

# 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 EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**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**

**§1710-H. Meetings**

The committee shall meet at least 4 times a year. Additional meetings may be called by a majority vote of the committee or by the State Budget Officer as specified in section 1710-G.

See title page for effective date.

---



---

**CHAPTER 656**

**H.P. 1502 - L.D. 2124**

**An Act to Allow Liquor Licenses for Commercial Vessels**

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

**Whereas,** vessels operating on inland waters are currently not eligible for liquor licenses on the same basis as coastal vessels; and

**Whereas,** it is necessary to authorize liquor licenses for commercial vessels that carry at least 25 passengers and operate on inland waters before the beginning of the summer season in order to provide for continuing and improved services by such vessels; 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. 28-A MRSA §2, sub-§15, ¶V,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

V. "Vessel" means any ship, vessel or boat of any kind used for navigation of the coastal water or for commercial navigation of inland waters, and licensed for carrying not less than 25 passengers under the requirements of the Public Utilities Commission or the United States Coast Guard, and used only on waters other than inland waters.

**Sec. 2. 28-A MRSA §1077, sub-§2, ¶B,** as amended by PL 1997, c. 373, §103, is further amended to read:

B. Except as provided in subparagraph (1), licenses issued under this section to vessel companies operating boats within the State authorize

the licensees to sell liquor in the boats after leaving and before reaching ports within the State and licenses issued under this section to commercial vessel companies operating boats on inland waters authorize the licensees to sell liquor on board the boat after leaving and before reaching docks on inland waters.

(1) A licensee may sell liquor for consumption on board a vessel that is in port or docked, only if prior approval for the sale is obtained from the bureau under the license application procedure in section 653. A separate approval must be obtained for each port or dock location from which on-board sales of liquor are to be made.

**Sec. 3. 28-A MRSA §1077, sub-§2, ¶C,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

C. A vessel licensed to sell liquor under this section may sell liquor on Sundays only between the hours of ~~12 noon~~ 9:00 a.m. and midnight on inland waters and when operated within the 3-mile limit on coastal waters.

**Sec. 4. 28-A MRSA §1077, sub-§2, ¶D** is enacted to read:

D. Notwithstanding the provisions of sections 121 and 122, a vessel on inland waters may sell liquor without approval of the municipal officers or, in the case of unincorporated places, the county commissioners.

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

Effective April 1, 1998.

---



---

**CHAPTER 657**

**H.P. 1526 - L.D. 2148**

**An Act to Grant the Joint Standing Committee Having Jurisdiction over Criminal Matters the Authority to Review the Appointments of the Commissioner of Public Safety and the Chief of the State Police**

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

**Sec. 1. 25 MRSA §1501, first ¶,** as amended by PL 1975, c. 771, §261, is further amended to read:

The Commissioner of Public Safety, with the advice and consent of the Governor and subject to review by the ~~Joint Standing Committee on State Government~~ joint standing committee of the Legislature having jurisdiction over criminal justice matters and to confirmation by the Legislature, shall appoint a Chief of the State Police, as heretofore appointed, to serve for a term of 4 years unless removed for cause. ~~Such~~ The appointment ~~shall~~ must be made from the commissioned officer ranks of the State Police. ~~He~~ The Chief of the State Police may be removed by impeachment or by the Governor on the address of both branches of the Legislature.

**Sec. 2. 25 MRSA §2901**, as repealed and replaced by PL 1993, c. 349, §54, is amended to read:

**§2901. Department; commissioner**

There is created and established the Department of Public Safety to coordinate and efficiently manage the law enforcement and public safety responsibilities of the State, to consist of the Commissioner of Public Safety, in this chapter called "commissioner," who is appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over ~~state and local government~~ criminal justice matters and to confirmation by the Legislature, to serve at the pleasure of the Governor, and the following: the Bureau of State Police, the Bureau of Liquor Enforcement, the Office of the State Fire Marshal, the Maine Criminal Justice Academy, the Maine Highway Safety Commission, the Bureau of Highway Safety and the Maine Drug Enforcement Agency.

See title page for effective date.

---



---

**CHAPTER 658**

**H.P. 1529 - L.D. 2151**

**An Act to Regulate the Functioning of End-stage Renal Disease Facilities**

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

**Sec. 1. 22 MRSA c. 412** is enacted to read:

**CHAPTER 412**

**LICENSING OF END-STAGE RENAL DISEASE FACILITIES**

**§2041. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Agreement.** "Agreement" means a written document executed between an ESRD facility and another facility in which the other facility agrees to assume responsibility for furnishing specified services to patients and for obtaining reimbursement for those services.

**2. Arrangement.** "Arrangement" means a written document executed between an ESRD facility and another facility in which the other facility agrees to furnish specified services to patients but the ESRD facility retains responsibility for those services and for obtaining reimbursement for them.

**3. Dialysis.** "Dialysis" means a process by which dissolved substances are removed from a patient's body by diffusion from one fluid compartment to another across a semipermeable membrane. The 2 types of dialysis that are in common use are hemodialysis and peritoneal dialysis.

**4. End-stage renal disease or ESRD.** "End-stage renal disease" or "ESRD" means that stage of renal impairment that appears irreversible and permanent and requires a regular course of dialysis or kidney transplantation to maintain life.

**5. ESRD facility.** "ESRD facility" includes a renal transplantation center, a renal dialysis center or a renal dialysis facility.

**6. Renal transplantation center.** "Renal transplantation center" means a hospital unit that is approved to furnish directly transplantation and other medical and surgical specialty services required for the care of ESRD transplant patients, including inpatient dialysis furnished directly or under arrangement. A renal transplantation center may also be a renal dialysis center.

**7. Renal dialysis center.** "Renal dialysis center" means a hospital unit that is approved to furnish the full spectrum of diagnostic, therapeutic and rehabilitative services required for the care of ESRD dialysis patients, including inpatient dialysis furnished directly or under arrangement. A hospital need not provide renal transplantation to qualify as a renal dialysis center.

**8. Renal dialysis facility.** "Renal dialysis facility" means a unit that is approved to furnish dialysis services directly to ESRD patients. "Renal dialysis facility" includes a self-dialysis unit or a special-purpose renal dialysis facility.

**9. Self-dialysis unit.** "Self-dialysis unit" means a unit that is part of an approved renal transplantation center, renal dialysis center or renal dialysis facility and furnishes self-dialysis services.