the community action agency;
- C. Approval of all contracts;
- D. Approval of all agency budgets;
- E. Performance of an annual audit by an independent, qualified outside auditor. The audit shall be submitted upon completion to the Division of Community Services;
- F. Convening public meetings to provide low-income and other citizens of the service area the opportunity to comment upon policies and programs of the community action agencies;
- G. All meetings of the board of directors shall be in accordance with the freedom of access law; and
- H. Evaluate agency programs and assess community and agency needs.

§3521. Programs

All programs administered by community action agencies shall be in conformance with federal and state laws and regulations. Recipients of programs and assistance shall be promptly notified of their rights and responsibilities when they qualify for or are denied services.

§3522. Allocation of community services block grants

1. Distribution of community services block grant funds. The Division of Community Services shall administer and distribute to community action agencies, according to Title 5, section 1670, block grant funds received from the Federal Government.

2. Community action agencies; priority. Of the 90% passed through to local agencies, community action agencies shall receive first priority in the allocation of community services block grant funds. These funds shall be distributed according to a formula determined annually as follows.

- A. Twenty percent of this 90% of the community

services block grant shall be divided equally among all designated agencies.

B. The balance of these funds shall be distributed according to rules as promulgated by the division with input and advice from the board.

3. Block grant proposals. Proposals for community services block grant funds submitted to the Legislature by the division in accordance with Title 5, section 1670, shall be developed with input and advice from the board and shall:

A. Include a description of current usages of community services block grant funds and how the plan proposes to change that distribution;

B. Retain the absolute minimum necessary for state administrative costs; and

C. Provide for maximum flexibility within community action agencies for the usage of community services block grant funds.

Sec. 4. 15 MRSA §2712, sub-§3, as amended by PL 1981, c. 493, §2, is repealed.

Sec. 5. 15 MRSA §2716, as amended by PL 1981, c. 493, §3, is further amended to read:

§2716. Guardianship; entrustment

The superintendent Commissioner of Corrections or his designee shall have all the power which a guardian has to his ward, and all powers which parents have over their children, as to the person, property, earnings and the rehabilitation of every child committed to the center. Said child shall be under the direction of the superintendent, subject to rules and regulations of the Department of Human Services. When the custody, at the time of commitment, is in the Department of Human Services, such custody shall be temporarily suspended while the child is in a center. Upon termination of custody of the child by the center, by discharge, the custody of the child shall revert to the Department of Human Services if the child is still under 18 years of age.

At the discretion of the superintendent commissioner, any such child, during his or her commitment, may be kept at said the center or, upon prior mutual agreement, may be entrusted without indenture, for a period not exceeding the term of his or her commitment, to the care of: Any suitable person or persons; the Division of Probation and Parole Division under the Department of Corrections; the Department of

Human Services, or other public or private child care agencies. As often as shall be required, the person or agency, to whom such child is entrusted, shall report to the superintendent commissioner the progress and behavior of said ~~that~~ child, whether or not the child remains under such person, and if not, where he ~~or~~ she is. The ~~center~~ Division of Probation and Parole shall provide aftercare and entrustment services to juveniles committed thereto.

On being satisfied at any time that the welfare of the child will be promoted by return to the center, the superintendent commissioner may cancel such trust and resume charge of such child with the same powers as before the trust was made.

When any child committed to the center and placed on entrustment, or who has absented himself ~~or her-self~~ from the center, without leave, is taken into custody for the purpose of return to the center by any officer or employee of the center at the direction of the superintendent commissioner, or by any law enforcement officer at the request of the superintendent commissioner, and because of the child's distance from the center at the time of being taken into custody it becomes necessary to detain the child overnight, any such child may be temporarily detained in a county jail under this section and shall be returned to the center on the next day after being taken into custody, except in the case of unsafe traveling conditions, and then return to the center shall be effected at the earliest possible time.

In the event that any child committed to the center shall attain the age of 18 years while still under commitment, the statutory guardianship of the superintendent commissioner with respect to any such child shall terminate; ~~however~~, any such child shall remain subject to the control of the superintendent commissioner and staff of the center and rules and ~~regulations~~ thereof until the expiration of the period of commitment or discharge from the center.

Sec. 6. 15 MRSA §3303, as amended by PL 1977, c. 664, §23, is further amended to read:

§3303. Dismissal of petition with prejudice

On motion made by or on behalf of a juvenile, or by the court itself, a petition shall be dismissed with prejudice if it was not filed within 6 months from the date the juvenile was referred to the intake worker for an intake assessment, unless the prosecuting attorney either before or after the expiration of the 6-month period files a motion for an extension of time for the filing of a petition, accompanied by the reasons for this extension. The court may for good

cause extend the time for bringing a petition for any period of time that is less than the limitation established in section 3105.

