

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE		
DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	(\$1,000,000)	\$1,000,000
DEPARTMENT TOTAL - ALL FUNDS	(\$1,000,000)	\$1,000,000

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for a one-dollar-per-hour stipend for certain staff working in the Riverview Psychiatric Center's 2 admission units as a continuation of the proposal included in the fiscal year 2006-07 emergency budget request. This initiative will be self-funded by a reduction in the All Other line category.

GENERAL FUND	2007-08	2008-09
Personal Services	\$34,136	\$34,451
All Other	(\$34,136)	(\$34,451)
GENERAL FUND TOTAL	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for a one-dollar-per-hour stipend for certain staff working in the Riverview Psychiatric Center's 2 admission units as a continuation of the proposal included in the fiscal year 2006-07 emergency budget request. This initiative will be self-funded by a reduction in the All Other line category.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$58,575	\$59,090
All Other	(\$58,575)	(\$59,090)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
SECTION TOTALS	2007-08	2008-09
GENERAL FUND	(\$1,000,000)	\$1,000,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
SECTION TOTAL - ALL FUNDS	(\$1,000,000)	\$1,000,000

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective June 7, 2007, unless otherwise indicated.

CHAPTER 241

S.P. 573 - L.D. 1629

An Act Regarding Jury Service

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

Sec. 1. 14 MRSA §1216, as amended by PL 1983, c. 688, §7, is repealed and the following enacted in its place:

§1216. Frequency and length of service by jurors

1. Frequency. Over the course of a person's life, the person may not be required:

A. To serve or attend court for prospective service as a traverse juror more than 3 times and not more often than once in any 5-year period. For purposes of this paragraph, a requirement to serve or attend court for possible service as a juror for more than 15 court days, except if necessary to complete service in a particular case, is considered a separate call to service as a juror;

B. To serve on more than 3 grand juries but not on more than one grand jury in any 5-year period; or

C. To serve as both a grand and traverse juror in any 5-year period.

2. Term of grand jury service. The terms of the grand jury in any county must be set by the Chief Justice of the Superior Court with a maximum of 12 months' service required. When the number of grand jurors is reduced by death or otherwise, additional

grand jurors may be selected and summoned under the direction of the court at any time.

See title page for effective date.

CHAPTER 242

H.P. 763 - L.D. 1045

**An Act To Extend the Coyote
Night Hunting Season**

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

Sec. 1. 12 MRSA §12001, sub-§1, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §190 and affected by §422, is further amended to read:

1. Open night hunting season. Notwithstanding the night hunting prohibitions in section 11206-A, there is an open season for hunting coyotes at night in all counties of the State from January 1st to ~~April 30th~~ June 1st.

See title page for effective date.

CHAPTER 243

S.P. 222 - L.D. 685

**An Act To Amend the Maine
Human Rights Act**

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

Sec. 1. 5 MRSA §4581, sub-§1, as enacted by PL 1989, c. 245, §3, is amended to read:

1. Number of occupants. Nothing in this subchapter limits the applicability of any reasonable local, state or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling. Nor does any provision in this ~~subsection~~ subchapter regarding familial status apply with respect to housing for older persons.

Sec. 2. 5 MRSA §4582-A, sub-§1, as amended by PL 1991, c. 99, §18, is further amended to read:

1. Modifications. For any owner, lessee, sublessee, managing agent or other person having the right to sell, rent, lease or manage a housing accommodation; or any of their agents to refuse to permit, at the expense of ~~the~~ a person with physical or mental disability, reasonable modifications of existing premises occupied or to be occupied by that person if the modifications may be necessary to give that person full enjoyment of the premises, except that, with a rental, the landlord, when it is reasonable to do so, may condition permission for a modification on the

renter's agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted; or

Sec. 3. 5 MRSA §4582-A, sub-§2, as enacted by PL 1989, c. 779, is amended to read:

2. Accommodations. For any owner, lessee, sublessee, managing agent or other person having the right to sell, rent, lease or manage a housing accommodation; or any of their agents to refuse to make reasonable accommodations in rules, policies, practices or services when those accommodations are necessary to give ~~that person~~ a person with physical or mental disability equal opportunity to use and enjoy the housing.

Sec. 4. 5 MRSA §4583, as amended by PL 2005, c. 10, §15, is further amended to read:

§4583. Application

Nothing in this Act may be construed to prohibit or limit the exercise of the privilege of every person and the agent of any person having the right to sell, rent, lease or manage a housing accommodation to set up and enforce specifications in the selling, renting, leasing or letting or in the furnishings of facilities or services in connection with the facilities that are consistent with business necessity and are not based on the race, color, sex, sexual orientation, physical or mental disability, religion, country of ancestral origin; ~~or~~ or familial status ~~of~~ or the receipt of public assistance payments ~~of~~ by any prospective or actual purchaser, lessee, tenant or occupant. Nothing in this Act may be construed to prohibit or limit the exercise of the privilege of every person and the agent of any person making loans for or offering financial assistance in the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations; to set standards and preferences, terms, conditions, limitations or specifications for the granting of loans or financial assistance that are consistent with business necessity and are not based on the race, color, sex, sexual orientation, physical or mental disability, religion, country of ancestral origin; ~~or~~ or familial status ~~of~~ or the receipt of public assistance payments ~~of~~ by the applicant for a loan or financial assistance or of any existing or prospective owner, lessee, tenant or occupant of housing accommodation.

Sec. 5. 5 MRSA §4612, sub-§1, ¶A, as amended by PL 1993, c. 578, §1, is further amended to read:

A. The commission or its delegated single commissioner or investigator shall provide an opportunity for the complainant and respondent to resolve the matter by settlement agreement prior to a determination of whether there are reasonable grounds to believe that unlawful discrimination has occurred. Evidence of conduct or statements made in compromise settlement negotiations, offers of settlement and any final agreement are