

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

reform programs designed to improve opportunities for persons with mental illness;

4. **Recommendations concerning state mental health institutes.** To make recommendations to the ~~commissioner~~ commissioner on the management of the state mental health institutes. These recommendations shall include, but not be limited to, those prepared by the subcommittee on state mental health institute;

5. **Subcommittee on state mental health institutes.** To create a subcommittee from the membership of the commission ~~exclusively~~ to monitor and evaluate the state mental health institutes. The subcommittee shall ~~monitor and evaluate the development and implementation of standards of care and treatment at the state mental health institutes and inspect the institutes~~ assist in the development of standards of care and treatment for patients at the Augusta Mental Health Institute and the Bangor Mental Health Institute;

6. **Staff; compensation.** To appoint a full-time executive director who shall serve at the pleasure of the commission and who shall not be subject to the civil service laws or approval of the department, the Governor or the Legislature. The executive director is entitled to compensation in an amount to be determined by the commission within the same pay range authorized for the Executive Director of the Human Services Council. The executive director shall perform those duties as assigned by the commission. The commission may employ a secretary as it deems necessary. The commission may request department staff, as needed, to assist the commission in carrying out its functions and duties. The executive director may make recommendations to the commission;

7. **Meetings.** To conduct public hearings, conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to problems of persons with mental illness in Maine;

8. **Advise.** To act in an advisory capacity to the commissioner in the development of the state mental health plan and in the appointment of a Director of the Bureau of Mental Health. The commission shall act in an advisory capacity to the commissioner, the Governor and the Legislature on mental health matters; ~~and~~

9. **State mental health plan.** To participate in the development of the state mental health plan required by section 3006-; and

10. **Prepare legislation.** To prepare legislation for submission to the Legislature to implement any of its recommendations.

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

Effective June 16, 1989.

CHAPTER 336

S.P. 402 - L.D. 1046

An Act to Reduce the Quantities of Cocaine and Heroin Necessary to Allow a Presumption of Trafficking

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

17-A MRSA §1103, sub-§3, as amended by PL 1987, c. 535, §1, is further amended to read:

3. A person shall be presumed to be unlawfully trafficking in scheduled drugs if ~~he~~ the person intentionally or knowingly possesses more than 2 pounds of marijuana, ~~28~~ 14 grams or more of cocaine or ~~28~~ 4 grams or more of heroin.

See title page for effective date.

CHAPTER 337

H.P. 953 - L.D. 1321

An Act to Facilitate the Establishment and Enforcement of Child Support and Health Insurance Obligations and to Clarify the Law Concerning the Modification of Child Support Orders

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

Sec. 1. 19 MRSA §214, sub-§9, as amended by PL 1989, c. 156, §1, is further amended to read:

9. **Support order.** The court may order either parent of a minor child to contribute reasonable and just sums as child support payable weekly, monthly or quarterly. Availability of public welfare benefits to the family shall not affect the decision of the court as to the responsibility of a parent to provide child support. The court shall inquire of the parties concerning the existence of a child support order entered pursuant to subchapter V. If such an order exists, the court shall consider its terms in establishing a child support obligation.

After January 1, 1990, the court may order either parent to provide child support beyond the child's 18th birthday if the child is attending secondary school as defined in Title 20-A, section 1, until the child graduates, withdraws or is expelled from secondary school or attains the age of 19, whichever first occurs.

The court's order may include a requirement for the payment of part or all of the medical expenses, hospital expenses and other health care expenses of the child. ~~If medical, hospitalization or dental insurance coverage for his child is available to an obligated parent on a group basis through his employment or other affiliation, the court's order shall in-~~