Sec. 7. 18-A MRSA §5-303, sub-§(b), as enacted by PL 1979, c. 540, §1, is amended to read:

(b) Upon the filing of a petition, the court shall set a date for hearing on the issues of incapacity and unless the allegedly incapacitated person has counsel of his own choice, it may appoint an appropriate official or attorney to represent him in the proceeding, who shall have the powers and duties of a guardian ad litem. The person alleged to be incapacitated shall be examined by a physician or licensed psychologist acceptable to the court who shall submit his report in writing to the court. The court may appoint a visitor who shall interview the allegedly incapacitated person and the person who is seeking appointment as guardian, and visit the present place of abode of the person alleged to be incapacitated and the place it is proposed that he will be detained or reside if the requested appointment is made, and submit his report in writing to the court. The person alleged to be incapacitated is entitled to be present at the hearing in person, and to see and hear all evidence bearing upon his condition. He is entitled to be represented by counsel, to present evidence, to cross-examine witnesses, including the physician and the visitor. The issue may be determined at a closed hearing if the person alleged to be incapacitated or his counsel so requests.

Sec. 8. 26 MRSA §§791 to 798, as enacted by PL 1969, c. 478, §1, are repealed.

Sec. 9. 26 MRSA §§799 to 802 are enacted to read:

§799. Committee

The Governor's Committee on Employment of the Handicapped is created and shall consist of 18 members appointed by the Governor.

§800. Membership

Members of the committee shall be citizens of the State who have an unselfish and demonstrated interest in equal opportunity for disabled people. No more than 5 members may be individuals employed, retained or otherwise compensated by or representative of the executive branch of State Government. At least 2 members shall be current members of the Legislature, one from the House of Representatives and one from



the Senate. The committee shall include representatives of health, educational, labor, business, public, private voluntary and advocacy organizations.

Members shall be appointed for terms of 3 years, except that, of the members first appointed, 6 shall be appointed for terms of one year, 6 shall be appointed for terms of 2 years and 6 shall be appointed for terms of 3 years, as designated by the Governor at the time of appointment; and except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of that term.

Members shall be eligible for reappointment for not more than 2 consecutive full terms of 3 years each and may serve after the expiration of their terms until their successors have been appointed, qualified and taken office. The Governor may terminate the appointment of any member of the committee for good and just cause and the reason for the termination of each appointment shall be communicated to each member so terminated. The appointment of any member of the committee shall be terminated if a member is absent from 3 consecutive meetings without good and just cause that is communicated to the chairman.

Any vacancy in the committee shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

The Governor shall designate the chairman from among the members appointed to the committee. The chairman may not be an individual employed, retained or otherwise compensated by or representative of the executive branch of State Government. Members shall elect a vice-chairman from among the membership. The committee shall meet at the call of the chairman, but not less often than 4 times a year. Meetings shall be publicly announced.

The committee may appoint subcommittees consisting of its own members and such other persons as are deemed necessary.

#### §801. Powers and duties

The powers and duties of the Governor's Committee on Employment of the Handicapped are as follows:

1. Advise, consult and assist. Advise, consult and assist the executive and legislative branches of State Government on activities of State Government which affect the employment of disabled people. The

committee shall be solely advisory in nature. The committee may advise regarding state and federal plans, proposed budgetary, legislative or policy actions affecting disabled persons;

2. Advocate. Serve as an advocate on behalf of disabled citizens promoting and assisting activities designed to further equal opportunity for people with disabilities;

3. Information and education. Conduct such educational programs as committee members consider necessary to promote public understanding of the needs and abilities of disabled citizens of this State;

4. Employment. Provide information, training and technical assistance to promote greater employer acceptance of disabled workers; and advise and assist employers and other organizations interested in developing employment opportunities for disabled people; and

5. Architectural barriers. Inform the public of the benefits of making buildings accessible to and useable by persons with disabilities; monitor the enforcement of state and federal laws regarding architectural accessibility; and advise and assist building owners by disseminating information about accessibility and by making technical assistance available when appropriate.

A. A wheelchair symbol shall be appropriately displayed to identify buildings with facilities which are accessible to handicapped and elderly persons, accessibility to be determined by the Governor's Committee on Employment of the Handicapped.

B. The symbol shall be that adopted by the Rehabilitation International's World Congress in 1969.

C. Application for display of the wheelchair symbol shall be made by the Governor's Committee on Employment of the Handicapped, who shall obtain and keep on file a supply of symbols.

#### §802. Administrative authority

The committee shall administer in accordance with current fiscal and accounting regulations of the State, and in accordance with the philosophy, objectives and authority of this chapter, any funds appropriated for expenditure by the committee or any grants or gifts which may become available, accepted

and received by the committee; and make an annual report which shall be submitted directly to the Governor and Legislature not later than September 1st of each year concerning its work, recommendations and interest of the previous fiscal year and future plans; and shall make such interim reports as it deems advisable.

The committee shall keep minutes of all meetings, including a list of people in attendance.

