

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

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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

hours of social work employment in a period not less than 2 years but not more than 4 years.

See title page for effective date.

CHAPTER 317

H.P. 991 - L.D. 1328

**An Act to Amend the Laws
Governing Registers of Deeds**

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

Sec. 1. 33 MRSA §752, sub-§4, as enacted by PL 1997, c. 503, §1, is amended to read:

4. Repeal. This section is repealed January 1, ~~2002~~ 2005.

See title page for effective date.

CHAPTER 318

H.P. 333 - L.D. 423

**An Act to Facilitate Implementation
of Court Alcohol and Drug
Treatment Programs**

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

Whereas, the adult alcohol and drug treatment program, as established pursuant to the Maine Revised Statutes, Title 4, chapter 8, began accepting referrals for persons facing probation revocations on April 2, 2001, and is expected to be in full operation by July 1, 2001; and

Whereas, statutory changes to the Maine Bail Code are necessary to ensure the efficient and effective imposition of sanctions to drug court participants by the court; and

Whereas, adult drug treatment courts have proven to be effective at keeping drug-addicted offenders off drugs and at greatly reducing other crimes associated with drug abuse; and

Whereas, the State is facing significant criminal and health problems due to drug addiction; and

Whereas, the change to the Maine Bail Code needs to be effective prior to the adult and alcohol drug treatment program's commencing full operations on or about July 1, 2001; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 15 MRSA §1105 is enacted to read:

§1105. Alcohol and drug treatment program

As a condition of post-conviction release, the court may impose the condition of participation in an alcohol and drug treatment program for a period not to exceed 24 months pursuant to Title 4, chapter 8. If at any time the court finds probable cause that a defendant released with a condition of participation in an alcohol and drug treatment program has intentionally or knowingly violated any requirement of the defendant's participation in the alcohol or drug treatment program, the court may suspend the order of bail for a period of up to 7 days for any such violation. The defendant must be given an opportunity to personally address the court prior to the suspension of an order of bail under this section. A period of suspension of bail is a period of detention under Title 17-A, section 1253, subsection 2. This section does not restrict the ability of the court to take actions other than suspension of the order of bail for the violation of a condition of participation in an alcohol and drug treatment program or the ability of the court to entertain a motion to revoke bail under section 1098 and enter any dispositional order allowed under section 1099-A. If the court orders participation in a drug and alcohol treatment program under this section, upon sentencing the court shall consider whether there has been compliance with the program.

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

Effective May 30, 2001.

CHAPTER 319

H.P. 381 - L.D. 483

**An Act to Revise the Sewer Lien
Laws**

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,