

# 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 electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**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**  
**1995**

The standard for the award of reasonable rights of visitation or access is provided in subsection 2.

This subsection is repealed October 1, 1995.

See title page for effective date.

---

---

**CHAPTER 15**

**S.P. 28 - L.D. 58**

**An Act to Require State or Independent Fair Hearing Examiners in the Grievance Process of the Department of Mental Health and Mental Retardation**

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

**Sec. 1. 34-B MRSA §1203, sub-§4,** as enacted by PL 1983, c. 459, §7, is amended to read:

**4. Grievance procedures.** The commissioner shall establish procedures for hearing grievances of clients. The procedures must include the opportunity for a timely hearing before a state hearing examiner or an independent fair hearing examiner. The commissioner may contract for the services of the hearing examiner or examiners, who shall conduct all adjudicatory proceedings pursuant to the Maine Administrative Procedure Act and who may not be employees of the Department of Mental Health and Mental Retardation.

See title page for effective date.

---

---

**CHAPTER 16**

**H.P. 69 - L.D. 105**

**An Act to Allow Off-duty Police Officers to Work in Retail Stores That Are Licensed to Sell Alcoholic Beverages**

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

**Sec. 1. 28-A MRSA §704-A,** as enacted by PL 1993, c. 730, §28, is repealed.

See title page for effective date.

**CHAPTER 17**

**H.P. 104 - L.D. 139**

**An Act to Allow the Maine Human Rights Commission to Request the Cooperation of the Bureau of Consumer Credit Protection in Enforcing the Fair Credit Extension Laws**

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

**Sec. 1. 5 MRSA §4598,** as amended by PL 1979, c. 541, Pt. A, §39, is further amended to read:

**§4598. Enforcement**

The Superintendent of ~~the Bureau of Banking and the Superintendent of Consumer Credit Protection~~ shall cooperate with the Maine Human Rights Commission in ~~their~~ its enforcement of this subchapter.

See title page for effective date.

---

---

**CHAPTER 18**

**H.P. 138 - L.D. 186**

**An Act to Permit Full-time Deputies To Hold Local Public Office**

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

**Sec. 1. 30-A MRSA §355, sub-§2,** as amended by PL 1989, c. 104, Pt. A, §9 and Pt. C, §§8 and 10, is further amended to read:

**2. Full-time deputies.** ~~No~~ A full-time deputy may not hold ~~the municipal office of selectman, city councillor or budget committee member or any other elective or appointive county office or a state office.~~

See title page for effective date.

---

---

**CHAPTER 19**

**H.P. 150 - L.D. 198**

**An Act to Amend the Law Regarding Mandatory Insurance Coverage for Mental Illness**

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

**Whereas**, under current law, provisions authorizing insurance coverage for certain mental health treatments are scheduled to be repealed on July 1, 1995; and

**Whereas**, this legislation eliminates those repealers; 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. 24 MRSA §2325-A, sub-§5-C**, as amended by PL 1993, c. 586, §1, is further amended by amending the last blocked paragraph to read:

This subsection is repealed July 1, ~~1995~~ 1996.

**Sec. 2. 24-A MRSA §2843, sub-§5-C**, as amended by PL 1993, c. 586, §3, is further amended by amending the last blocked paragraph to read:

This subsection is repealed July 1, ~~1995~~ 1996.

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

Effective April 11, 1995.

**CHAPTER 20**

**H.P. 168 - L.D. 216**

**An Act to Enhance the Title to Real Estate Acquired by Municipalities for Nonpayment of Taxes**

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

**Sec. 1. 36 MRSA §946-A**, as enacted by PL 1993, c. 82, §1, is repealed and the following enacted in its place:

**§946-A. Tax-acquired property and the restriction of title action**

**1. Tax liens recorded after October 13, 1993.** A person may not commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 15-year period immediately following the expiration of the period of redemption. This subsection applies to a tax lien recorded after October 13, 1993.

**2. Tax liens recorded on or before October 13, 1993.** For a tax lien recorded on or before October 13, 1993, a person must commence an action against its validity no later than 15 years after the expiration of the period of redemption or no later than July 1, 1997, whichever occurs later.

**3. Disability or lack of knowledge.** Disability or lack of knowledge of any kind does not suspend or extend the time limits provided in this section.

See title page for effective date.

**CHAPTER 21**

**H.P. 169 - L.D. 217**

**An Act to Amend the Sewer Lien Law to Provide Clear Title**

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

**Sec. 1. 38 MRSA §1208**, as amended by PL 1987, c. 548, is further amended by adding at the end a new paragraph to read:

A discharge of the certificate given after the right of redemption has expired, which discharge has been recorded in the registry of deeds for more than one year, terminates all title of the sewer district derived from that certificate or any other recorded certificate for which the right of redemption expired 10 years or more prior to the foreclosure date of this discharge lien, unless the sewer district has conveyed any interest based upon the title acquired from any of the affected liens.

**Sec. 2. Application.** This Act applies to all liens recorded prior to and after the effective date of this Act.

See title page for effective date.

**CHAPTER 22**

**H.P. 173 - L.D. 221**

**An Act to Allow Municipal Officials to Approve the Use of Flashing Lights by Fire Department Members**

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

**Sec. 1. 29-A MRSA §2054, sub-§2, ¶F**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read: