

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

CHAPTER 121**H.P. 1099 - L.D. 1546****An Act to Encourage Payment of Certain Workers' Compensation Premiums Owed to a Previous Insurer****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 24-A MRSA §2385-F**, as enacted by PL 1995, c. 398, §1, is amended to read:**§2385-F. Coverage denial**

Workers' compensation coverage may not be issued to an employer or continued if it has been issued until the employer pays any undisputed premiums or assessments to a previous workers' compensation insurer, including a domestic mutual insurer established pursuant to section 3703, a group self-insurer approved pursuant to Title 39-A, section 403, subsection 4, or the workers' compensation residual market mechanism. If a premium or assessment is subject to a good faith dispute at the time of termination of a policy or if such a dispute becomes known as a result of a post-termination audit review or other reason after replacement coverage has been issued and if the premium or assessment remains unpaid upon resolution of the dispute by the bureau, this replacement coverage must be cancelled.

See title page for effective date.

CHAPTER 122**H.P. 261 - L.D. 365****An Act to Amend the Laws Regarding Reporting Requirements for the Maine Health and Higher Educational Facilities Authority****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 22 MRSA §2069**, as amended by PL 1975, c. 771, §218, is further amended to read:**§2069. Annual reports**

Within 4 months after the close of each fiscal year of the authority, the executive director of the authority shall prepare and submit a complete financial report to the Governor and to the Legislature, duly audited and certified by the auditor of accounts of the operations and activities of the authority during the preceding fiscal year to be distributed in the same

way as state departmental reports. Within 5 months after the close of the authority's fiscal year, the executive director shall prepare and submit to the Legislature a detailed report on the activities of the authority during the preceding fiscal year. The report must contain information concerning the authority's financial and operational activities, including, but not limited to, resolutions, projects, grants, mortgages and loans. The report also must address continuing and potential problems with finances, operations and projects.

See title page for effective date.

CHAPTER 123**H.P. 585 - L.D. 825****An Act to Increase the Frequency With Which Message Boards May Change Their Message****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 23 MRSA §1914, sub-§11, ¶A**, as enacted by PL 1995, c. 390, §3, is amended to read:

A. For the purpose of this subsection, changeable message board signs are those signs in which the message may be electronically, mechanically or manually changed by the complete substitution or replacement of one display by another. The message on changeable message board signs may not be changed more than once in any 4-hour period, except that a public institution of education may change the message on changeable message board signs located on the public institution's premises every 20 minutes.

See title page for effective date.

CHAPTER 124**S.P. 163 - L.D. 483****An Act to Include a Denturist on the Board of Dental Examiners****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 32 MRSA §1071, first ¶**, as amended by PL 1993, c. 600, Pt. A, §56, is further amended to read:

~~The~~ Until January 1, 2001, the Board of Dental Examiners, established by Title 5, section 12004-A, subsection 10, and in this chapter called the "board,"

consists of 7 8 members, appointed by the Governor as follows: five members of the dental profession, one dental hygienist, one denturist and one representative of the public. After January 1, 2001, the board consists of 7 members, appointed by the Governor as follows: 5 members of the dental profession, one dental hygienist and one representative of the public.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Board of Dental Examiners		
Personal Services	\$315	\$210
All Other	450	300
TOTAL	\$765	\$510

Provides funds for the additional per diem and expense costs that result from increasing the membership of the Board of Dental Examiners until January 1, 2001.

See title page for effective date.

CHAPTER 125

H.P. 776 - L.D. 1099

An Act to Exempt the Requirement that All Municipal Taxes Be Paid in Advance of Moving a Mobile Home

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

Sec. 1. 29-A MRSA §2382, sub-§10, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to

another location in the same municipality for purposes not related to the sale of the mobile home.

See title page for effective date.

CHAPTER 126

H.P. 1160 - L.D. 1671

An Act to Broaden Victim Notification of Release of Defendant Placed in Institutional Confinement Following a Verdict of Not Criminally Responsible by Reason of Insanity

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

Sec. 1. 17-A MRSA §1175, first ¶, as enacted by PL 1995, c. 680, §5, is amended to read:

Upon complying with subsection 1, a victim of a crime of murder or of a Class A, Class B or Class C crime for which the defendant is committed to the Department of Corrections or to a county jail, or ~~a victim of a crime of gross sexual assault who had not in fact attained 16 years of age at the time of the crime for which the defendant is placed in institutional confinement under Title 15, section 103~~ after having been found not criminally responsible by reason of mental disease or defect and is placed in institutional confinement under Title 15, section 103, must receive notice of the defendant's unconditional release and discharge from institutional confinement upon the expiration of the sentence or upon discharge under Title 15, section 104-A and must receive notice of any conditional release of the defendant from institutional confinement, including probation, parole, furlough, work release, intensive supervision, supervised community confinement, home release monitoring or similar program or release under Title 15, section 104-A.

See title page for effective date.

CHAPTER 127

S.P. 18 - L.D. 3

An Act to Correct Errors and Inconsistencies in the Laws of Maine

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