

# MAINE STATE LEGISLATURE

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**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.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

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

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presented by interested parties who personally appeared at the interview. Upon request and notice to all parties at the interview, the deputy may accept corroborative documentary evidence after the interview. In no other case may the deputy base his decision on evidence received after the interview has been held.

A. This subsection does not apply when the claimant reports that, in the week claimed:

- (1) The claimant worked and reports a specific amount of earnings for that work;
- (2) The claimant worked and had earnings from that work, but does not furnish the amount of earnings;
- (3) The claimant was not able or available for work for a specific portion of the week and there is sufficient information for the deputy to determine that the inability or unavailability for work was for good cause; or
- (4) The claimant received a specific amount of other remuneration as described in section 1193, subsection 5.

B. The commissioner shall notify all claimants when a weekly claim is filed that they must provide an estimate of their earnings if they do not know the actual amount and, if no estimate is provided, benefits will be withheld pending receipt of that information. Benefits shall be paid on the basis of the estimate provided until actual information is available.

Effective September 29, 1987.

## CHAPTER 366

S.P. 585 — L.D. 1736

### AN ACT Relating to the Administration of the Maine Children's Trust Fund.

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

Whereas, the Maine Children's Trust Fund, which is funded with income tax check-off funds, now has most of the funds that will be derived from check-off contributions from 1986 income tax returns; and

Whereas, it is necessary to begin to implement programs designed to prevent abuse, neglect and mental illness among children as soon as possible; 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 pub-

lic peace, health and safety; now, therefore,

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

22 MRSA §4085, sub-§2, as amended by PL 1985, c. 667, §3, is repealed and the following enacted in its place:

2. Limit on disbursements. Of the first \$100,000 of income each year, the amount remaining after payment of operating expenses and expenses for developing public awareness shall be expended by the board in the following proportions: A minimum of 1/3 shall be allocated to the trust fund and up to 2/3 allocated for grants to local programs. One half of the amount of income each year which exceeds \$100,000, but which does not exceed \$500,000, shall be set aside for the development of the trust fund. The board may expend the remainder in accordance with the duties set out in section 4084. The board may not expend the amount of income each year which exceeds \$500,000. For purposes of this section, income includes interest attributed to the fund pursuant to Title 36, section 5285. When the total amount of the fund reaches \$4,000,000, contributions to the fund shall cease, as provided in Title 36, section 5285, and the expenditures by the board shall be limited to the amount of interest credited annually to the fund.

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

Effective June 19, 1987.

## CHAPTER 367

H.P. 1272 — L.D. 1737

### AN ACT to Amend the Juvenile Code Relating to the Questioning of Juveniles.

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

15 MRSA §3203-A, sub-§2-A is enacted to read:

2-A. Questioning. When a juvenile is arrested, no law enforcement officer may question that juvenile until:

- A. A legal custodian of the juvenile is notified of the arrest and is present during the questioning;
- B. A legal custodian of the juvenile is notified of the arrest and gives consent for the questioning to proceed without the custodian's presence; or

C. The law enforcement officer has made a reasonable effort to contact the legal custodian of the juvenile, cannot contact the custodian and seeks to question the juvenile about continuing or imminent criminal activity.