

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
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ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

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Sec. 1. 32 MRSA §7028, as repealed and replaced by PL 1983, c. 812, §253, is repealed and the following enacted in its place:

§7028. Compensation and expenses

Compensation of members shall be in accordance with Title 5, chapter 379, provided that expenses do not exceed the fees collected by the board. If the fees to be collected under this chapter are insufficient to pay the expenses provided by this section, the board members shall be entitled to a pro rata payment in any years in which the fees are insufficient.

Sec. 2. 32 MRSA §7056, as amended by PL 1985, c. 736, §16, is further amended to read:

§7056. Application; fees

Application for license as a licensed clinical, licensed master or licensed social worker shall be on a form prescribed and furnished by the board. An application fee and an examination fee may be established by the board in amounts which are reasonable and necessary for their respective purposes. All fees shall accompany the application.

The license fee for a licensed social worker shall be established by the board in an amount not to exceed ~~\$50~~ \$70.

The license fee for a licensed master social worker shall be established by the board in an amount not to exceed ~~\$75~~ \$110.

The license fee for a licensed clinical social worker shall be established by the board in an amount not to exceed ~~\$125~~ \$175.

Fees for initial and renewal licenses shall be set so that total fee receipts do not exceed the amount required to cover properly the expense of performing the duties imposed upon the board.

If the board denies the issuance of a license to any applicant, the application and examination fees shall be non-refundable.

Sec. 3. 32 MRSA §7060, first ¶, as amended by PL 1985, c. 736, §19, is further amended to read:

Licenses shall expire biennially on December 31st or at such other times as the Commissioner of ~~Business, Oc-~~

~~cupational and Professional and Financial Regulation~~ may designate. Biennial fees for renewal of license shall be set by the board in an amount not to exceed ~~\$50~~ those amounts specified in section 7056 and shall be due and payable biennially on or before the first day of January. License renewal fees for certified social workers shall be the same as those for licensed master social workers. Every 2nd renewal shall be contingent upon evidence of participation in a continuing professional education course or program as approved by the board. A license may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the renewal date shall be subject to all requirements governing new applicants under this chapter, except that the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is made within 2 years from the date of the expiration.

Sec. 4. Allocation. The following funds are allocated from other special revenue funds to carry out the purposes of this Act.

	1987-88	1988-89
<u>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</u>		
State Board of Social Worker Registration		
Positions-other count	(1.0)	(1.0)
Personal Services	\$21,500	\$22,700
All Other	(3,200)	(3,200)
Total	\$18,300	\$19,500

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

Effective May 12, 1987.

CHAPTER 114

H.P. 659 — L.D. 892

AN ACT to Allow Per Pupil Reimbursement to School Administrative Units for Home Instruction Pupils.

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

20-A MRSA §5001-A, sub-§3, ¶C is enacted to read:

C. A student who is educated under the provisions of paragraph A in any manner other than in a private school approved under chapter 117, subchapter I shall be counted as 1/2 a student for the purpose of computing state aid under chapter 606.

Effective September 29, 1987.

CHAPTER 115

H.P. 1019 — L.D. 1372

AN ACT to Amend the Open Season Fishing Laws.

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

Sec. 1. 12 MRSA §7552, sub-§5, ¶D, as enacted by PL 1979, c. 420, §1, is amended to read:

D. The commissioner may issue a rule establishing an annual opening date as the last Saturday of April on waters reclaimed by the removal of rough fish; and

Sec. 2. 12 MRSA §7552, sub-§5, ¶F, as amended by PL 1983, c. 274, §2, is repealed.

Effective September 29, 1987.

CHAPTER 116

H.P. 1021 — L.D. 1374

AN ACT to Establish a Resident Small Game Hunting License.

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

Sec. 1. 12 MRSA §7101, sub-§5, ¶B-1 is enacted to read:

B-1. Resident small game hunting license **\$8**

(16 years of age or older)

(Permits hunting of all legal species, except deer, bear, turkey, moose, raccoon and bobcat)

Sec. 2. 12 MRSA §7101, sub-§5, ¶F, as repealed and replaced by PL 1983, c. 807, Pt. P, §3, is repealed and the following enacted to read:

F. Nonresident small game hunting license **\$47**

(Permits hunting of all legal species, except deer, bear, turkey, moose, raccoon and bobcat)

Effective September 29, 1987.

CHAPTER 117

H.P. 116 — L.D. 141

AN ACT to Amend the Laws Concerning Extension of Motor Vehicle Registration Expiration Dates.

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

Whereas, the Secretary of State has determined that this legislative measure is necessary to curb abuse of tardy renewals of automobile registrations; and

Whereas, timely observance of the State's registration requirements is required to ensure full compliance with the responsibilities involved in operating a motor vehicle in the State; 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:

29 MRSA §106, sub-§2, ¶B, as repealed and replaced by PL 1979, c. 664, is amended to read:

B. Except as herein provided, when application for registration of an automobile, motor truck, or truck tractor is made after the registration for the previous year has been the expired for more than 30 days, the expiration date of the renewal shall be at the end of the month, one year from the month of issuance of the previous registration. ~~If the applicant provides satisfactory evidence and certifies in writing to the Secretary of State that the vehicle has not been operated on a public way during the period of the expired registration, the registration expiration date, upon renewal, is at the end of the month one year from the month of issuance of the registration renewal.~~

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

Effective May 12, 1987.

CHAPTER 118

H.P. 1022 — L.D. 1376

AN ACT Concerning Inspection, Registration and Abandonment of Dams.

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

Sec. 1. 38 MRSA §817, sub-§3, as enacted by PL 1983, c. 417, §6, is amended to read:

3. Dam. "Dam" means any man-made artificial barrier, including appurtenant works, the site on which it is located and appurtenant rights of flowage and access, which impounds or diverts a river, stream or great pond and which is 2 feet or more in height and has an impounding capacity at maximum water storage elevation of ~~15-acre-feet~~ 15 acre-feet or more. Any such artificial barrier constructed solely for the purpose of impounding