

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 THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION
December 3, 1986 to June 30, 1987
Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

AN ACT to Amend the Maine Juvenile Code.

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

Sec. 1. 15 MRSA §3105, sub-§1, ¶A, as enacted by PL 1977, c. 664, §12, is amended to read:

A. A prosecution for an alleged juvenile crime, as defined by section 3103, subsection 1, ~~paragraphs~~ paragraph B, C, D or E or F, shall be commenced within one year after it is committed.

Sec. 2. 15 MRSA §3201, sub-§1, as amended by PL 1979, c. 681, §7, is further amended to read:

1. Warrantless arrests. Arrests without warrants of juveniles for juvenile crimes defined by section 3103, subsection 1, paragraphs A, D and E, and F by law enforcement officers or private persons shall be made pursuant to the provisions of Title 17-A, sections 15 and 16. For purposes of this section, a juvenile crime defined under section 3103, subsection 1, paragraph D, shall be deemed a Class D or Class E crime.

Effective September 29, 1987.

CHAPTER 278

H.P. 1173 — L.D. 1599

AN ACT to Exempt Liquid Asphalt from the Ground Water Oil Clean-up Fee.

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

38 MRSA §569, sub-§4, as enacted by PL 1985, c. 496, Pt. A, §14, is amended to read:

4. Funding. A fee of 3¢ per barrel of gasoline and 2¢ per barrel of refined petroleum products and their by-products other than gasoline and liquid asphalt, including #6 fuel oil, #2 fuel oil, kerosene, jet fuel and diesel fuel, shall be assessed on the transfer of those products by oil terminal facility licensees. These fees shall be paid monthly by the oil terminal facility ~~licensee~~ licensees on the basis of records certified to the department. All such transfer fees shall be credited to the Ground Water Oil Clean-up Fund upon receipt by the department.

Effective September 29, 1987.

CHAPTER 279

H.P. 1226 — L.D. 1675

AN ACT Relating to the Term of Air Emission Licenses.

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

38 MRSA §590-A is enacted to read:

§590-A. License terms

The term of air emission licenses is 5 years, except that the board may establish, by rule, shorter license terms for the following source categories as it deems necessary to protect the public health, safety and welfare:

1. Waste incinerators. Sources designed to burn solid waste for which a municipality is responsible pursuant to section 1305;

2. Innovative control. Sources utilizing new or innovative air pollution control technology; and

3. New sources. New sources that have not previously received an air emissions license from the department and those individual emission sources that have not previously been included in an air emissions license.

Effective September 29, 1987.

CHAPTER 280

H.P. 1228 — L.D. 1677

AN ACT Concerning the Reporting of Political Advertising Provided under the "Fairness Doctrine."

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

21-A MRSA §1051, as enacted by PL 1985, c. 161, §6, is amended by adding at the end a new paragraph to read:

This subchapter does not apply to any broadcast time concerning any referendum campaign, as defined in section 1, subsection 36, which is provided by a broadcaster in accordance with the requirements of the Federal Communications Act, United States Code, Title 47, Section 315, generally referred to as the "Fairness Doctrine."

Effective September 29, 1987.

CHAPTER 281

S.P. 563 — L.D. 1684

AN ACT to Revise Reporting Procedures Related to Criminal History Record Information.

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

Sec. 1. 12 MRSA §6209 is enacted to read:

§6209. Commissioner to keep records

The commissioner shall collect and maintain criminal history record information pertinent to violations of chapters 601 to 627. He may collect and maintain other records and information pertinent to other functions of the department, including the enforcement of civil violations.

Sec. 2. 12 MRSA §7905-A is enacted to read:

§7905-A. Commissioner to keep records

The commissioner shall collect and maintain criminal history record information pertinent to violations of chapters 701 to 721. He may collect and maintain other records and information pertinent to other functions of the department, including the enforcement of civil violations.

Sec. 3. 25 MRSA §1547 is repealed and the following enacted.

§1547. Courts to submit criminal records to the State Bureau of Identification

At the conclusion of any prosecution for any criminal offense, except a violation of Title 12 or Title 29, the clerk of the court shall transmit to the State Bureau of Identification an abstract duly certified on the form provided by the bureau.

Effective September 29, 1987.

CHAPTER 282

H.P. 504 — L.D. 677

AN ACT to Make Allocations for the Operating Expenditures of the Intergovernmental Telecommunications Fund of the Department of Administration for the Fiscal Years ending June 30, 1988, and June 30, 1989.

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 will become due and payable on or immediately after July 1, 1987; 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. 5 MRSA §1742, sub-§20-A, as enacted by PL 1985, c. 785, Pt. A, §67, is repealed and the following enacted in its place:

20-A. Utility services. To purchase or contract or approve the purchasing or contracting for electric, water, sewerage and gas services for any department and agency of State Government;

Sec. 2. 5 MRSA §1886, sub-§2-A is enacted to read:

2-A. Maintain central telecommunications services. The deputy commissioner shall maintain and operate central telecommunications services and may:

A. Employ or engage outside technical and professional services that may be necessary for telecommunications purposes;

B. Establish, through the Bureau of Accounts and Control, an Internal Telecommunications Fund Account. This fund shall include, but not be limited to, appropriations made to the program, funds transferred to the program from within the Department of Administration and funds received for telecommunications services rendered to system users;

C. Levy charges, according to a rate schedule approved by the Commissioner of Administration, against all units utilizing telecommunications services; and

D. Submit a budget of estimated revenues and costs to be incurred by the program in the same manner as required for the General Fund in chapters 145 and 149.

Sec. 3. **Allocation of fund.** In order to provide for the necessary expenses of operation and administration of the Intergovernmental Telecommunications Fund of the Department of Administration, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the fund.

	<u>1987-88</u>	<u>1988-89</u>
<u>ADMINISTRATION, DEPARTMENT OF</u>		
Intergovernmental Telecommunications Fund		
Positions	(10)	(10)
Personal Services	\$ 269,400	\$ 288,640
All Other	2,777,660	2,789,711
Total	<u>\$3,047,060</u>	<u>\$3,078,351</u>