

# 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**  
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**1991**

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**Sec. 10. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Bureau of Taxation		
All Other	\$3,750	\$3,750
Provides funds to cover increased recording costs. These costs will be offset by an increase in General Fund revenue through the municipal cost component.		

See title page for effective date.

## CHAPTER 498

S.P. 584 - L.D. 1537

### An Act Relating to Sheriff's Fees for Civil Orders of Arrest

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

**Sec. 1.** 14 MRSA §3135, last ¶, as enacted by PL 1987, c. 184, §18, is amended to read:

Unless the judgment debtor shows good cause for his failure to appear after being duly served with a disclosure subpoena under section 3123 or a contempt subpoena under section 3136, the debtor ~~shall~~ must be ordered to pay the costs of issuing and serving the civil order for arrest. The costs of issuing and serving the civil order for arrest ~~shall be~~ are \$25 plus mileage at a rate of ~~24¢~~ 22¢ per mile. The fee payable to sheriffs and their deputies for civil orders for arrest is governed by Title 30-A, section 421, subsection 6.

**Sec. 2.** 30-A MRSA §421, sub-§6, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**6. Civil arrests and custody.** For civil arrests, ~~\$5 for the arrest and \$5 shall be charged for~~ and custody under the arrest, including arrest and custody under paternity proceedings, \$25 plus mileage at a rate of 22¢ per mile;

**Sec. 3.** 30-A MRSA §4216, 2nd ¶ from the end, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

The county commissioners of each county may require that the fees collected under subsections 1, 2, 3, 5, 7, 12, 13 and 14 be increased by \$1. The sheriff or deputy shall collect this additional dollar and pay it to the county treasurer for the use and benefit of the county. The county

commissioners may also require that the fees collected under subsections 1 to 14 be increased by an amount equal to the cost of social security and other withholding taxes on the fees payable under this section.

See title page for effective date.

## CHAPTER 499

H.P. 1083 - L.D. 1577

### An Act to Amend Certain Laws Affecting the Department of Environmental Protection

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

**Whereas,** the Department of Environmental Protection fee schedule is repealed and lower fees for most permitting and licensing activities are in effect; and

**Whereas,** the higher fee schedule is necessary; and

**Whereas,** a proposed merger between the laboratories of the Department of Human Services and the Department of Environmental Protection is scheduled to take place on July 1, 1991 consistent with the fiscal year; 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.** 22 MRSA c. 157, as amended, is repealed.

**Sec. 2.** 22 MRSA c. 157-A is enacted to read:

#### CHAPTER 157-A

#### HEALTH AND ENVIRONMENTAL TESTING LABORATORY

#### §565. Health and Environmental Testing Laboratory

The Health and Environmental Testing Laboratory is established within the department for the chemical and microbiological testing and examination of water supplies, food products, drinking water, environmental and forensic samples and the testing and examination of cases and suspected cases of infectious and communicable diseases.

**1. Coordination with the Department of Environmental Protection.** In coordination with the Department of Environmental Protection, the department shall also provide laboratory services for environmental testing and analysis as necessary to implement the programs and duties of the