

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

subject to a bail lien as bail and the cash, other property or real estate has not been forfeited, the court, before ordering the cash or other property returned to the defendant or discharging the real estate bail lien, shall determine whether the cash, other property or real estate or any portion of the cash, other property or real estate is subject to setoff as authorized by this section. The court may order all or a portion of the bail owned by a defendant that has not been forfeited to be first paid and applied to one or more of the following:

- A. Any fine, forfeiture, penalty or fee imposed upon a defendant as part of the sentence for conviction of any offense arising out of the criminal proceeding for which the bail has been posted and the sentence for conviction of any offense in an unrelated civil or criminal proceeding;
- B. Any amount of restitution the defendant has been ordered to pay as part of the sentence imposed in the proceeding for which bail has been posted and in any unrelated proceeding;
- C. Any amount of ~~attorneys'~~ attorney's fees or other expense authorized by the court at the request of the defendant or attorney and actually paid by the State on behalf of the defendant on the ground that the defendant has been found to be indigent in the proceeding for which bail has been posted and in any unrelated proceeding; and
- D. Any surcharge imposed by Title 4, section 1057.

The court shall apply any bail collected pursuant to this subsection first to restitution.

See title page for effective date.

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**CHAPTER 88**

**H.P. 404 - L.D. 519**

**An Act To Provide Expedited Access to Testing for an Individual Exposed to Body Fluids in the Course of Employment**

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

**Sec. 1. 22 MRSA §832, sub-§2, ¶A,** as enacted by PL 1997, c. 368, §1, is amended to read:

- A. Schedule ~~a~~ an expedited hearing to be held as soon as practicable;

See title page for effective date.

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**CHAPTER 89**

**S.P. 133 - L.D. 396**

**An Act To Allow Dealers of Manufactured Housing To Install Oil Tanks**

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

**Sec. 1. 32 MRSA §2401,** as amended by PL 2001, c. 633, §2, is further amended by adding at the end 2 new paragraphs to read:

The board may issue a joint limited license to a manufactured housing dealer, as defined and licensed in Title 10, chapter 951, and an individual employee of the dealer who is named as the corecipient of the joint limited license for the limited purpose of allowing the employee to install outside residential heating oil tanks at manufactured housing, as defined in Title 10, section 9002, subsection 7, paragraph A, that has been sold by the dealer. Requirements for attaining the joint limited license must include training, of at least 4 hours at an education course approved by the board, completed by the employee named as the corecipient of the joint limited license, for proper installation of an outside oil tank. The joint limited license is revoked upon termination of the employee named as the corecipient of the joint limited license from the employ of the dealer.

The board may issue a joint limited license to the owner of a manufactured housing dealership for the limited purpose of allowing the owner to install outside residential heating oil tanks at manufactured housing, as defined in Title 10, section 9002, subsection 7, paragraph A, that has been sold by the owner. For the purposes of the joint limited license, the board shall consider the owner as both the dealer and the employee named as the corecipient. Requirements for attaining the joint limited license must include training of at least 4 hours at an education course approved by the board, completed by the owner, for proper installation of an outside oil tank. The joint limited license is revoked upon the owner ceasing to operate as a manufactured housing dealer.

**Sec. 2. 32 MRSA §2402-B,** as amended by PL 2001, c. 633, §3, is further amended to read:

**§2402-B. Fees**

The Director of the Office of Licensing and Registration may establish by rule fees for purposes authorized under this subchapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$350 biennially. The fee for the limited license for a manufactured housing mechanic or the