The committee may employ, subject to the Personnel Law, such staff as is necessary to carry out its objectives. The committee may employ consultants and contract for such projects as it deems necessary. To the extent feasible and reasonable, the committee shall have such staff, facilities, equipment, supplies, information and other assistance as it may reasonably require to carry out its activities.

The committee is authorized to make necessary rules, not inconsistent with this subchapter, for promoting its purposes.

Members of the committee shall receive no compensation for services on the committee, but shall be entitled to reimbursement for necessary expenses, such as mileage from travel in personally-owned automobiles and meals, incurred in order to attend committee meetings called by the chairman. Reimbursement shall be based on existing state law for reimbursement for travel by state employees.

Sec. 10. 32 MRSA §551, as amended by PL 1977, c. 220, §1, is further amended to read:

§551. Examination and registration

Any person, before engaging in the practice of chiropractic in this State, shall make application for a certificate to practice chiropractic to the board on a form prescribed by said board. Said application shall be filed with the secretary of the board at least 7 days before the date of examination, together with a deposit of \$40, which said deposit shall be returned to applicant in case the application is rejected. Each applicant must be at least 18 years of age and shall present proof of 2 years' satisfactory attendance at a college of liberal arts. Candidates for licensure shall be required to present transcripts from an accredited college or university certifying that they have completed 2 years of pre-professional work, 2 subjects of which must be English and biology, or otherwise satisfy the members of the board of sufficient prior academic education. The applicant shall present a diploma granted by a

legally chartered chiropractic college, school or university in good standing and having the power to confer degrees in chiropractic, which diploma shall show that it was granted on personal attendance of the applicant and completion of a course of 4 school years of not less than 8 months each and of a total of 4,400 60-minute school hours. The diploma of any applicant matriculating in a chiropractic college after January 1, 1974 shall show that it was granted by a chiropractic college which has been approved by a national accrediting agency, which agency has been approved by the board, or the applicant must present evidence of having become a diplomat of the National Board of Chiropractic Examiners, or the applicant must present evidence of having successfully passed a licensing procedure from another state having similar requirements. If an applicant matriculated in a chiropractic college on or after January 1, 1984, his diploma shall show that it was granted by a chiropractic college accredited by a chiropractic educational accrediting agency approved by the United States Department of Education or its successor agency or, in the event no such agency exists, approved by the board, or the applicant must have evidence of having successfully passed a licensing procedure from another state having similar requirements. If an applicant matriculated in a chiropractic college before January 1, 1984, his diploma shall show that it was granted by a chiropractic college accredited as set out in this section, or the applicant must present evidence of having become a diplomat of the National Board of Chiropractic Examiners, or the applicant must have evidence of having successfully passed a licensing procedure from another state having similar requirements. All applicants must present a certificate of good moral character signed by some reputable resident of this State and such other reasonable and proper facts as the board in its blank application may require.

Sec. 11. 32 MRSA §1071, sub-§2, as enacted by PL 1981, c. 440, §2, is amended to read:

2. Dentists. All appointments of dentist members to the board shall be made in the following manner. The Maine Dental Association may at its annual meeting each year nominate 6 dentists, who fulfill all the requirements of this section, whose names shall be forthwith certified to the Governor by the president and secretary of the association and, if the list is so submitted in any year, the Governor shall, until the date of the next annual meeting of the association, appoint as a dentist member of the board one of these persons whose names appear on the list. The Governor may accept nominations from the Maine Dental Association and from other organizations and individuals.

Members of the dental profession must hold a valid dental license and must have been in the actual practice of dentistry in this State for at least 10 years immediately preceding the appointment. One dentist shall be appointed annually, as the terms of present members expire, to hold office for 5 years from the first day of January and until a successor is appointed. No dentist is eligible to serve as a member of the board while a dental hygienist whom the dentist employs is serving as a member of the board.

Sec. 12. 32 MRSA §2151, as amended by PL 1975, c. 771, §§350 and 351, is repealed and the following enacted in its place:

§2151. Appointment; term; removal

A State Board of Nursing, as created in this section, shall consist of 7 members who shall be appointed by the Governor. Five members of the board shall be professional nurses, one of whom shall be active in practical nurse education or in a school of practical nursing at the time of appointment. One member shall be a licensed practical nurse. One member shall be a representative of the public. Except to fill vacancies in unexpired terms, all appointments shall be for a term of 5 years after such appointment or until their successors have been duly appointed and qualified. No person may be eligible for more than one reappointment. Any public member vacancy on the board shall be filled for the unexpired term by the appointment of another public member by the Governor.

Each appointment of a professional nurse shall be made from a list of 3 candidates, qualified as provided, and selected by the presidents or designees of Maine nursing organizations with national affiliation and submitted to the Governor by the President of the Maine State Nurses' Association not less than 60 days before the time of appointment. Any professional nurse vacancy occurring on the board shall be filled for the unexpired term by appointment to be made by the Governor from like nominations submitted by the President of the Maine State Nurses' Association in the manner described in this paragraph.

Each appointment of a practical nurse shall be made from a list of 3 candidates, qualified as provided, and selected by the presidents or designees of Maine nursing organizations with national affiliation and submitted to the Governor by the President of the Maine Licensed Practical Nurses' Association not less than 60 days before the time of appointment. Any practical nurse vacancy occurring on the board shall be filled for the unexpired term by appointment to be made by the Governor from like nominations submitted

by the President of the Maine Licensed Practical Nurses' Association in the manner set out in this paragraph.

The President of the Maine State Nurses Association shall call a meeting of the presidents or designees not less than 90 days prior to the expiration of the term of each professional nurse and practical nurse member of the board.

The Governor may remove any member from the board for cause.

Sec. 13. 32 MRSA §2206, as amended by PL 1975, c. 114, §§1 and 2, is repealed and the following enacted in its place:

§2206. Renewals

Starting January 1, 1985, the license of every registered nurse licensed under this chapter shall be renewed annually, except as otherwise provided. At least 30 days before the anniversary of his birth, the board shall mail an application for renewal of license to each professional nurse who holds a valid license, which application shall be mailed to the most recent address of that person as it appears on the records of the board. That person shall complete the renewal application and return it to the board with a renewal fee of \$10 before the anniversary of his birth. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal of license for the year expiring on the anniversary of the applicant's birth.

On or before November 1, 1983, the board shall mail an application for renewal of license to each professional nurse who holds a valid license, which application shall be mailed to the most recent address of that person as it appears on the records of the board. That person shall complete the renewal application and return it to the board with a renewal fee of \$15 before December 31, 1983. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal of license for the period beginning January 1, 1984, and expiring on the anniversary of the applicant's birth in 1985.

Any registered nurse, who allows his license to lapse by failing to renew the license as provided, may be reinstated by the board on satisfactory explanation for failure to renew his license and on payment of a reinstatement fee of \$5, in addition to the current renewal fee.

Any person practicing professional nursing during the time his license has lapsed shall be considered an illegal practitioner and shall be subject to the penalties provided for violations of this chapter.

A person who is not engaged in professional nursing in the State shall not be required to pay a renewal fee for as long as he does not practice, but shall notify the board of his inactive status in writing. Prior to resumption of his practice of professional nursing, that person shall be required to notify the board and remit a renewal fee for the current annual period.

Sec. 14. 32 MRSA §2255, as amended by PL 1975, c. 114, §§4 and 5, is repealed and the following enacted in its place:

§2255. Renewals

Starting July 1, 1985, the license of every practical nurse licensed under this chapter shall be renewed annually, except as otherwise provided. At least 30 days before the anniversary of his birth, the board shall mail an application for renewal of license to each practical nurse who holds a valid license, which application shall be mailed to the most recent address of the person as it appears on the records of the board. That person shall complete the renewal application and return it to the board with a renewal fee of \$10 before the anniversary of his birth. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal of license for the year expiring on the anniversary of the applicant's birth.

On or before May 1, 1984, the board shall mail an application for renewal of license to each professional nurse who holds a valid license, which application shall be mailed to the most recent address of that person as it appears on the records of the board. That person shall complete the renewal application and return it to the board with a renewal fee of \$15 before June 30, 1984. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal of license for the period beginning July 1, 1984, and expiring on the anniversary of the applicant's birth after June 30, 1985.

Any practical nurse who allows his license to lapse by failing to renew the license as provided, may be reinstated by the board on satisfactory explanation for failure to renew his license and on payment of a reinstatement fee of \$5, in addition to the renewal fee.

Any person practicing nursing as a licensed practical nurse during the time his license has lapsed shall be considered an illegal practitioner and shall be subject to the penalties provided for violations of this chapter.

A person who is not engaged in practical nursing in the State shall not be required to pay a renewal fee as long as he does not practice, but shall notify the board of his inactive status in writing prior to the expiration date of his current license. Before the resumption of practice as a licensed practical nurse and transfer to active status, that person shall be required to notify the board, complete a renewal application and remit the current renewal fee.

Sec. 15. 32 MRSA §2432, sub-§11, as enacted by PL 1973, c. 788, §156, is amended to read:

11. Maintaining an unauthorized additional office. If such person maintains more than one office to practice optometry without the prior written approval of the board; The board shall not authorize more than one principal office and one additional office;

Sec. 16. 32 MRSA §3263, first ¶, as amended by PL 1975, c. 771, §§360 and 361, is repealed and the following enacted in its place:

The Board of Registration in Medicine, as established and in this chapter called the "board," shall consist of 9 persons who are residents of this State, appointed by the Governor. Two persons shall be representatives of the public. Seven persons shall be graduates of a legally chartered medical college or university having authority to confer degrees in medicine and shall have been actively engaged in the practice of their profession in this State for a continuous period of 5 years preceding their appointments to the board. Three persons, qualified as aforesaid, including at most one public representative, shall be appointed members of the board on or before July 1st of every uneven-numbered year, each to hold office for 6 years from July 1st following his appointment. Any vacancy in the board shall be filled by the appointment of a person, qualified as was the member whose place he fills, to hold office during the unexpired term of that member. Any member of the board may be removed from office for cause by the Governor.

Sec. 17. 32 MRSA §3282, sub-§5, ¶N, as enacted by PL 1977, c. 388, §9, is amended to read:



N. Failure to report to the secretary of the board ~~treatment of~~ a physician licensed under this chapter for addiction to alcohol or drugs or for mental illness in accordance with ~~section 3286~~ Title 24, section 2505, except when the impaired physician is or has been a patient of the licensee;

Sec. 18. 32 MRSA §3601, as amended by PL 1979, c. 61, §1-A, is further amended to read:

§3601. Appointment

The Examiners of Podiatrists, as ~~heretofore~~ appointed and in this chapter called the "examiners," shall be 2 members of the Board of Registration in Medicine together with 2 podiatrists and a representative of the public appointed by the Governor. One of the examiners shall be chosen by a majority of the examiners to act as chairman of the examiners for a term of 2 years and the secretary-treasurer of the Board of Registration in Medicine shall act as secretary-treasurer of the examiners. The podiatrists appointed by the Governor shall be appointed for a term of 4 years from a ~~list~~ nominations submitted by the Podiatry Association of Maine and by other organizations and individuals, except that the first appointment of the new member shall be for a term of 2 years. The podiatrists selected shall at the time of their appointment have been actively engaged in the practice of podiatry for a period of at least 2 years. The representative of the public shall be appointed for a term of 4 years.

Sec. 19. 32 MRSA c. 53 is repealed.

Sec. 20. 34 MRSA §1-B, sub-§4 is enacted to read:

4. Inmate financial records. The Commissioner of Corrections may provide information on inmate employment and earnings to other state agencies and the Federal Government for the purposes of determining inmate tax liability or child support obligations.

Sec. 21. 34 MRSA §262, sub-§2, as amended by PL 1977, c. 664, §§49 and 50, is repealed and the following enacted in its place:

2. Planning. The department shall carry out planning for identifying, evaluating and meeting the service needs for prevention of juvenile crime and rehabilitation of juveniles adjudicated as having committed juvenile crimes.

Sec. 22. 34 MRSA §263, as enacted by PL 1977, c. 520, §2, is repealed.

Sec. 23. 34 MRSA §1591, first ¶, as amended by PL 1971, c. 528, §4, is further amended to read:

The Division of Probation and Parole within the ~~Bureau of Corrections of the~~ Department of Mental Health and Corrections shall be charged with the administration of probation and parole services within the State. The division shall consist of field probation and parole officers, juvenile caseworkers and of such other administrative employees as may be necessary in carrying out its functions.

Sec. 24. 34 MRSA §1592, sub-§1, as repealed and replaced by PL 1969, c. 319, §4, is amended to read:

1. Standards and policies. Establish and administer standards, policies and procedures for the field probation and parole service, juvenile casework and institutional parole officers;

Sec. 25. 34 MRSA §1592, sub-§4, as amended by PL 1971, c. 172, §5, is further amended to read:

4. Recommendations; districts. Make recommendations to the board in cases of violation of the conditions of parole, issue warrants for the arrest of parole violators; notify the superintendents of the institutions of determinations made by the board. The director shall divide the State into administrative districts and shall staff such districts.

He shall provide instruction and training courses for probation and parole officers and for juvenile caseworkers. The director shall be the executive officer and secretary of the board, and shall have authority to sign documents, including warrants and extradition papers for the board, when so instructed by the board.

Sec. 26. 34 MRSA §1681, sub-§1, as enacted by PL 1977, c. 520, §3, is repealed and the following enacted in its place:

1. Juvenile caseworkers. Juvenile caseworkers shall be employees of the Department of Corrections.

Sec. 27. 34 MRSA §1682, as amended by PL 1977, c. 664, §52, is repealed and the following enacted in its place:

§1682. Juvenile caseworkers; powers and duties

1. Investigations. Juvenile caseworkers appointed

under this chapter shall make such investigations and keep written records thereof as the Juvenile Court may direct.

2. Activities and report of activities. Each juvenile caseworker shall keep informed as to the condition and conduct of each juvenile placed under his supervision and shall report thereon to the court and to the department as they may direct. Each juvenile caseworker shall use all suitable methods, including counseling to aid each juvenile under his supervision and shall perform such duties in connection with the care and custody of juveniles as the court may direct. He shall keep complete records of all work done.

