

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

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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
2001

7. Procurement disputes. The request for proposals must provide for resolution of disputes that may arise before award of the contract by including a dispute review board procedure in accordance with the department's standard specifications and a provision that provides that the procurement process must be suspended pending final resolution of such disputes. This subsection does not prevent an aggrieved party from seeking judicial review.

See title page for effective date.

CHAPTER 141

H.P. 714 - L.D. 929

An Act to Amend the Supervised Community Confinement Law

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

Sec. 1. 34-A MRSA §3036-A, sub-§2, ¶B, as enacted by PL 1991, c. 845, §4, is amended to read:

B. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 2/3 of the term of imprisonment imposed or, in the case of a split sentence, at least 2/3 of the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 1253 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is more than 5 years. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 1/2 of the term of imprisonment imposed or, in the case of a split sentence, at least 1/2 of the unsuspended portion after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 1253 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is 5 years or less.

Sec. 2. 34-A MRSA §3036-A, sub-§10 is enacted to read:

10. Terminally ill prisoner. With the consent of the prisoner, the commissioner may permit a prisoner committed to the department to be transferred from a correctional facility to supervised community confinement without meeting the requirements of subsection 2, paragraphs B and C if the facility's treating physician has determined that the prisoner is terminally ill and that care outside the correctional facility for the remainder of the prisoner's illness is medically necessary. The prisoner shall live in a hospital or other appropriate care facility, such as a nursing facility or residential care facility, approved

by the commissioner. As approved by the commissioner, the prisoner may receive hospice services from an entity licensed pursuant to Title 22, chapter 1681, subchapter I. The commissioner may exempt a prisoner transferred to supervised community confinement pursuant to this subsection from any mandatory condition under subsection 3 that the commissioner determines to be inapplicable.

See title page for effective date.

CHAPTER 142

S.P. 515 - L.D. 1634

An Act to Amend the Laws Pertaining to the Maine Small Business Commission

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

Sec. 1. 5 MRSA §13032, as enacted by PL 1989, c. 875, Pt. L, §§2 and 4, is amended to read:

§13032. Maine Small Business Commission established

The Maine Small Business Commission is established as an independent commission within the department to evaluate and coordinate small business and entrepreneurial programs, contract with the administrative unit and exercise other powers and responsibilities as provided in this chapter.

Sec. 2. 5 MRSA §13033, as enacted by PL 1989, c. 875, Pt. L, §§2 and 4, is amended to read:

§13033. Membership

The commission consists of ~~3~~ 7 members: the ~~State Auditor, the~~ Chief Executive Officer of the Finance Authority of Maine ~~and~~; the Commissioner of Economic and Community Development; ~~the District Director of the United States Small Business Administration's Maine District Office;~~ and a designee from the administrative unit and 3 public members with expertise and knowledge in small business and entrepreneurship, appointed by the commissioner.

Sec. 3. 5 MRSA §13034, as enacted by PL 1989, c. 875, Pt. L, §§2 and 4, is amended to read:

§13034. Powers of commission

The commission has the power to:

1. Negotiate and approve contract. Negotiate, approve and enforce the contract with the administrative unit by which state funds are provided by the administrative unit to the small business development