

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

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NON-EMERGENCY LAWS IS
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NON-EMERGENCY LAWS IS
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committee hearing schedules, work session schedules, status of legislation, voting records of Legislators, the laws of Maine, study reports and reports of other study groups established by the Legislature and any other information designated by the Legislative Council.

See title page for effective date.

CHAPTER 44

H.P. 37 - L.D. 62

An Act to Change the Method for Setting Wages for Deputies

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

Sec. 1. 30-A MRSA §351, sub-§§2 and 3, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

2. Full-time deputy. "Full-time deputy" means a deputy who is compensated ~~on a salaried or per diem basis~~ under section 386, subsection 1, and who is employed in county law enforcement for at least 40 hours a week.

3. Part-time deputy. "Part-time deputy" means a deputy who is compensated ~~on an hourly or per diem basis~~ under section 386, subsection 2, and who does not receive work more than the maximum amount allowed under that subsection in any one calendar or fiscal year ~~for~~ while performing county law enforcement duties.

Sec. 2. 30-A MRSA §386, as amended by PL 1989, c. 477, §2, is repealed and the following enacted in its place:

§386. Compensation of deputies

1. Full-time deputies. The county commissioners of each county in which deputies are employed shall set the rate of compensation for deputies employed in the county commissioners' county. The county treasurers shall pay the compensation, together with those incidental expenses that are necessary for the proper enforcement of the laws.

All fees received by full-time deputies for the service of civil process while on duty are deemed fees for the use of the county and are paid to the county treasurer for the use and benefit of the county.

2. Part-time deputies. Part-time deputies must be compensated at a reasonable rate established by the county commissioners. A part-time deputy may not be compensated under this section for more than 1040 hours of work as a part-time deputy in any one

calendar or fiscal year. Incidental expenses necessary for the proper enforcement of the laws must be paid in the same manner as provided for full-time deputies and are not included in the limitation on compensation. Compensation paid to a part-time deputy for serving as a court officer is not included in the limitation on compensation.

3. Special deputies. Special deputies may be compensated only when on active duty as provided under section 382. They must be compensated at a rate equal to the rate of compensation of full-time or part-time deputies, depending on the actual duties performed while on active service.

See title page for effective date.

CHAPTER 45

S.P. 48 - L.D. 158

An Act to Preserve Roadside Springs

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

Sec. 1. 22 MRSA §2601, sub-§8-A is enacted to read:

8-A. Roadside spring. "Roadside spring" means any spring, well or other water diverted by pipes for the use of the public to obtain water by using containers or other methods, including but not limited to water being diverted and collected by a landowner by tiles, pipes, catch basins, buildings or other appurtenances.

Sec. 2. 22 MRSA §2604-A is enacted to read:

§2604-A. Roadside springs

A roadside spring is not a public water system if the owner of the roadside spring does not collect, charge or accept donations, fees or money for the water or for testing or maintenance of the water and does not post signs or construct other structures that invite persons to use the spring.

See title page for effective date.

CHAPTER 46

H.P. 680 - L.D. 932

An Act Regarding Foster Parent Insurance

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

Sec. 1. 5 MRSA §1737, sub-§4, as amended by PL 1993, c. 619, §1, is further amended to read:

4. Directed services. Notwithstanding the provisions of subsection 2, the director may provide insurance advice or services for family foster homes as defined in Title 22, section 8101, subsection 3; specialized children's homes, as defined in Title 22, section 8101, subsection 5; respite care providers as defined in Title 34-B, section 6201, subsection 2-A; the Casco Bay Island Transit District created by Private and Special Law 1981, chapter 22; the University of Maine System; the Maine Technical College System; the Maine Maritime Academy; and the State's service delivery areas designated under the federal Job Training Partnership Act, Public Law 97-300, as amended.

See title page for effective date.

CHAPTER 47

H.P. 222 - L.D. 286

An Act to Meet Federal Requirements Regarding Collection of Bias Motivation Data through Uniform Crime Reporting

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

Sec. 1. 25 MRSA §1544, 2nd ¶, as amended by PL 1991, c. 206, §1 and affected by §2, is further amended to read:

The bureau shall establish a category for abuse by adults of family or household members and a category for crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation or ethnicity that are supplementary to its other reported information. The bureau shall prescribe the information to be submitted in the same manner as for all other categories of the uniform crime reports.

See title page for effective date.

CHAPTER 48

H.P. 545 - L.D. 736

An Act to Abolish the Economic Development and Business Assistance Coordinating Council

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

Sec. 1. 5 MRSA c. 380, as amended, is repealed.

Sec. 2. 10 MRSA §929-B, sub-§4, as enacted by PL 1993, c. 410, Pt. MMM, §1, is amended to read:

4. Fiscal agent. The Department of Economic and Community Development and Business Assistance Coordinating Council established in Title 5, section 13001, shall serve as the council's fiscal agent providing regular financial reports to the council on funds received and expended and an annual audit. The council shall seek funds and accept gifts, if necessary, to support the council's objectives.

See title page for effective date.

CHAPTER 49

H.P. 332 - L.D. 454

An Act to Amend the Drug Testing Program Approval Laws

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

Sec. 1. 26 MRSA §686, sub-§2, ¶D is enacted to read:

D. The rules may establish model applicant policies and employee probable cause policies and provide for expedited approval and registration for employers adopting such model policies. The rules adopted under this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 50

H.P. 617 - L.D. 842

An Act to Amend the Osteopathic Licensure Laws to Clarify the Appropriate Degree Required for Licensure

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

Sec. 1. 32 MRSA §2561, as amended by PL 1993, c. 600, Pt. A, §169, is further amended to read: