

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
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**1991**

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removal. The commissioner may certify fire-fighting personnel to supervise the removal of Class 1 underground oil storage facilities upon passage of the examination for an underground gasoline storage tank remover. Fire-fighting personnel may only supervise the removal of an underground facility or tank:

A. Within the municipality with which they are affiliated or within the jurisdiction that the municipality with which they are affiliated has a compact; and

B. If the fire-fighting personnel have written authorization from the municipality with which they are affiliated.

**Sec. 3. 38 MRSA §566-A, sub-§6**, as amended by PL 1989, c. 312, §20, is further amended to read:

**6. Underground gasoline storage tanks.** Underground gasoline storage tanks may be removed under the ~~direction~~ direct, on-site supervision of an underground gasoline storage tank remover certified pursuant to Title 32, chapter 104-A, if the following conditions are met:

A. All underground gasoline storage tanks at a site are removed at the same time; and

B. No underground gasoline storage tanks are installed at the site for at least 6 months following that removal.

See title page for effective date.

## CHAPTER 89

H.P. 619 - L.D. 889

### An Act to Amend the Rules Dealing with Laundering Services for Cloth Diapers Used by Day Care Centers

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

**Sec. 1. 22 MRSA §8302, sub-§3**, as enacted by PL 1989, c. 723, is repealed.

**Sec. 2. 22 MRSA §8302, sub-§4** is enacted to read:

**4. Rules regarding cloth diapers.** The commissioner shall adopt rules regarding the use of cloth diapers in licensed day care facilities and registered home baby-sitting services.

See title page for effective date.

## CHAPTER 90

H.P. 268 - L.D. 388

### An Act to Provide Payment of Restitution to the Offices of the District Attorneys

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

**17-A MRSA §1326**, as enacted by PL 1977, c. 455, §3, is amended to read:

#### §1326. Time and method of restitution

When restitution is authorized, the time and method of payment or of the performance of the services ~~shall~~ must be specified. ~~Monetary~~ Except when the offender is placed on probation, monetary compensation which is not to be paid in installments or at a later specified time shall be paid to the clerk of the court having jurisdiction over the offender may be ordered paid to the office of the prosecuting attorney who is prosecuting the case or to the clerk of the court. If the offender is placed on probation, the compensation may be ordered paid to the Department of Corrections, Division of Probation and Parole. In these cases, the clerk The agency receiving the restitution shall make the disbursement to the victim or other authorized claimant. All other payments and disbursements shall be made by the appropriate governmental agency or institution having jurisdiction or custody of the offender.

See title page for effective date.

## CHAPTER 91

H.P. 178 - L.D. 263

### An Act Regarding Traffic Violations Bureaus

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

**4 MRSA §164, sub-§12**, as amended by PL 1989, c. 891, Pt. A, §7, is further amended by amending the 1st paragraph to read:

**12. Traffic Violations Bureaus.** ~~Establish in each division a one or more Traffic Violations Bureau Bureaus. The Chief Judge shall appoint the clerks of the District Court in each division as a violations clerk for the each Traffic Violations Bureau in their respective divisions established.~~

See title page for effective date.

## CHAPTER 92

S.P. 168 - L.D. 380

### An Act to Amend the Appointment Process for the Panel of Mediators

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