

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

E. Energy consumption analysis of the major equipment of the facility's heating, ventilating and cooling system, lighting system, hot water system and all other major energy-consuming equipment and systems as appropriate. This analysis ~~shall~~ must include:

- (1) The comparison of alternative systems;
- (2) A projection of the annual energy consumption of major energy-consuming equipment and systems for a range of operations of the facility over the life of the facility; and
- (3) The evaluation of the energy consumption of component equipment in each system, considering operation of ~~such~~ the components at other than full or rated outputs.

4. Annual updating of rules. ~~Such rules shall~~ Rules must be based on the best currently available methods of analysis and provisions ~~shall~~ must be made for an annual updating of rules and standards as required.

See title page for effective date.

CHAPTER 542

S.P. 188 - L.D. 606

An Act to Amend the Off-track Betting Laws as They Pertain to Reduced Payments for Small Market Licensees

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

Sec. 1. 8 MRSA §275-O, sub-§1, as enacted by PL 1995, c. 403, §1, is amended to read:

1. Eligible licensees. This section grants reduced payments to licensees of off-track betting ~~licensees~~ facilities that were licensed and open for business before ~~January 1, 1995~~ April 1, 1997 and that have a market area, as described in section 275-D, subsection 4, with a population of less than 50,000.

See title page for effective date.

CHAPTER 543

S.P. 509 - L.D. 1571

An Act to Amend the Maine Bail Code

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

Sec. 1. 15 MRSA §1002, last ¶, as enacted by PL 1987, c. 870, §1, is amended to read:

It is the purpose and intent of this chapter that bail be set for a defendant in order to reasonably ensure the appearance of the defendant as required, to otherwise reasonably ensure the integrity of the judicial process and, when applicable, to reasonably ensure the safety of others in the community. ~~Finally,~~ It is also the purpose and intent of this chapter that the judicial officer consider, relative to crimes bailable as of right preconviction, the least restrictive release alternative ~~which that~~ that will reasonably ensure the attendance of the defendant as required, or otherwise reasonably ensure the integrity of the judicial process. Finally, it is also the intent and purpose of this chapter that a defendant, while at liberty on bail, refrain from committing new crimes.

Sec. 2. 15 MRSA §1002, as amended by PL 1987, c. 870, §1, is further amended by adding at the end 2 new paragraphs to read:

The Legislature finds that personal recognizance bail or an unsecured appearance bond should not be available for offenders who have a pending charge.

The Legislature further believes that, as a matter of public policy, personal recognizance bail or an unsecured appearance bond should not be available to repeat offenders or to those who commit serious crimes.

Sec. 3. 15 MRSA §1003, sub-§1, ¶A, as amended by PL 1987, c. 870, §2, is further amended to read:

A. In the preconviction context, "bail" means the obtaining of the release of the defendant upon an undertaking that the defendant shall appear at the time and place required ~~and may include conditions,~~ that the defendant shall conform to any condition imposed, in accordance with section 1026, designed to ensure the integrity of the judicial process and that the defendant shall refrain from any new criminal conduct. For crimes bailable only as a matter of discretion preconviction, bail ~~may also include conditions~~ means the obtaining of the release of the defendant upon an undertaking that the defendant shall conform to each condition that is designed to ensure the safety of others in the community.

Sec. 4. 15 MRSA §1003, sub-§1, ¶B, as enacted by PL 1987, c. 758, §20, is amended to read:

B. In the post-conviction context, "bail" means the obtaining of the release of the defendant