

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.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
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missioners in which the construction cost of the project does not exceed \$100,000 as long as total expenditures for the small projects do not exceed \$1,000,000 in any fiscal year and not more than one grant is made to any applicant each year, except that the commissioner may pay up to 50% of the expense of individual projects serving seasonal dwellings or commercial establishments or up to 25% of the expense of individual projects serving seasonal dwellings. The application for a grant under this paragraph for a project serving a single family dwelling, including outbuildings, or a single commercial establishment, must include a signed statement of the financial condition of the owner of the single family dwelling or commercial establishment describing the need for the grant. That statement becomes part of the application record and no further evidence of need is required. An applicant who is the owner of a single-family dwelling or commercial establishment served by a pollution abatement construction program under this paragraph is not eligible for a grant if: for a single-family dwelling, the sum of the adjusted gross income of all persons listed on the deed of record exceeded \$30,000 in the previous taxable year; or for a commercial establishment, the gross profit earnings exceeded \$30,000 in the previous taxable year. To determine eligibility, the commissioner may require an applicant to submit a copy of the deed of record and a copy of the relevant federal income tax return of the owner or owners. In addition to any penalty adjudged under section 349, a person who knowingly makes any false statement, representation or certification in the application for a grant under this paragraph and who receives such a grant shall, upon conviction, make restitution to the department in an amount equal to the amount of the grant plus interest and reasonable recovery cost incurred by the department.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 7, 1991.

CHAPTER 97

S.P. 236 - L.D. 627

An Act to Clarify the Role of Law Enforcement Officers in the Investigation of Medical Examiner Cases

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

Sec. 1. 22 MRSA §3028, sub-§2, as enacted by PL 1979, c. 538, §8, is repealed and the following enacted in its place:

2. Investigation by law enforcement officer. When death is not suspected to be the result of criminal violence, the medical examiner may elect not to proceed to the scene, or the Chief Medical Examiner may elect not to dispatch a medical examiner to the scene. If the medical examiner elects not to proceed to the scene, or the Chief Medical Examiner elects

not to dispatch a medical examiner to the scene, the law enforcement officer in charge of the scene shall:

A. Investigate and photograph the scene as directed by the medical examiner or Office of the Chief Medical Examiner;

B. Take possession of all objects that in the opinion of the medical examiner or Office of the Chief Medical Examiner may be useful in establishing the cause, manner and circumstances of death;

C. Remove the body in accordance with the instructions of the medical examiner or Office of the Chief Medical Examiner; and

D. Make a report of the investigation available to the medical examiner or Office of the Chief Medical Examiner.

Sec. 2. 22 MRSA §3028, sub-§4, as enacted by PL 1979, c. 538, §8, is amended to read:

4. Possession of useful objects. Except as otherwise directed by the Attorney General, ~~his~~ the Attorney General's deputies or ~~his~~ assistants, the medical examiner or Office of the Chief Medical Examiner may direct that a law enforcement officer at the scene make measurements, take photographs and take possession of all objects ~~which~~ that in the ~~medical examiner's~~ medical examiner or Office of the Chief Medical Examiner opinion of the medical examiner or Office of the Chief Medical Examiner may be useful in establishing the cause ~~and~~ and manner and circumstances of death.

See title page for effective date.

CHAPTER 98

S.P. 160 - L.D. 372

An Act to Correct the Registration of the Thorncrag, Davis and Woodbury Sanctuaries of the Stanton Bird Club with the Department of Inland Fisheries and Wildlife

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

12 MRSA §7651, sub-§1, as amended by PL 1989, c. 913, Pt. A, §12, is further amended by repealing and replacing the 33rd blocked paragraph to read:

Thorncrag Bird Sanctuary: The following described territory: A certain parcel of land situated in said Lewiston, and bounded as follows, to wit, beginning on the northeasterly side of the road leading from Barker Mills to the Thorne Corner Schoolhouse so-called, at the corner of the late Benjamin Thorne's land; thence running northeasterly about one hundred and seventy (170) rods to the corner of the late Phineas Wright and Dutton lot, so-called, thence northwesterly on said Wright lot