

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

Sec. 2. Report from Legislative Council and state accessibility office. The Executive Director of the Legislative Council, on behalf of the Legislature, and the state accessibility office within the Department of Education, Office of Rehabilitation Services, on behalf of the Executive Department, shall submit reports to the Joint Standing Committee on Judiciary and the Joint Standing Committee on State and Local Government by March 1, 1996. The reports must address the use of closed captioning and large-area listening systems in all facilities used for public meetings and public legislative functions, the provision of portable assistive listening systems and full audio wiring of all legislative hearing rooms and the provision of interpreting services for legislative business. The reports must include plans to achieve compliance with all requirements of state and federal law regarding the deaf and hard of hearing. The reports must include a schedule for achieving compliance and a listing of all tasks, services and costs involved and any necessary legislation.

See title page for effective date.

CHAPTER 427

H.P. 658 - L.D. 881

An Act to Amend the Education Funding Formula

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

Sec. 1. 20-A MRSA §6303 is enacted to read:

§6303. Medicaid for health and human services

A school administrative unit may receive funds from the Medicaid program pursuant to the United States Social Security Act, 42 United States Code, for the provision of preventive health, health, habilitation, rehabilitation and social services to eligible students in accordance with section 15613, subsection 16.

Sec. 2. 20-A MRSA §15613, sub-§16 is enacted to read:

16. Medicaid. The state share of the foundation allocation may not be adjusted for a school administrative unit that receives Medicaid funds for the provision of preventive health, health, habilitation, rehabilitation and social services to eligible students pursuant to the United States Social Security Act, 42 United States Code and section 6303.

See title page for effective date.

CHAPTER 428

H.P. 139 - L.D. 187

An Act to Create a Separate License Plate for Sheriffs

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

Sec. 1. 29-A MRSA §517, sub-§7 is enacted to read:

7. County sheriff vehicles. A vehicle owned by a county and used by a full-time law enforcement department may be issued special registration plates at the request of the chief law enforcement official of the county. The Secretary of State, in consultation with the Maine Sheriffs' Association, shall design county law enforcement registration plates. A county sheriff requesting special plates shall reimburse the Highway Fund the cost associated with the production and issuance of the plates.

Sec. 2. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1995-96

**SECRETARY OF STATE,
DEPARTMENT OF THE**

**Administration - Motor
Vehicles**

All Other	\$2,790
-----------	---------

Provides funds for the manufacturing of a special sheriff registration plate.

See title page for effective date.

CHAPTER 429

H.P. 900 - L.D. 1276

An Act to Identify for Sentencing Purposes Certain Factors That Aid in Predicting High-risk Sex Offenders

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

Sec. 1. 17-A MRSA §253, sub-§6, as enacted by PL 1993, c. 432, §1, is amended to read:

6. In using a sentencing alternative involving a term of imprisonment for any natural person convicted of violating this section, a court shall, in determining the maximum period of incarceration as the 2nd step in the sentencing process, treat each prior Maine conviction for a violation of this section as an aggravating sentencing factor.

A. When the sentencing class for a prior conviction under this section is Class A, the court shall enhance the basic period of incarceration by a minimum of 4 years of imprisonment.

B. When the sentencing class for a prior conviction under this section is Class B, the court shall enhance the basic period of incarceration by a minimum of 2 years of imprisonment.

C. When the sentencing class for a prior conviction under this section is Class C, the court shall enhance the basic period of incarceration by a minimum of one year of imprisonment.

In arriving at the final sentence as the 3rd step in the sentencing process, the court may not suspend that portion of the maximum term of incarceration based on a prior conviction ~~unless the court is of the opinion that exceptional circumstances justify that suspension in which event the court shall set forth in detail its reasons on the record.~~

Sec. 2. 17-A MRSA §257 is enacted to read:

§257. Factors aiding in predicting high-risk sex offenders for sentencing purposes

1. In assessing for sentencing purposes the risk of repeat offenses by a person convicted of a crime under chapter 11, a court shall treat each of the following factors, if present, as increasing that risk:

- A. The victim of the crime is prepubescent;
- B. The victim of the crime is the same gender as the offender;
- C. The victim of the crime is a total stranger to the offender; and
- D. The offender has been previously convicted of a crime under chapter 11 or previously convicted under the laws of the United States or any other state for conduct substantially similar to that contained in chapter 11.

A court may also utilize any other factor found by that court to increase the risk of repeat offenses by a person convicted of a crime under chapter 11.

See title page for effective date.

CHAPTER 430

H.P. 716 - L.D. 973

An Act to Improve Maine Students' Preparedness for the Global Economy by Enhancing Opportunities for Global and Geographic Education

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

Whereas, the Maine Committee for Global Education is scheduled to sunset on June 30, 1995; and

Whereas, authorization of the committee must continue without interruption; and

Whereas, the activities required by this legislation must begin before 90 days after adjournment of the legislative session; 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. 5 MRSA §12004-G, sub-§9-A is enacted to read:

<u>9-A.</u>	<u>Maine</u>	<u>Expenses</u>	<u>20-A</u>
<u>Education</u>	<u>Committee</u>	<u>Only</u>	<u>MRSA</u>
	<u>for Global</u>		<u>§9801</u>
	<u>and Geo-</u>		
	<u>graphic</u>		
	<u>Education</u>		

Sec. 2. 20-A MRSA c. 329 is enacted to read:

CHAPTER 329

GLOBAL AND GEOGRAPHIC EDUCATION

§9801. Maine Committee for Global and Geographic Education

1. Committee. The Maine Committee for Global and Geographic Education, referred to in this chapter as the "committee," is established pursuant to Title 5, section 12004-G, subsection 9-A to promote and support school-based model programs in all regions of the State.