

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

CHAPTER 39**H.P. 619 - L.D. 844****An Act to Streamline the Process of Foster Child Placement****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 22 MRSA §4064, sub-§2, ¶A, as enacted by PL 1979, c. 733, §18, is amended to read:

A. The child has been in foster care for ~~one year~~ 6 months or parental rights have been terminated;

See title page for effective date.

CHAPTER 40**H.P. 156 - L.D. 198****An Act to Amend the Permitting Laws for Septic Waste Disposal Sites****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 38 MRSA §1305, sub-§6, as amended by PL 1991, c. 499, §21, is further amended to read:

6. Municipal septage sites. Each municipality shall provide for the disposal of all refuse, effluent, sludge and any other materials from all septic tanks and cesspools located within the municipality. In addition, any person may provide a site for disposal of septage. ~~Before~~ In addition to making application to the Department of Environmental Protection for approval of any site, that person shall ~~first~~ have written approval for the site location from the municipality in which it is located, unless the site is located in a Resource Protection District under the jurisdiction of the Maine Land Use Regulation Commission. A municipality may determine whether approval of the site must be obtained first from the department or the municipality. The municipal officers shall approve, after hearing, any such private site if ~~it finds~~ they find that the site complies with municipal ordinances and with local zoning and land use controls. In the absence of applicable municipal ordinances and local zoning and land use controls, the municipality shall base its approval of the site on compliance with the siting and design standards in the

department's rules relating to septage management. For purposes of this subsection, "municipality" means a city, town or plantation.

See title page for effective date.

CHAPTER 41**H.P. 22 - L.D. 47****An Act Concerning the Responsibility of Prisoners for Family Support****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 30-A MRSA §1607 is enacted to read:

§1607. Family support

A prisoner may not participate in a work program under section 1605 or any other program administered by the sheriff by which a prisoner is able to generate money unless the prisoner consents to pay at least 25% of that money for the support of any dependent child if the parent, legal guardian or legal custodian of the child requests that payment. Upon the written request of a parent, legal guardian or legal custodian, the sheriff of the county jail where the prisoner is incarcerated shall collect and disburse to the parent, legal guardian or legal custodian that portion of the prisoner's money to be paid for the support of the dependent child. This section does not apply to any prisoner making payments for the support of a dependent child pursuant to a support order issued by a court or by the Department of Human Services.

Sec. 2. 34-A MRSA §3039-A is enacted to read:

§3039-A. Family support

A prisoner may not participate in an industry program under section 1403, a work program under section 3035 or any other program administered by the department by which a prisoner is able to generate money unless the prisoner consents to pay at least 25% of that money for the support of any dependent child if the parent, legal guardian or legal custodian of the child requests that payment. Upon the written request of a parent, legal guardian or legal custodian, the chief administrative officer of the correctional facility where the prisoner is incarcerated shall collect and disburse to the parent, legal guardian or legal custodian that portion of the prisoner's money to be paid for the support of the dependent child. This section does not apply to any prisoner making payments for the support of a dependent child