

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

2. Information required. Each individual who registers shall provide the following information on the form designed by the board. The board shall compile this information and make it available to the public upon request and for a fee that covers the cost of making information available. The information that must be provided includes:

A. Name, address and telephone number of individuals registering;

B. Major fields of training and expertise, including degrees and professional certifications held and from where they were conferred;

C. Method of billing and previous experience and policy with regard to 3rd-party payments;

D. The fee schedule and provisions for pro bono work or sliding scale modifications of the fee schedule; and

E. A description of the individual's practice.

3. Client bill of rights; code of ethics. Each individual who registers under this section shall sign, post and make a copy available to each client of:

A. The client bill of rights approved by the board;

B. The code of professional ethics approved by the board; and

C. The name and telephone number of the board's complaint officer and a description of the complaint process.

4. Registration fee. Each individual registering under this section shall pay a registration fee, not to exceed \$50 biennially, established by the board for the purposes of the administration of this section.

5. Registration not allowed. An individual, whose license, certification or registration has been revoked or suspended in this or any other state and in this or any related field, may not register to practice in this State unless the period of revocation or suspension has been completed and the board has conducted a competency review and determined that rehabilitation has taken place.

6. Disciplinary action. Any individual who is registered under this section is subject to the provisions of section 13861.

7. Registration not certification. Registration does not imply or certify in any way that the registrant has met any standards or criteria of education or training.

Sec. 20. PL 1989, c. 465, §5 is repealed.

Sec. 21. Transition provisions. Of the 4 additional appointments to be made by the Governor

under the Maine Revised Statutes, Title 32, section 13852, subsection 2, the Governor shall appoint one for a term of one year, one for a term of 2 years and 2 for terms of 3 years. The term of the member appointed by the Chancellor of the University of Maine System is for a term of 2 years. The appointment of the successors to these members is in accordance with Title 32, section 13852, subsection 4.

Sec. 22. Effective date. Section A-1 of this Act takes effect October 1, 2000. The Maine Revised Statutes, Title 32, section 13853, subsection 14, enacted in section A-6 of this Act, takes effect January 1, 1991. Section A-19 of this Act takes effect October 1, 1992.

See title page for effective date, unless otherwise indicated.

CHAPTER 896

H.P. 1379 - L.D. 1910

An Act to Adjust Commercial Motor Vehicle Fees

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

Sec. 1. 29 MRSA §246-A, sub-§3, as amended by PL 1985, c. 812, Pt. A, §3, is further amended to read:

3. Form of application. Application shall be made upon a form and in a manner prescribed by the Secretary of State and shall set forth such information as the Secretary of State may require. The application shall be accompanied by a fee of \$15 ~~§5~~ for each vehicle ~~listed in the application licensed. On and after October 1st, the fee shall be 1/2 rate.~~

Sec. 2. Effective date. This Act takes effect on July 1, 1991.

Effective July 1, 1991.

CHAPTER 897

H.P. 1363 - L.D. 1880

An Act to Increase Death Benefits under the Workers' Compensation Act

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

39 MRSA §59, as amended by PL 1971, c. 544, §135, is further amended to read:

§59. Burial expenses; incidental compensation

If the employee dies as a result of the injury, the employer shall pay, in addition to any compensation and medical benefits provided for in this Act, the reasonable expenses of burial, not to exceed ~~\$1,000~~ \$4,000 and ~~in addition thereto~~ an additional payment in the sum of \$1,000 ~~\$3,000~~ to the widow and if no widow, to the children and if no children to the next of kin as incidental compensation. Burial expense reimbursement must be paid to the person who has paid or who is responsible for paying the employee's burial expenses. The incidental compensation must be paid to the employee's estate.

See title page for effective date.

CHAPTER 898

H.P. 1640 - L.D. 2273

An Act to Create Community Restitution Centers

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

Sec. 1. 5 MRSA §12004-I, sub-§5-A is enacted to read:

<u>5-A. Correc-</u>	<u>Community</u>	<u>Expenses</u>	<u>34-A</u>
<u>tions</u>	<u>Liaison</u>	<u>Only</u>	<u>MRSA</u>
	<u>Advisory</u>	<u>for Non-</u>	<u>§3953</u>
	<u>Board</u>	<u>state</u>	
		<u>Employees</u>	

Sec. 2. 17-A MRSA §1204, sub-§2-A, ¶B-1 is enacted to read:

B-1. To reside in a restitution center, as established by Title 34-A, chapter 3, subchapter VII, and abide by its rules. This condition of probation is contingent upon acceptance of the convicted person by a restitution center. The court shall specify the length of the term of residence up to a maximum of one year of the total probationary period;

Sec. 3. 34-A MRSA §1001, sub-§6, as enacted by PL 1983, c. 459, §6, is amended to read:

6. Correctional facility. "Correctional facility" means the Maine State Prison, Maine Correctional Center, Charleston Correctional Facility, Downeast Correctional Facility, community restitution centers, Maine Youth Center or any other entity which that falls under the jurisdiction of the department, but does not include a county jail, holding facility or short-term detention area.

Sec. 4. 34-A MRSA c. 3, sub-c. VII is enacted to read:

SUBCHAPTER VII

COMMUNITY RESTITUTION CENTERS

§3951. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Board. "Board" means the Community Liaison Advisory Board.

2. Center. "Center" means a community restitution center.

§3952. Establishment

The department may establish community restitution centers for the residence and rehabilitation of persons who have been sentenced to a center as a condition of probation under Title 17-A, section 1204, or committed to the department under Title 17-A, provided that not more than 10% of the residents of any center have been committed to the department. Each center shall provide structured residential supervision for low-risk offenders who otherwise would have been committed to a period of incarceration in an institution. Residents shall make restitution to the victims of their crimes and shall contribute to the cost of their own incarceration as well as to the support of their dependents.

§3953. Community Liaison Advisory Board

1. Establishment. A Community Liaison Advisory Board, as established by Title 5, section 12004-I, subsection 5-A, shall advise the department regarding the development and operation of the center and shall serve as a liaison between the department and the community.

2. Membership. Each board consists of 12 members, appointed by the commissioner. Members shall serve for terms of 3 years; except that, for those first appointed, 4 members shall serve for 3-year terms, 4 members for 2-year terms and 4 members for one-year terms. All members must work or live in the municipality where the center is established or in a nearby municipality. Membership must include at least the following:

A. Two representatives of the local business community;

B. One representative of the local probation office;

C. One local law enforcement official;

D. One municipal government official;

E. One defense attorney;

F. One prosecuting attorney;