

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

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FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

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Augusta, Maine
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

CHAPTER 142**H.P. 664 - L.D. 902****An Act to Clarify the Role of the Child Abuse and Neglect Councils**

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

Sec. 1. 22 MRSA c. 1057, first 3 lines are repealed and the following enacted in their place:

CHAPTER 1057**CHILD ABUSE AND NEGLECT COUNCILS**

Sec. 2. 22 MRSA §§3871 and 3872, as enacted by PL 1985, c. 483, are amended to read:

§3871. Purpose

The purpose of this chapter is to encourage and maintain coordinated community efforts in each county to prevent child abuse and neglect and to ensure adequate intervention and treatment for abused and neglected children and their families.

§3872. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

~~1. **Community coordinating committee.** "Community coordinating committee" means a community council or organization created to encourage and coordinate community efforts to prevent and to treat child abuse and neglect and which provides continuous year-round service.~~

1-A. Child abuse and neglect council. "Child abuse and neglect council" means a community organization that provides continuous year-round service as a county's primary organization that serves to encourage and coordinate community efforts in primary prevention and the treatment of child abuse and neglect.

2. Fiscal agent. "Fiscal agent" means an incorporated community organization, agency or institution designated by the ~~community coordinating committee~~ child abuse and neglect council and authorized by the Department of Human Services to receive and distribute grants to that ~~community coordinating committee~~ child abuse and neglect council.

3. Maine Association of Child Abuse and Neglect Councils. "Maine Association of Child Abuse and Ne-

~~glect Council Councils" means the statewide organization which is composed of a majority of the community coordinating committees child abuse and neglect councils. The association shall have at least one representative from each member committee council. The association shall establish standards of practice by which it may evaluate the effectiveness of each individual council's strategies to combat child abuse and neglect and also maintain a statewide network that works to develop statewide plans and effective implementation strategies.~~

Sec. 3. 22 MRSA §3872-A is enacted to read:

§3872-A. Child abuse and neglect council's responsibilities

1. Duties. A child abuse and neglect council shall assess and monitor the extent and causes of child abuse and neglect in its county and carry out the following activities:

A. Coordinate services, utilizing community, state and federal resources to ensure that direct services are being provided to children and families;

B. Provide training to professionals who deal directly with children and families; and

C. Provide education and awareness concerning child abuse and neglect and its prevention.

Sec. 4. 22 MRSA §§3873 and 3874, as enacted by PL 1985, c. 483, are amended to read:

§3873. Authorization for expenditure of funds

~~The Commissioner of Human Services may department and other state agencies shall, from funds authorized to the department and state agencies, make grants to incorporated community coordinating committees the child abuse and neglect councils or fiscal agents to further the purposes of this chapter.~~

1. Grants. Grants ~~shall~~ must be made on a competitive basis according to rules adopted or amended by the commissioner. Grants in excess of \$15,000 ~~shall~~ must be made on a one-to-one matching basis with contributions from the community. Community contributions may be donations of cash or may be ~~in-kind in-kind~~ contributions, as determined by departmental rule.

2. Distribution of grants. Grants ~~shall~~ must be awarded to support existing ~~community coordinating committees child abuse and neglect councils~~ and to assist the establishment of new ~~community coordinating committees child abuse and neglect councils~~. It is the intent of this chapter to support a statewide network of ~~community coordinating committees by the end of fiscal year 1987~~ child abuse and neglect councils in each county as

resources permit. Nothing in this chapter requires the department to fully fund the activities of any child abuse and neglect council.

3. Consultation with Maine Association of Child Abuse and Neglect Councils. The Maine Association of Child Abuse and Neglect Councils shall advise the department regarding the distribution of grants before any grants are awarded. The Maine Association of Child Abuse and Neglect Councils, in conjunction with the department, shall develop a plan establishing a state-wide strategy for child abuse and neglect prevention in local counties and communities. This plan must be implemented at least one month before January 1, 1994 and updated annually. Grants must be awarded in accordance with the goals and strategies set out in the plan.

§3874. Fiscal agents

A fiscal agent receiving grants under this chapter shall act only in an administrative capacity to receive and distribute grant money to the community coordinating committee child abuse and neglect councils, as described in the rules promulgated adopted by the department for regulating the local administration of these programs.

Sec. 5. 22 MRSA §3875, as enacted by PL 1985, c. 483, is repealed.

Sec. 6. 22 MRSA §3875-A is enacted to read:

§3875-A. Child abuse and neglect councils; membership

The child abuse and neglect councils are responsible for governing the community programs under this chapter. Each council shall establish a governing board of directors. The board must be diverse with broad-based participation in each county. Terms of the directors and methods of appointment or election of members must be determined by the child abuse and neglect council's by-laws.

Sec. 7. 22 MRSA §3876, as enacted by PL 1985, c. 483, is repealed.

See title page for effective date.

CHAPTER 143

H.P. 557 - L.D. 754

An Act Concerning Property Tax Payment by Owners of Mobile Homes

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

Sec. 1. 30-A MRSA §4103, sub-§3, ¶C is enacted to read:

C. The licensing authority may not issue a permit for installation of a mobile home previously installed in another municipality until the mobile home owner provides proof of payment of all property taxes on that mobile home in the municipality where the home was formerly located.

See title page for effective date.

CHAPTER 144

H.P. 339 - L.D. 442

An Act to Require Removal of Ice-fishing Shacks from Private and Public Property

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

Sec. 1. 12 MRSA §7001, sub-§16-A is enacted to read:

16-A. Ice-fishing shack. "Ice-fishing shack" means a temporary structure used for ice fishing on frozen inland waters.

Sec. 2. 12 MRSA §7627-B is enacted to read:

§7627-B. Removal of abandoned ice-fishing shacks

Notwithstanding the provisions of Title 33, chapter 37, a landowner on whose property an ice-fishing shack is left in violation of Title 17, section 2264 may remove or destroy the shack. The landowner may recover any costs of removing or destroying the shack from the owner of the shack in a civil action.

Sec. 3. 17 MRSA §2263, sub-§1-D is enacted to read:

1-D. Abandoned ice-fishing shack. "Abandoned ice-fishing shack" means a temporary structure used for ice fishing and left on property not owned by the person owning the structure without permission of the landowner for more than 15 days after the inland waters on which the shack or structure was located are closed to ice fishing.

Sec. 4. 17 MRSA §2263, sub-§2, as amended by PL 1973, c. 194, is further amended to read:

2. Litter. "Litter" means all waste materials including, but not limited to, any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, offal, feathers, except feathers from live birds while being transported, abandoned ice-fishing shacks, old automobiles or parts thereof, of automobiles or similar refuse, or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of