

MAINE STATE LEGISLATURE

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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

Productivity Realization Task Force

All Other \$250,000
 Provides for the necessary expenses, including consulting fees, of the Productivity Realization Task Force.

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Personal Services (\$250,000)
 Provides for the deappropriation of funds from available balances.

TOTAL APPROPRIATIONS \$-0-

Sec. D-7. Repeal. This Part is repealed June 30, 1997.

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

Effective May 15, 1995.

CHAPTER 100

S.P. 169 - L.D. 430

An Act to Prohibit State Legislative Employees from Using State Time or Property for Campaigning

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

Sec. 1. 3 MRSA §§170 and 170-A are enacted to read:

§170. Partisan employees; restricted activities

Partisan legislative employees who assume active roles in campaigns shall either limit their activities to evenings and weekends or take leave to pursue these activities if they occur during the Legislature's regular business day, which is 8 a.m. to 5 p.m. This includes fund raising for campaign efforts as well as other activities that are directly related to election or reelection efforts.

§170-A. Use of legislative equipment and resources

Legislative employees are prohibited from at any time using the computer system, telephones, copying machines and other legislative equipment for work related to campaigns.

See title page for effective date.

CHAPTER 101

S.P. 235 - L.D. 600

An Act to Clarify Credit Union Common Bond Requirements

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

Sec. 1. 9-B MRSA §814, sub-§1, as enacted by PL 1975, c. 500, §1, is amended to read:

1. Field of membership. "Field of membership" of a credit union means those persons having a common bond of occupation or association; residence or employment within a well-defined neighborhood, community or rural district; employment by a common employer or by employers located within a well-defined industrial park or community; membership in a bona fide fraternal, religious, cooperative, labor, rural, educational or similar organization; and members of the immediate families of such persons.

Sec. 2. 9-B MRSA §814, sub-§1, ¶¶A and B are enacted to read:

A. When determining whether a credit union's proposed field of membership meets the requirements of this section, the superintendent shall consider all guidelines established by the National Credit Union Administration that address the issues of common bond, overlapping fields of membership, expansions or conversions of field of membership and the documentation required for amending a field of membership.

B. The superintendent shall provide notice to interested parties of a bylaw amendment sought by a credit union that proposes a change in field of membership.

See title page for effective date.

CHAPTER 102

H.P. 471 - L.D. 652

An Act Pertaining to the Signing of Petitions

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

Sec. 1. 30-A MRSA §2528, sub-§4, ¶A, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

A. The municipal clerk shall make nomination papers available to prospective candidates during the 40 days before the filing deadline. Before issuing nomination papers, the clerk must complete each sheet by writing in the name of the candidate and the title and term of office being sought.

(1) Nomination papers must be signed by the following number of voters based on the population of the town according to the last Federal Decennial Census of the United States:

- (a) Not less than 3 nor more than 10 in towns with a population of 200 or less;
- (b) Not less than 10 nor more than 25 in towns with a population of 201 to 500; and
- (c) Not less than 25 nor more than 100 in towns with a population of more than 500.

(2) Each voter who signs a nomination paper shall add the voter's residence with the street and number, if any. The voter may sign ~~only~~ as many nomination papers for each office as ~~there are~~ the voter chooses, regardless of the number of vacancies to be filled. ~~If a voter signs more nomination papers for an office than there are vacancies to be filled, any signatures of that voter on nomination papers, submitted after the clerk has received a number of nomination papers bearing that voter's signature which equals the number of vacancies to be filled, are not valid.~~

See title page for effective date.

CHAPTER 103

S.P. 292 - L.D. 790

An Act to Allow the Workers' Compensation Board to Submit Legislative Proposals Annually

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

Sec. 1. 39-A MRSA §152, sub-§11, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

11. Recommending legislative change. The board shall consider and recommend to the Legislature changes in this Act. Recommended changes must be forwarded to the Legislature annually on or before December 1st ~~of each even-numbered year.~~

See title page for effective date.

CHAPTER 104

H.P. 616 - L.D. 826

An Act to Amend the Sexual Abuse Laws by Including 16-year-olds and 17-year-olds Who Are Still in School in the Provisions for Sexual Abuse of Minors

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

Sec. 1. 17-A MRSA §254, sub-§1, ¶A, as amended by PL 1989, c. 401, Pt. A, §5, is further amended to read:

A. Having attained the age of 19 years, the person engages in a sexual act with another person, not the actor's spouse, who has attained the age of 14 years but has not attained the age of 16 years, provided that the actor is at least 5 years older than the other person; or

Sec. 2. 17-A MRSA §254, sub-§1, ¶C is enacted to read:

C. Having attained the age of 21 years, the person engages in a sexual act with another person, not the actor's spouse, who has attained the age of 16 years but not the age of 18 years, and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.

Sec. 3. 17-A MRSA §254, sub-§3, as amended by PL 1993, c. 451, §1, is repealed and the following enacted in its place:

3. Violation of subsection 1, paragraph A is a Class D crime; and violation of subsection 1, paragraph C is a Class E crime; except that the sentencing class for a violation of subsection 1 is one class higher if the State pleads and proves: