

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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

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FIRST REGULAR SESSION

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1985

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qualification on the repairman's registration certificate and shall make a new determination of qualification each time the certificate is renewed.

Such a metering device which has been tested and, if necessary, calibrated by a repairman in accordance with this section shall not be tested or calibrated by the state sealer within the 12-month period following the date of the testing and calibration unless testing or calibration by the state sealer is requested by the owner or operator of the device, except that the state sealer may test and, if necessary, calibrate any such device for the purpose of evaluating the competency of any repairman or for the purpose of investigation of a complaint. When the state sealer tests or calibrates such a device for those purposes, he shall not charge any fee if the device has been tested and, if necessary, calibrated within the previous 12 months and he finds the device to be correct.

Sec. 2. 10 MRSA §2701, 4th ¶ is amended to read:

The state sealer or sealers shall not charge a fee for testing or calibrating, weighing and measuring devices which have been calibrated or tested and approved within a period of 3 months from time of approval, provided the same are found to be correct, except fees for testing or calibrating retail vehicle tank metering devices tested or calibrated by a repairman in accordance with section 2654-A shall be charged as provided in that section.

Effective September 19, 1985.

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## CHAPTER 34

S.P. 35 - L.D. 43

AN ACT to Ensure Consistency Between 2  
State Laws Concerning Personal Care  
Assistance Services.

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

Sec. 1. 22 MRSA §3091-A, sub-§3, as enacted by PL 1983, c. 541, §1, is amended to read:

3. Personal care assistance services. "Personal care assistance services" means services rendered at least 5 days a week at the times of day required by an individual with a severe physical disability for him to become physically independent in connection with his capability for or actual employment. These services include, but are not limited to:

- A. Routine bodily functions, such as bowel or bladder care;
- B. Dressing;
- C. Preparation and consumption of food;
- D. Moving in and out of bed;
- E. Routine bathing;
- F. Ambulation; and
- G. Any other similar function of daily living.

Sec. 2. 22 MRSA §3092-A, as enacted by PL 1983, c. 541, §1, is amended to read:

§3092-A. Subsidy

The Bureau of Rehabilitation shall subsidize, in whole or in part, personal care assistance services in accordance with this chapter for individuals eligible under section 3093-A. The amount of the subsidy for each hour of personal care assistance services shall be determined by the director of the bureau as provided in section 3094-A. The director of the bureau shall establish a sliding scale for financial participation by individuals who receive subsidies for personal care assistance services under this chapter and shall ensure that it is consistent with the sliding scale established under section 7305.

The sliding scale shall be based on the net income of individuals who apply for or receive subsidies for personal care assistance services. The expenses associated with each individual's disabilities shall be factored into the calculation of net income for the individual. Information needed to determine net income shall be furnished through the self-declaration of individuals who apply for or receive subsidies or their representatives.

Sec. 3. 22 MRSA §3093-A, sub-§6, as enacted by PL 1983, c. 541, §1, is repealed and the following enacted in its place:

6. Income and support. Has no or insufficient personal income or other support from public services, family members or neighbors.

Sec. 4. 22 MRSA §7342, sub-§3, as enacted by PL 1981, c. 511, §1, is amended to read:

3. Income and support. Has no or insufficient personal income or other support from public services, family members and neighbors. A sliding scale shall be established for services provided under this chapter. It shall be based on the net income of individuals who apply for or receive subsidies for personal care assistance services. The expenses associated with each individual's disabilities shall be factored into the calculation of net income for the individual. Information needed to determine net income shall be furnished through the self-declaration of individuals who apply for or receive subsidies or their representatives.

Effective September 19, 1985.

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## CHAPTER 35

H.P. 9 - L.D. 7

### AN ACT to Increase the Fees of Bail Commissioners.

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

14 MRSA §5542, 2nd ¶, as amended by PL 1975, c. 205, is further amended to read:

Such bail commissioners shall receive not exceeding the sum of ~~§10~~ §17 for the charges pursuant to which the defendant is presently in custody. ~~if a bail commissioner takes bail after 8-00 p.m. and prior to 8-00 a.m. of the following day, he shall be permitted to receive a charge of up to \$15 for the occasion of taking such bail, but the sum of \$15 shall be the maximum amount for the aggregate of all the cases then pending against such person, and said charge shall not be in addition to the charge for the aggregate of all cases then pending otherwise autho-~~