

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

1. Suspension. When the custody of a juvenile at the time of commitment is in the Department of Human Services, that custody must be temporarily suspended while the juvenile is in the Northern Maine Juvenile Facility.

2. Reversion. Upon discharge or placement on aftercare status from the Northern Maine Juvenile Facility, the custody of the juvenile reverts to the Department of Human Services, if the juvenile is still under 18 years of age.

Sec. 46. 34-A MRSA §5602, as amended by PL 1997, c. 464, §16 and PL 1999, c. 401, Pt. J, §4, is further amended to read:

§5602. Juvenile community corrections officer

1. Departmental employees. A juvenile ~~ease-~~worker community corrections officer is an employee of the Department of Corrections.

2. Juvenile community corrections officer's functions. A juvenile ~~easeworker's~~ community corrections officer's functions are:

- A. To serve as a juvenile probation officer;
- B. To carry out all functions of a juvenile ~~ease-~~worker community corrections officer delineated in the Maine Juvenile Code, Title 15, Part 6; and
- C. To provide appropriate services to juveniles committed to ~~the Maine Youth Center~~ a juvenile correctional facility who are in the community on aftercare status.

3. Juvenile community corrections officer's duties. A juvenile ~~easeworker~~ community corrections officer shall:

- A. When directed, ~~provided~~ provide information to ~~the Southern Maine Juvenile Facility~~ a juvenile correctional facility on juveniles committed to the ~~Southern Maine Juvenile Facility~~ juvenile correctional facility;
- B. Make such investigations as the Juvenile Court may direct and shall keep written records of the investigations as the Juvenile Court may direct;
- C. Use all suitable means, including counseling, to aid each juvenile under ~~his~~ the juvenile community corrections officer's supervision and shall perform such duties in connection with the care and custody of juveniles as the court may direct;
- D. Keep informed as to the condition and conduct of each juvenile placed under ~~his~~ the juvenile community corrections officer's supervision and shall report on the condition and conduct to

the court and to the department as the court or department may direct;

E. When a juvenile is placed under ~~his~~ the juvenile community corrections officer's supervision, give the juvenile a written statement of the conditions of ~~his~~ the supervision and shall fully explain the conditions to ~~him~~ the juvenile; and

F. Keep complete records of all work done.

4. Juvenile community corrections officer's powers. Juvenile ~~easeworkers~~ community corrections officers have the same arrest powers as other law enforcement officers with respect to juveniles placed under their supervision.

Sec. 47. Report. The Department of Corrections shall report its progress in implementing the recommendations of the study group to review procedures and consider improvements in juvenile and adult probation services to the joint standing committee of the Legislature having jurisdiction over corrections matters by April 15, 2001.

See title page for effective date.

CHAPTER 584

H.P. 1820 - L.D. 2554

**An Act to Implement the
Recommendations of the Joint
Standing Committee on Utilities and
Energy Arising from its State
Government Evaluation Act Review
of the Public Utilities Commission**

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

Sec. 1. 35-A MRSA §120, as amended by PL 1991, c. 9, Pt. E, §22, is further amended to read:

§120. Annual report

The commission shall report annually, before February 1st, to the joint standing committee of the Legislature having jurisdiction over public utilities on:

1. Budget. The commission's planned expenditures for the year and its use of funds in the previous year, including the expenditures from the Public Utilities Commission Regulatory Fund as established pursuant to section 116; ~~and~~

2. Various fees. The waiver, exemption, receipt and expenditure of any filing fees, expenses, reimbursements or fines collected under this Title, on a case-by-case basis;

3. Regional issues. The commission's efforts undertaken in accordance with its authority under this Title to promote and protect consumer interests through participation in and presentations before regional entities and federal agencies with jurisdiction over regional marketplaces that affect the State's consumers. The commission must provide an assessment of staffing requirements to undertake these responsibilities; and

4. Rural issues. The commission's efforts undertaken in accordance with its authority under this Title to ensure that rural areas of this State are not disadvantaged as utility industries are restructured and competitive markets developed. The commission shall identify any rural issues that it has determined may require legislative action.

See title page for effective date.

CHAPTER 585

H.P. 1849 - L.D. 2587

**An Act to Implement the
Recommendations of the Joint
Standing Committee on Natural
Resources Relating to the Review of
the Advisory Commission on
Radioactive Waste and
Decommissioning Under the State
Government Evaluation Act**

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

Sec. 1. 3 MRSA §959, sub-§1, ¶L, as amended by PL 1999, c. 127, Pt. C, §13, is further amended to read:

L. The joint standing committee of the Legislature having jurisdiction over natural resource matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Environmental Protection in 1997;
- (2) Board of Environmental Protection in 1997;
- (3) Advisory Commission on Radioactive Waste and Decommissioning in ~~1999~~ 2005;
- (4) Saco River Corridor Commission in 2005; and
- (5) Board of Underground Oil Tank Installers in 2003.

Sec. 2. 38 MRSA §1453-A, sub-§4, as amended by PL 1997, c. 700, §7, is further amended to read:

4. Meetings and reports. The commission shall meet at least 4 times a year. The commission shall submit an annual report of activities to the Governor, the President of the Senate, the Speaker of the House of Representatives, the joint standing committee of the Legislature having jurisdiction over natural resource matters and the joint standing committee of the Legislature having jurisdiction over utility and energy matters by February 15th of each year. In its report in 2002, the commission shall include an assessment of its funding pursuant to Title 22, section 679-A and recommendations for altering the funding formula in the event the Maine Yankee Atomic Power Company plant in Wiscasset no longer generates low-level radioactive waste.

Sec. 3. 38 MRSA §1453-A, sub-§7, as amended by PL 1999, c. 366, §2, is further amended to read:

7. Repeal. This commission is subject to review and terminates in accordance with Title 3, chapter 35; ~~not including the grace period, no later than June 30, 2000.~~ The commission, unless granted an extension by law, is dissolved and terminates on June 30, 2006.

See title page for effective date.

CHAPTER 586

S.P. 877 - L.D. 2292

**An Act to Direct the State Liquor
and Lottery Commission to Pursue
Partnerships to Enhance Lottery
Revenues**

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

Sec. 1. 8 MRSA §402, as enacted by PL 1983, c. 732, §1, is amended to read:

§402. Compact

The State enters into the following compact with the states of Vermont and New Hampshire, subject to the terms and conditions stated in this chapter. The compact may be expanded to include other New England states.

Sec. 2. 8 MRSA §404, sub-§§4 and 5, as enacted by PL 1983, c. 732, §1, are amended to read: