

MAINE STATE LEGISLATURE

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(Emergency)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2521

S.P. 950 In Senate, March 15, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.
Reference to the Committee on Judiciary suggested and
ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.
Cosponsored by Representative PARADIS of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Correct Errors and
Inconsistencies in the Laws of Maine.

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

7 Whereas, Acts of this and previous Legislatures
8 have resulted in certain technical errors and
9 inconsistencies in the laws of Maine; and

1 1. Appointment. The Director of the Bureau of
2 Forestry shall appoint forest rangers, subject to the
3 Civil Service Law and the State Supervisor, Forest
4 Fire Operations. Rangers assigned to posts at Clayton
5 Lake, St. Pamphile, Estcourt Station, Daaguam,
6 Musquacook Lake, Snare Brook and Baker Lake must be
7 bilingual in French and English.

8 **Sec. 55. 14 MRSA §8102, sub-§1, as amended by**
9 **PL 1987, c. 218, §1, and c. 386, §1, is repealed and**
10 **the following enacted in its place:**

11 1. Employee. "Employee" means a person acting on
12 behalf of the governmental entity in any official
13 capacity, whether temporarily or permanently, and
14 whether with or without compensation from local, state
15 or federal funds, including elected or appointed
16 officials, volunteer firefighters as defined in Title
17 30, section 3771, emergency medical service personnel,
18 and Maine National Guardsmen while receiving state
19 active duty pay under Title 37-B, section 143, in
20 accordance with Title 37-B, sections 181 to 183 and
21 742, and while engaged in the Domestic Action Program,
22 but the term "employee" shall not mean a person or
23 other legal entity acting in the capacity of an
24 independent contractor under contract to the
25 governmental entity.

26 **Sec. 56. 15 MRSA §3105, sub-§1, ¶A, as repealed**
27 **by PL 1987, c. 222, §1, and as amended by PL 1987, c.**
28 **277, §1, is repealed.**

29 **Sec. 57. 15 MRSA §3105-A, sub-§2, ¶C, as**
30 **enacted by PL 1987, c. 222, §2, is repealed and the**
31 **following enacted in its place:**

32 C. A prosecution for conduct specified in section
33 3103, subsection 1, paragraph B, C, D, E or F
34 shall be commenced within one year after it is
35 committed.

36 **Sec. 58. 17 MRSA §1301-A, 2nd ¶, as amended by**
37 **PL 1987, c. 45, Pt. B, §4, and c. 402, Pt. A, §115, is**
38 **repealed and the following enacted in its place:**

1 Sections 49 and 50 resolve a conflict between 2
2 public laws which enacted the same subsection number.

3 Section 51 clarifies employment provision within
4 the Bureau of Parks and Recreation.

5 Section 52 corrects a technical error.

6 Section 53 combines provisions of 2 public laws
7 amending same subsection.

8 Section 54 combines provisions of 2 public laws
9 which amended the same subsection.

10 Section 55 incorporates provisions of 2 public
11 laws affecting the same subsection.

12 Section 56 incorporates changes made by 2 public
13 laws amending the same section.

14 Section 57 incorporates changes which were made in
15 section 3103, subsection 1.

16 Section 58 combines provisions of 2 public laws
17 amending the same section.

18 Section 59 corrects a reference to workers'
19 compensation.

20 Section 60 makes the office which handled the
21 underlying prosecution responsible for enforcement of
22 restitution.

23 Section 61 corrects technical errors and reference
24 to Workers' Compensation Act.

25 Section 62 combines provision of 2 public laws
26 which amended the same subsection.

27 Sections 63 to 65 correct references to the
28 workers' compensation law.

29 Section 66 combines provisions of 2 public laws
30 which enacted the same section.

31 Section 67 incorporates provisions of 2 public