

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

CHAPTER 66

H.P. 303 - L.D. 418

An Act To Exempt Certain Tires from the Speed Rating Requirements

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

Whereas, this Act corrects an unintended consequence of a current law that requires a vehicle to be equipped with tires that meet or exceed the load and speed rating of the original equipment tires; and

Whereas, it is necessary that this Act take effect before the spring season, when many Maine citizens change the tires on their motor vehicles from snow tires to regular tires; 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. 29-A MRSA §1917, sub-§2, as amended by PL 2003, c. 146, §1, is further amended to read:

2. Safe tires required. A motor vehicle may not be operated on a public way unless it is equipped with tires in safe operating condition. A tire mounted on a motor vehicle is not considered to be in safe operating condition unless it meets the visual and tread depth requirements set forth in subsections 3 and 4 and the wheel size requirements in subsection 6. ~~A vehicle may be equipped only with tires that meet or exceed the load and speed rating of the original equipment tires.~~

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

Effective April 29, 2005.

CHAPTER 67

H.P. 362 - L.D. 487

An Act Concerning Payment of Health Insurance Premiums for Surviving Spouses of Maine State Retirement System Members

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

Sec. 1. 5 MRSA §285, sub-§3-D is enacted to read:

3-D. Coverage under group health insurance plan for spouse and dependents after death of retiree. If the spouse or other dependents of a retiree who is eligible pursuant to subsection 1, paragraph G and subsection 1-A are covered by the group health plan and the retiree dies while enrolled in the group health plan, the spouse or dependents must have the opportunity to continue coverage under the plan after the death of the retiree by making the premium payment for the cost of that coverage. In the case of underage dependent children, coverage must be available at least until the dependent children reach 19 years of age.

See title page for effective date.

CHAPTER 68

H.P. 261 - L.D. 348

An Act To Expand the Home-release Monitoring Program for a Person with a Terminal Illness

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

Sec. 1. 30-A MRSA §1659, sub-§8 is enacted to read:

8. Terminally ill inmate. The sheriff may grant the privilege of participation in a home-release monitoring program to an inmate who does not meet the requirements of subsection 2, paragraph D if the jail's treating physician has determined that the inmate is terminally ill and that care outside the jail for the remainder of the inmate's illness is medically appropriate. Except as set out in this subsection, the inmate shall live in a hospital or other appropriate care facility, such as a nursing facility, residential care facility or facility that is a licensed hospice program pursuant to Title 22, section 8622, approved by the sheriff. As approved by the sheriff, the inmate may receive hospice services from an entity licensed pursuant to Title 22, chapter 1681, subchapter 1 and, subject to approval by the sheriff, may live at home while receiving these hospice services. The sheriff may exempt an inmate participating in home-release monitoring pursuant to this subsection from any requirements under subsection 3 that the sheriff determines to be inapplicable. The sheriff may terminate an inmate's participation in a home-release monitoring program under this subsection at any time and return the inmate to confinement for any reason in