

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
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1989

sheriffs' association and one from the county that has been certified by the United States Department of Justice under the provisions of the Private Sector Prison Industry Enhancement Certification Program; and

B. One county commissioner, to be appointed by the commissioner from a list of 3 nominated by a statewide county commissioners' association.

4. Duties. The board of directors shall:

A. Establish procedures for determining whether a county jail program complies with the requirements of the Private Sector Prison Industry Enhancement Certification Program;

B. Determine whether a program shall be designated as a cost accounting center for the purposes of the Private Sector Prison Industry Enhancement Certification Program, and determine whether any such designation previously approved shall be revoked; and

C. Monitor all designated programs to ensure continuing compliance with the rules promulgated by the United States Department of Justice under the provisions of the Private Sector Prison Industry Enhancement Certification Program.

5. Fees and costs. The board of directors may receive funds from local, county, state or federal sources and may receive grants to support its activities. The board may establish a reasonable schedule of fees to be charged to participating counties.

6. Enterprise fund. Participating counties shall establish a separate account for the operation of the program. This account shall be operated as an enterprise fund, with continuing authority to receive income and pay expenses associated with the program. All funds remaining in such accounts shall not lapse at the end of the fiscal year, but shall be carried over to the next year.

See title page for effective date.

CHAPTER 417

H.P. 1153 - L.D. 1607

An Act Concerning Substance Abuse Treatment for Probationers

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

Sec. 1. 34-A MRSA §5402, sub-§2, ¶K, as amended by PL 1985, c. 821, §28, is further amended to read:

K. Provide instruction and training courses for probation and parole officers, for Intensive Supervi-

sion Program officers and for juvenile caseworkers; and

Sec. 2. 34-A MRSA §5402, sub-§2, ¶L, as enacted by PL 1983, c. 459, §6, is amended to read:

L. Be executive officer and secretary of the board; and

Sec. 3. 34-A MRSA §5402, sub-§2, ¶M is enacted to read:

M. Aggregate the statistics contained in any reports the division receives on individual probationers and make the aggregated statistics available to other state agencies provided the data is aggregated in such a way that statistics pertaining to any individual probationer cannot be disaggregated.

See title page for effective date.

CHAPTER 418

S.P. 589 - L.D. 1651

An Act to Modify the Recruitment and Retention Adjustment Process

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

Whereas, unless this legislation is enacted as an emergency measure, recruitment and retention provisions enacted by Public Law 1987, chapter 431, will be repealed before the expiration of the 90-day period; 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 §7065, sub-§2, as amended by PL 1987, c. 402, Pt. A, §§58 and 59, and c. 431, §§1 and 3, is repealed and the following enacted in its place:

2. Salary limits. No position may be assigned a salary greater than the maximum or less than the minimum rates fixed in the compensation plan except as provided by subsections 2-A and 2-B.

Sec. 2. 5 MRSA §7065, sub-§§2-A and 2-B, as enacted by PL 1987, c. 431, §§2 and 3, are repealed and the following enacted in their place:

2-A. Recruitment and retention adjustments. The director, with the agreement of the bargaining agent, if