

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

certification under the federal Private Sector Prison Industry Enhancement Certification Program. The authority's board of directors, upon receipt of a request, may recommend to the commissioner that the jail industry for that county be designated as a separate cost accounting center within the Department of Corrections' certification. The commissioner may provide technical assistance to counties that make requests under this subsection and may charge the counties a fee for the assistance.

Sec. 10. 39 MRSA §2, sub-§5, ¶E, as repealed and replaced by PL 1987, c. 654, §1, is amended to read:

E. The term "employee" does not include any person who is a sentenced prisoner in actual execution of a term of incarceration imposed in this State or any other jurisdiction for a criminal offense, except in relation to compensable injuries suffered by the prisoner during incarceration and while the prisoner is:

- (1) A prisoner in a county jail under final sentence of 72 hours or less and is assigned to work outside of the county jail;
- (2) Employed by a private employer;
- (3) Participating in a work release program; ~~or~~
- (4) Sentenced to imprisonment with intensive supervision under Title 17-A, section 1261- ; or
- (5) Employed in a program established under a certification issued by the United States Department of Justice under the United States Code, Title 18, Section 1761.

Sec. 11. 39 MRSA §102-A, sub-§1, ¶¶B and C, as enacted by PL 1987, c. 654, §2, are amended to read:

- B. Participating in a work release program; ~~or~~
- C. Sentenced to imprisonment with intensive supervision under Title 17-A, section 1261- ; or

Sec. 12. 39 MRSA §102-A, sub-§1, ¶D is enacted to read:

D. Employed in a program established under a certification issued by the United States Department of Justice under the United States Code, Title 18, Section 1761.

Sec. 13. Application. This Act shall apply only to injuries that occur after the effective date of this Act.

See title page for effective date.

CHAPTER 655

S.P. 792 - L.D. 2043

An Act to Prevent Burdensome Collection Practices when Collecting Consumer Debts

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

14 MRSA §3121-A, sub-§1, ¶D, as enacted by PL 1987, c. 184, §4, is amended to read:

D. Any proceeding under this chapter may be commenced in the division where the judgment creditor, if an individual, resides or, if not an individual, has a place of business, except that a consumer debt proceeding must be commenced, at the option of the creditor, in the division where the consumer transaction occurred or where the judgment debtor resides. Consumer debts are limited to debts arising from purchases that are primarily for personal, family or household purposes.

See title page for effective date.

CHAPTER 656

H.P. 1407 - L.D. 1955

An Act to Regulate the Dumping of Dredged Materials in Maine Waters

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

Whereas, the unregulated disposal of dredged materials may occur before the expiration of the 90-day period; and

Whereas, without the protections provided by this legislation, the disposal of dredged materials may cause severe environmental damage; 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 §413, sub-§2-C, as enacted by PL 1983, c. 566, §17, is amended to read:

2-C. Dredge spoils. Holders of a permit obtained pursuant to the United States Clean Water Act, Public Law 92-500, Section 404, are exempt from the need to obtain a waste discharge license for disposal of dredged