3. Juvenile probation functions. Juvenile caseworkers shall carry out the functions of juvenile probation officer, including those delineated in the Maine Juvenile Code, Title 15, Part 6.

4. Written statement of probation terms. When any juvenile is placed on probation, the juvenile caseworker shall give the juvenile a written statement of the terms and conditions of his probation and shall explain fully these terms and conditions to him.

5. Change of residence. Before a juvenile who is on probation may change his residence, he shall obtain the permission of his caseworker.

A. When a juvenile caseworker learns that a juvenile under his supervision has changed his residence to another district, he shall immediately notify the court.

B. The court may then transfer the probation records of the juvenile to the Juvenile Court of the district to which the juvenile has moved, together with a request that the court direct the probation supervision of the juvenile. The Juvenile Court of the district to which the juvenile has moved shall then place the juvenile under probation supervision.

6. Arrest powers. Juvenile caseworkers shall have the same powers to arrest juveniles on probation under their supervision as do other sworn law enforcement officers.

7. Intake functions. Juvenile caseworkers shall carry out the functions of the intake worker delineated in the Maine Juvenile Code, Title 15, Part 6. Statements made by a juvenile to a juvenile caseworker performing as an intake worker shall be inad-

missible as provided in Title 15, section 3204.

8. Maine Youth Center entrustment and after-care. Juvenile caseworkers shall provide appropriate services to juveniles committed to the Maine Youth Center who are on leave or in the community on entrustment. Juvenile caseworkers shall, when directed, provide information to the Maine Youth Center on juveniles committed to the center.

Sec. 28. 34 MRSA §2613, first ¶, as enacted by PL 1977, c. 502, §4, is amended to read:

There shall be a Maine Committee on Problems of the Mentally Retarded composed of ~~12~~ 11 members, consisting of one member from the House of Representatives appointed by the Speaker of the House ~~and, one member from the Senate appointed by the President of the Senate, the President of the Maine Association for Retarded Citizens,~~ and 9 representative citizens appointed by the Governor, who shall designate a chairman. Appointments shall be made for 3 years. Members of the committee shall serve without pay, but will be reimbursed for expenses on the same basis as state employees. The terms of the members serving on the effective date of this Part shall not terminate or be modified as the result of this Part.

Sec. 29. 34 MRSA §2954 is enacted to read:

§2954. Board of visitors

There shall be established a Board of Visitors for the Military and Naval Children's Home which shall provide advice and direction to the Commissioner of Mental Health and Mental Retardation concerning the changes necessary to ensure maximum utilization of the facility.

1. Duties. This board shall be responsible for assisting in the development of policy and program changes regarding the use of the home; monitoring the progress made toward the objectives outlined and presented during the home's current transition; and providing continuing oversight of the home, its programs and policies.

2. Composition of the board. The board shall consist of 9 members and shall include: The Associate Commissioner of Programs of the Department of Mental Health and Mental Retardation; a representative from the Bath community; the Bath Elementary School principal or a similar school official; a representative from an alcohol treatment center; a social worker assigned to the home; a designee of a veteran's organization; 2 citizens from outside the Bath area; and

one member appointed from the Department of Human Services, Division of Child and Family Services.

The Commissioner of Mental Health and Mental Retardation with advice and consent of the joint standing committee of the Legislature having jurisdiction over audit and program review shall appoint the members of the board, except that the Commissioner of Human Services shall appoint the member from the Division of Child and Family Services. Members shall be appointed for terms not to exceed 3 years. Members' terms shall be staggered so that no more than 3 expire in any one year.

3. Reports. By the first day of each January and July in the years 1984 and 1985, the department shall report to the joint standing committee of the Legislature having jurisdiction over audit and program review on its efforts to improve the operation of the home. The committee shall work with the department and board in ensuring that efficient use is made of the home.

Sec. 30. 34 MRSA c. 255, as amended, is repealed.

Sec. 31. 34 MRSA c. 257, as amended, is repealed.

Sec. 32. 34 MRSA c. 259 is enacted to read:

#### CHAPTER 259

#### OFFICE OF CHILDREN'S SERVICES

##### §3101. Establishment and purpose

There is established within the Department of Mental Health and Mental Retardation an Office of Children's Services.

The Office of Children's Services shall assist in the planning, coordination and development of mental health services for children, ages 0-20 years. The office shall work closely with the Bureau of Mental Health and the Bureau of Mental Retardation to help coordinate services to children who are mentally ill or mentally retarded. The office may contract for services with attention paid to ensuring that services are provided in the least restrictive setting appropriate to the child's needs, with emphasis on maintaining each child in his natural home or in a substitute care placement within the community whenever possible.

Sec. 33. P&SL 1975, c. 19, as amended by PL

1981, c. 456, §125, is repealed.

**Sec. 34. Transition.** The Division of Community Services, as established by fiscal year 1976 Executive Order No. 4, shall serve as the Division of Community Services, subject to the provisions of this chapter.

All community action agencies existing as of the effective date of this Act shall receive temporary designation by the Division of Community Services. Within one year, permanent designation will be granted to all community action agencies meeting the requirements of this Act.

Any community action agency existing as of the effective date of this Act which does not receive permanent designation shall have the right to appeal that action to the Governor. Upon unsuccessful resolution, the community action agency may seek judicial review.

Any person who, on the effective date of this Act, is an incumbent in the Division of Community Services in a position not subject to the Personnel Law, which position is made subject to the Personnel Law by this Act, shall be considered appointed under the Personnel Law to the position on the effective date of this Act without having to satisfy any other requirements.

**Sec. 35. Industries' program.** The Commissioner of Corrections shall undertake a thorough review of the industries' program at the Maine State Prison and report his findings and recommendations for changes to the joint standing committees of the Legislature having jurisdiction over audit and program review and health and institutional services no later than September 30, 1983. This review shall include an examination of the basic philosophy and purpose of the program; and analysis of recent expenditures and sales data; a review of costs which are not now charged to the program; ways in which state purchases can be increased; and possible diversification of the program, including projected costs and sales for new activities.

**Sec. 36. Dedicated accounts.** All dedicated accounts maintained by the Department of Corrections for receiving and disbursing funds for transporting inmates in work-release programs shall be eliminated. Any balances remaining in these accounts shall lapse to the General Fund. The Department of Corrections shall continue to charge an appropriate fee for inmate transportation and these revenues shall be deposited into the General Fund.

PART B

Adjustments to General Fund. In order to provide for necessary adjustments of the General Fund to implement the recommendations of the Joint Standing Committee on Audit and Program Review, appropriations are decreased by the amounts designated in the following tabulations.

<u>DEPARTMENT OR AGENCY</u>	<u>APPROPRIATIONS FROM GENERAL FUND</u>	
	<u>1983-84</u>	<u>1984-85</u>
<u>CORRECTIONS, DEPARTMENT OF</u>		
Court Intake Workers		
Positions	(-26)	(-26)
Personal Services	\$(317,617)	\$(662,852)
All Other	(49,455)	(99,288)
Capital Expendi- tures		(2,240)
Total	<u>\$(367,072)</u>	<u>\$(764,380)</u>
Provides for the transfer of funds for 26 court intake posi- tions from court intake to the Divi- sion of Proba- tion and Parole.		
Administration - Corrections		
All Other	\$(3,000)	\$(3,000)
Eliminates General Funds for the direct costs of pro- ducing the annual crime prevention report.		
Maine Youth Center		
Positions	(-9)	(-9)
Personal Services	\$(115,413)	\$(224,835)

<u>DEPARTMENT OR AGENCY</u>	<u>APPROPRIATIONS FROM GENERAL FUND</u>	
	<u>1983-84</u>	<u>1984-85</u>
All Other	(21,535)	(40,240)
Total	<u>\$(136,948)</u>	<u>\$(265,075)</u>

Of this amount in fiscal year 1984, \$131,748 and in fiscal year 1985, \$259,347, provides for the transfer of the aftercare program to the Division of Probation and Parole. The balance, \$5,200 in All Other for fiscal year 1984 and \$5,728 in fiscal year 1985, is deappropriated to reflect savings resulting from adoption of payment schedules for inmate medical care consistent with the state's allowances for health care services in the Maine Medical Assistance Manual, chapter 3.

Maine Correctional  
Center

All Other	\$(23,900)	\$(25,834)
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General Funds  
are



DEPARTMENT OR AGENCY

APPROPRIATIONS  
FROM GENERAL FUND

1983-84

1984-85

deappropriated  
to reflect  
savings  
resulting from  
adoption of  
payment sched-  
ules for  
inmate medical  
care consist-  
ent with the  
state's allow-  
ances for  
health care  
services in  
the Maine Med-  
ical Assis-  
tance Manual,  
chapter 3.

Central Maine  
Pre-Release Center

All Other

\$(3,800)

\$(4,063)

General Funds  
are  
deappropriated  
to reflect  
savings  
resulting from  
adoption of  
payment sched-  
ules for  
inmate medical  
care consist-  
ent with the  
state's allow-  
ances for  
health care  
services in  
the Maine Med-  
ical Assis-  
tance Manual,  
chapter 3.

Charleston Correc-  
tional Center

All Other

\$(1,300)

\$(1,386)

General Funds  
are

DEPARTMENT OR AGENCYAPPROPRIATIONS  
FROM GENERAL FUND1983-841984-85

deappropriated  
to reflect  
savings  
resulting from  
adoption of  
payment sched-  
ules for  
inmate medical  
care consist-  
ent with the  
state's allow-  
ances for  
health care  
services in  
the Maine Med-  
ical Assis-  
tance Manual,  
chapter 3.

## State Prison

All Other

\$(48,200)

\$(51,956)

General Funds  
are  
deappropriated  
to reflect  
savings  
resulting from  
adoption of  
payment sched-  
ules for  
inmate medical  
care consist-  
ent with the  
state's allow-  
ances for  
health care  
services in  
the Maine Med-  
ical Assis-  
tance Manual,  
chapter 3.

MENTAL HEALTH AND  
MENTAL RETARDATION,  
DEPARTMENT OF

Fuel for insti-  
tutions

All Other

\$(525,713)

\$(528,345)

DEPARTMENT OR AGENCY

APPROPRIATIONS  
FROM GENERAL FUND

1983-84

1984-85

Provides for the transfer of General Funds from the Department of Mental Health and Mental Retardation to the Bureau of Public Improvements to ensure that the Augusta Mental Health Institute's expenditures do not reflect the cost of services to other state agencies.

TREASURY DEPARTMENT

Treasurer - Debt Service

All Other

\$(420,079)

\$(--)

This decrease in appropriations for debt services is offset by a transfer from the bond redemption account of unused bond funds authorized by Private and Special Law 1969, chapter 179, for school aid and construction bonds totaling \$358,740.03 and as authorized by Private and Spe-

<u>DEPARTMENT OR AGENCY</u>	<u>APPROPRIATIONS</u> <u>FROM GENERAL FUND</u>	
	<u>1983-84</u>	<u>1984-85</u>
cial Law 1971, chapter 122, for conversion of the heating system at the Boys Training Center total- ing \$61,338.97.		
TOTAL PART B	\$(1,530,012)	\$(1,644,039)

## PART C

Adjustments to General Fund. In order to provide for necessary adjustments of the General Fund to implement the recommendations of the Joint Standing Committee on Audit and Program Review, appropriations are increased by the amounts designated in the following tabulations.

<u>DEPARTMENT OR AGENCY</u>	<u>APPROPRIATIONS</u> <u>FROM GENERAL FUND</u>	
	<u>1983-84</u>	<u>1984-85</u>
<u>CORRECTIONS, DEPARTMENT</u> <u>OF</u>		
Probation and Parole		
Positions	(34)	(34)
Personal Services	\$414,526	\$873,382
All Other	65,790	133,800
Capital Expenditures	5,021	2,240
Total	\$485,337	\$1,009,422

Provides for the transfer of a total of 26 court intake positions from court intake and 8 aftercare workers from the Maine Youth Center to the Division of Probation and Parole.

DEPARTMENT OR AGENCY

APPROPRIATIONS  
FROM GENERAL FUND

1983-84

1984-85

Administration - Cor-  
rections

Positions

(1)

(1)

Personal Services

\$13,483

\$14,305

Provides for the  
transfer of  
clerical support  
from the Maine  
Youth Center for  
the Division of  
Probation and  
Parole.

EXECUTIVE DEPARTMENT

Division of Community  
Services

All Other

\$12,000

\$12,000

Provides for  
expense reim-  
bursement for  
the members of  
the advisory  
board to the  
Division of Com-  
munity Services.

FINANCE AND ADMINISTRA-  
TION, DEPARTMENT OF

Public Improvements,  
Bureau of

Building and  
Grounds Operations

All Other

\$525,713

\$528,345

Provides for the  
transfer of Gen-  
eral Funds from  
the Department  
of Mental Health  
and Mental  
Retardation to  
the Bureau of  
Public Improve-  
ments to ensure

DEPARTMENT OR AGENCYAPPROPRIATIONS  
FROM GENERAL FUND1983-841984-85

that the Augusta  
Mental Health  
Institute's  
expenditures do  
not reflect the  
cost of services  
to other state  
agencies.

TOTAL PART C

\$1,036,533

\$1,564,072

**Emergency clause.** This Act shall become effective on July 1, 1983, except that Part A, sections 5, 6 and 23 to 27 and those sections in Parts B and C which relate to the transfer of aftercare and court intake workers to the Division of Probation and Parole shall become effective on January 1, 1984.

Effective July 1, 1983, unless otherwise indicated.

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## CHAPTER 177

H.P. 571 - L.D. 719

AN ACT Relating to Mobile Home Parks.

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

Sec. 1. 30 MRSA §4066-B, sub-§1, paragraph H, as enacted by PL 1975, c. 458, §5, is amended to read:

H. Under terms and expressed conditions in the original lease or rental agreement which is entered into by the tenant and landlord; or

Sec. 2. 30 MRSA §4066-B, sub-§1, paragraph I is enacted to read:

I. Violation by a tenant of paragraph A, B or E, 3 or more times in a 12-month period, notwithstanding the fact that the tenant in each case corrected the violation after being notified of the violation by the park owner or operator. For purposes of termination under this paragraph, the tenant shall have engaged in at least 3 separate instances of misconduct.