

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
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SUBSECTION 4.

J.S. McCarthy Co., Inc.
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PUBLIC LAWS
OF THE
STATE OF MAINE

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1985

3. Contract procedures. Develop contract procedures for the provision of these services by nonstate agencies; and

4. Rates. Establish rates for the placement of children in residential treatment centers.

§8153. Contracts

Any contracts entered into by the State on the placement of children into residential treatment centers must state the reasons for the number of children being contracted for and the basis for the rate established for payment.

§8154. Residential Treatment Centers Advisory Group

The Residential Treatment Centers Advisory Group as established by Title 5, section 12004, subsection 10, shall consist of a representative from each residential treatment center and 2 members who represent community mental health services. All members shall be selected annually by the committee. The committee shall meet with the advisory group to review rate and placement policies and procedures. At least one meeting shall be held prior to May of each year.

Effective September 19, 1985.

CHAPTER 275

H.P. 854 - L.D. 1210

AN ACT Concerning Reports to the Federal
Government Relating to Missing
Children.

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

Sec. 1. 25 MRSA §1508 is enacted to read:

§1508. Law enforcement telecommunications system

The Bureau of the State Police shall provide for the installation, operation and maintenance of a law enforcement telecommunications system for the purpose of promptly collecting, exchanging and distributing information relating to police problems of the State, counties, cities and towns. The system may be con-

nected, directly or indirectly, with similar systems operated and maintained by other states or the Federal Government.

The Chief of the State Police shall provide for the location and maintenance of the central processing system and lines. The state departments and agencies, counties, cities and towns shall provide, at their own expense, the terminals and modems, and for the personnel and supplies, for their proper operations.

The system shall be installed, operated and maintained in accordance with the rules adopted by the National Law Enforcement Telecommunications System, the National Crime Information Center and the Chief of the State Police or his designee. The character of the communications sent, the time, place and manner of sending messages and all matters connected with the system shall be under the control and management of the Chief of the State Police or his designee.

Sec. 2. 25 MRSA c. 257 is enacted to read:

CHAPTER 257

MISSING CHILDREN

§2151. Missing children; information sent to National Crime Information Center

1. Definition. As used in this section "missing child" means any individual less than 18 years of age whose whereabouts are unknown to that individual's legal custodian if:

A. The circumstances surrounding that individual's disappearance indicate that the individual may possibly have been removed by another from the control of the individual's legal custodian without the custodian's consent; or

B. The circumstances of the case strongly indicate that the individual is likely to be abused or sexually exploited.

2. Report. Upon receiving a report of a missing child, a law enforcement agency shall conduct a preliminary investigation to determine whether the child is missing. Within 48 hours of receiving the report, if the preliminary investigation reveals that there is probable cause to believe the child is missing,

the agency shall immediately enter identifying and descriptive information about the missing child into the National Crime Information Center computer and into any state computer which the Commissioner of Public Safety may designate to receive that information. Law enforcement agencies having direct access to the National Crime Information Center computer shall enter and retrieve the data directly and shall cooperate in the entry and retrieval of data on behalf of law enforcement agencies which do not have direct access to the systems.

Immediately after a missing child is located, the law enforcement agency which located or returned the missing child shall notify the law enforcement agency having jurisdiction over the investigation, and that agency shall cancel the entry from the National Crime Information Center computer.

Effective September 19, 1985.

CHAPTER 276

H.P. 1085 - L.D. 1576

AN ACT to Change the Sales Tax Treatment of
Property Used in the Production of
Tangible Personal Property.

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

Sec. 1. 36 MRSA §1752, sub-§7-B, as enacted by PL 1977, c. 477, §6, is repealed and the following enacted in its place:

7-B. Machinery and equipment. "Machinery and equipment" means machinery, equipment and parts and attachments for machinery and equipment, but excludes foundations for machinery and equipment and special purpose buildings used to house or support machinery and equipment.

Sec. 2. 36 MRSA §1752, sub-§11, as amended by PL 1983, c. 859, Pt. M, §§2 and 13, is further amended to read:

11. Retail sale or sale at retail. "Retail sale" or "sale at retail" means any sale of tangible personal property, in the ordinary course of business,