

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

G. The plan must be made public within the State in such a manner as to facilitate public involvement.

H. The commissioner must ensure that the development of the plan includes the participation of community mental retardation service providers, consumer and family groups and other interested persons or groups in annual statewide hearings, as well as informal meetings and work sessions.

I. The commissioner must consider community service needs, relate these identified needs to biennial budget requests and incorporate necessary service initiatives into a comprehensive planning document.

See title page for effective date.

CHAPTER 629

H.P. 1364 - L.D. 1881

An Act to Prorate Prison Sentences for Work Performed for Charitable Organizations

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

Sec. 1. 30-A MRSA §1602, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed.

Sec. 2. 30-A MRSA §1606, sub-§§1 and 2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are further amended to read:

1. Participation in public works projects authorized. The sheriff in charge of a county jail may, ~~by discretion,~~ permit certain inmates of that jail to participate in public works-related projects and improvement of property owned by charitable organizations if the public works project or property is in the county where the jail is located. The sheriff may request payment from charitable organizations for the transportation of the prisoners and for the transportation and per diem compensation for any guards who accompany the prisoners. For the purposes of this section, "charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), because the nonprofit organization is described in the United States Internal Revenue Code of 1986, Section 501(c)(3). Before an inmate is permitted to participate in this type of project, the judge or justice who originally sentenced the inmate to the county jail must sign an approval to the inmate's participation.

2. Sentence prorated. Inmates participating in a public works-related project or an improvement of prop-

erty owned by a charitable organization under this section shall have their sentences to the jail prorated at the rate of one day removed from the sentences for every 16 hours of participation in the project.

See title page for effective date.

CHAPTER 630

S.P. 718 - L.D. 1893

An Act to Revise the Asbestos Certification Law

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

Whereas, industry should be allowed to have their own trained and certified asbestos abatement units performing abatement procedures within their facilities; and

Whereas, companies with certified and trained in-house abatement teams will have to contract out this work at a higher cost if changes are not made to current laws; 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. 38 MRSA §1272, sub-§5, as enacted by PL 1987, c. 448, §1-C, is amended to read:

5. Asbestos abatement project supervisor. "Asbestos abatement project supervisor" means a person with responsibility for the supervision of asbestos abatement activities. Those persons include, but are not limited to, abatement project supervisors employed by contractors, in-house asbestos abatement units, employees of governmental or public entities who coordinate or directly supervise asbestos abatement activities performed by public schools, governmental or other public employees in a school district, governmental or other public buildings and project supervisors employed as consultants to monitor and direct abatement contractors.

Sec. 2. 38 MRSA §1272, sub-§11, as enacted by PL 1987, c. 448, §1-C, is repealed.

Sec. 3. 38 MRSA §1272, sub-§14-A is enacted to read:

14-A. In-house asbestos abatement unit. "In-house asbestos abatement unit" means the unit of a business or public entity that engages in, or intends to engage in, asbestos abatement activities or projects solely within the confines of property owned or leased by the