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

PART E

Sec. E-1. 5 MRSA §8, as amended by PL 1997, c. 3, Pt. D, §1, is further amended to read:

§8. Mileage allowance

The State shall pay for the use of privately owned automobiles for travel by employees of the State in the business of the State such reimbursement as agreed to between the State and their certified or recognized bargaining agent. For employees and state officers and officials not subject to any such agreement, the State shall pay ~~22¢ per mile effective July 1, 1982, 23¢ per mile effective July 1, 1997 and~~ 24¢ per mile effective July 1, 1998, 26¢ per mile effective January 1, 2000 and 28¢ per mile effective January 1, 2001 for miles actually traveled on state business. The Governor may suspend the operation of this section and require state officials and employees to travel in automobiles owned or controlled by the State, if such automobiles are available.

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

Effective June 9, 1999.

CHAPTER 455

S.P. 228 - L.D. 650

An Act to Amend the Crime of Theft by Deception to Include False Impressions as to Identity

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

Sec. 1. 17-A MRSA §354, sub-§2, ¶A, as enacted by PL 1975, c. 499, §1, is amended to read:

A. Creates or reinforces an impression ~~which~~ that is false and ~~which~~ that the person does not believe to be true, including false impressions as to identity, law, value, knowledge, opinion, intention or other state of mind~~. Provided, however,~~; except that an intention not to perform a promise, or knowledge that a promise will not be performed, ~~shall~~ may not be inferred from the fact alone that the promise was not performed;

See title page for effective date.

CHAPTER 456

H.P. 825 - L.D. 1148

An Act to Amend the Maine Tort Claims Act

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

Sec. 1. 14 MRSA §8104-B, sub-§§6 and 7, as enacted by PL 1997, c. 740, §4, are amended to read:

6. Leasing of governmental property. The leasing of governmental property, including buildings, to other organizations; ~~and~~

7. Certain services. A decision not to provide communications, heat, light, water, electricity or solid or liquid waste collection, disposal or treatment services~~.~~; and

Sec. 2. 14 MRSA §8104-B, sub-§8 is enacted to read:

8. Failure or malfunction of computer. The direct or indirect failure or malfunction of computer hardware, computer software or any device containing a computer processor or chip that fails to accurately or properly recognize, calculate, display, sort or otherwise process dates or times as a result of the Year 2000 problem. This provision applies to failures or malfunctions occurring before January 2, 2001.

For purposes of this section, the "Year 2000 problem" means complications associated with using a 2-digit field to represent a year and its result on the year change from 1999 to 2000. These complications may include, but are not limited to:

A. Erroneous date calculations;

B. An ambiguous interpretation of the term "00";

C. The failure to recognize the year 2000 as a leap year;

D. The use of algorithms that use the term "99" or "00" as a flag for another function;

E. Problems arising from the use of applications, software or hardware that are date sensitive; and

F. The inability to distinguish between centuries.

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