

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**Sec. 3. Report.** The Commissioner of Corrections shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Criminal Justice by January 14, 2000 concerning the department's utilization of the authority granted in section 2.

See title page for effective date.

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## CHAPTER 460

H.P. 1118 - L.D. 1577

### An Act to Amend the Liability Limit under the Maine Tort Claims Act

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

**Sec. 1. 14 MRSA §8105, sub-§1,** as amended by PL 1987, c. 740, §5, is further amended to read:

**1. Limit established.** In any claim or cause of action permitted by this chapter, the award of damages, including costs, against either a governmental entity or its employees, or both, shall ~~may~~ not exceed ~~\$300,000~~ \$400,000 for any and all claims arising out of a single occurrence.

See title page for effective date.

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## CHAPTER 461

S.P. 657 - L.D. 1879

### An Act to Increase Access to Basic Needs for Low-income Maine Children and Families

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

**Sec. 1. 22 MRSA §3769-C** is enacted to read:  
**§3769-C. Adjustment to amount of assistance;  
report**

**1. Amount of assistance.** It is the goal of this section to provide low-income families with children sufficient income to meet their most basic needs. If the commissioner determines that unexpended funds are available within the Department of Human Services ASPIRE or TANF accounts, the commissioner may, by rule, use those funds to increase the maximum levels of assistance in the TANF Program.

**2. Report required.** If the department has not increased benefits to low-income families with

children by at least 5% pursuant to this section by January 1, 2001, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by February 1, 2001, comparing the State's TANF benefits to those of the other New England states and to the nonfarm income official poverty line. This report must identify the amount of funding required to raise benefit levels over periods of 3 years and 5 years to the average of the maximum benefit amounts for a family of 3 in all of the other New England states. This report must be made by the last business day in January of each subsequent year following a year in which maximum assistance levels were not increased by at least 5%, as long as the State's maximum assistance levels remain lower than the average of the New England states.

See title page for effective date.

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## CHAPTER 462

S.P. 692 - L.D. 1938

### An Act to Provide Equity for Veterans of the Vietnam War and the Persian Gulf Conflict

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 5 MRSA §7054, sub-§1, ¶D,** as amended by PL 1995, c. 115, §1, is further amended to read:

D. "War, campaign or expedition" means any of the following periods:

- (1) April 6, 1917 to November 10, 1918;
- (2) December 7, 1941 to September 1, 1945;
- (3) June 27, 1950 to January 31, 1955;
- (4) February 28, 1961 to May 7, 1975 in the case of a veteran who served in the Republic of Vietnam during that period or