

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

All Other	153,750	130,100
Capital Expenditures	5,000	5,000

Provides 75% funding for a Planning and Research Associate I position and a CD Operations Officer position. Also provides funds for grants to certain counties, towns and agencies to provide emergency response support for a Maine Yankee Atomic Power Plant emergency and other general operating expenses.

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES		
TOTAL	<u>\$201,614</u>	<u>\$180,406</u>

Sec. 4. Additional allocation of Maine Nuclear Emergency Planning Fund. Expected gifts or grants received pursuant to the Maine Revised Statutes, Title 37-B, section 956, subsection 3 must be allocated from the Maine Nuclear Emergency Planning Fund as follows.

	1993-94	1994-95
DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF		
Radiological Emergency Preparedness Committee		
Personal Services	\$14,288	\$15,101
All Other	28,000	29,859
Capital Expenditures	4,000	4,000

Provides 25% funding for a Planning and Research Associate I position and a CD Operations Officer position. Also provides funds for grants to certain counties, towns and agencies to provide emergency response support for a Seabrook Atomic Power Plant emergency and other general operating expenses.

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES		
TOTAL	<u>\$46,288</u>	<u>\$48,960</u>

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

Effective May 12, 1993.

CHAPTER 103

H.P. 379 - L.D. 492

An Act to Require Judges to Consider the Desirability of Financial Forfeitures

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

Sec. 1. 17-A MRSA §1152, sub-§2, ¶G, as amended by PL 1989, c. 502, Pt. D, §11, is further amended to read:

G. A fine as authorized by chapter 53. ~~Subject to the limitations of section 1302, such~~ Such a fine may be imposed in addition to the sentencing alternatives in paragraphs B, D, E and F; or

Sec. 2. 17-A MRSA §1152, sub-§2-B is enacted to read:

2-B. Except when specifically precluded, in choosing the appropriate punishment for every natural person convicted of a crime, the court shall consider the desirability of imposing a sentencing alternative involving a fine either in conjunction with or in lieu of imposing a sentencing alternative involving imprisonment.

Sec. 3. 17-A MRSA §1152, sub-§3, ¶C, as amended by PL 1987, c. 769, Pt. B, §3, is further amended to read:

C. A fine as authorized by chapter 53. ~~Subject to the limitations of section 1302, such~~ Such a fine may be imposed in addition to the sentencing alternative in paragraph D; or

Sec. 4. 17-A MRSA §1302, as enacted by PL 1975, c. 499, §1, is amended to read:

§1302. Criteria for imposing fines

~~No convicted person shall be sentenced to pay a fine unless the court determines that he is or will be able to pay the fine.~~ In determining the amount and method of payment of a fine, the court shall take into account the financial resources of the offender and the nature of the burden that its payment will impose. No person ~~shall~~ may be imprisoned solely for the reason ~~that he~~ the person will not be able to pay a fine.

See title page for effective date.

CHAPTER 104

H.P. 381 - L.D. 494

An Act to Continue the Maine Dairy Farm Stabilization Act

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

Sec. 1. 7 MRSA §2954, sub-§14, as enacted by PL 1991, c. 526, §3, is amended to read: