

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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(2) Placement under observation must be discontinued if the director, on the advice of the physician, determines that placement under observation is harmful to the mental or physical health of the juvenile, except that placement under observation may be continued if the behavior of the juvenile presents a high likelihood of imminent physical harm to that juvenile or others and there is no less restrictive setting in which that juvenile's safety or that of others can be ensured. If placement under observation is continued, the physician or a member of the medical staff shall visit the juvenile at least once every 12 hours.

E. When placement under observation exceeds 24 hours, the director shall direct appropriate facility staff to develop a plan for the further care of the juvenile. The plan must be revised as needed to meet the changing needs of the juvenile.

F. Placement under observation may not exceed 72 hours without the commissioner's approval, which must:

- (1) Be in writing;
- (2) State the reasons for that approval; and
- (3) Be kept on file.

G. If the recommendations of the physician or medical staff member regarding the juvenile's dietary or other health needs while under observation are not carried out, the director shall send a written justification to the commissioner.

H. A juvenile held under observation must be under constant sight and sound supervision by facility staff.

§4109. Limit on number of juveniles

The population of the Northern Maine Regional Juvenile Detention Facility may not exceed 40 juveniles, unless there are no other appropriate beds available for housing juveniles. Exceeding 40 juveniles in such an emergency situation may be done only for the length of time necessary to resolve the emergency.

§4110. State responsible for detention

Notwithstanding any other provision of law, on the date that the Northern Maine Regional Juvenile Detention Facility begins operating, the State is responsible for all physically restrictive juvenile detention statewide.

See title page for effective date.

CHAPTER 401

H.P. 1087 - L.D. 1587

An Act to Require Minimum Training Standards for Construction Flaggers

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

23 MRSA §707 is enacted to read:

§707. Construction flaggers; minimum training standards

All privately employed flaggers at highway construction sites on public ways must have training in controlling traffic at construction sites in a manner consistent with the standards set forth in the American National Standards Institute, Manual on Uniform Traffic Control Devices for Streets and Highways. That training may consist of video instruction, instruction in a classroom setting, distribution of informational handbooks or other educational materials or other training activities determined appropriate by the employer. Municipalities are encouraged to provide the same training as is required for privately employed flaggers to flaggers whom they employ.

See title page for effective date.

CHAPTER 402

S.P. 672 - L.D. 1786

An Act to Improve the Execution and Administration of Arrest Warrants and Implement the Recommendations of the Warrants Subcommittee of the Commission to Implement the Computerization of Criminal History Record Information

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

Sec. 1. 14 MRSA §5532, sub-§2, as enacted by PL 1987, c. 639, is amended to read:

2. Other prisoners. In the case of any prisoner other than a sentenced prisoner, the copy of the warrant or process, which need not be a true and attested copy, must be delivered within 4 hours of the demand.

Sec. 2. 15 MRSA Pt. 2, first 2 lines are repealed and the following enacted in their place: