

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 203

S.P. 307 - L.D. 921

AN ACT to Improve the Identification of Persons Prescribing Medicines on Hospital Prescription Blanks.

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

22 MRSA §2216 is enacted to read:

§2216. Prescriptions written on hospital prescription blanks

Any physician, dentist or veterinarian who writes a prescription upon a prescription blank of a hospital or clinic shall sign his name and cause his name to be printed, stamped or typed on the blank.

This section also applies to any physician's assistant or registered nurse who writes a prescription while working under the control or supervision of a physician. In the case of the physician's assistant or registered nurse, the name of the physician under whom he works shall be printed, stamped or typed on the blank.

Effective September 23, 1983.

CHAPTER 204

S.P. 355 - L.D. 1076

AN ACT to Increase Licensing Fees of Agencies within the Department of Business Regulation.

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

Sec. 1. 9-A MRSA §6-203, sub-§2, as amended by PL 1975, c. 402, §1, is further amended to read:

2. Persons required to file notification who are sellers, lessors, or lenders shall pay an additional fee, at the time and in the manner stated in subsection 1, of ~~\$15~~ \$25 for each \$100,000, or part thereof, ~~in excess of \$100,000,~~ of the original

unpaid balances arising from consumer credit transactions entered into in this State within the preceding calendar year and held either by the seller, lessor, or lender for more than 30 days after the inception of the sale, lease or loan giving rise to the obligations, or by an assignee who has not filed notification. A refinancing of a sale, lease or loan resulting in an increase in the amount of an obligation is considered a new sale, lease or loan to the extent of the amount of the increase.

Sec. 2. 9-A MRSA §6-203, sub-§3, as amended by PL 1975, c. 402, §2, is further amended to read:

3. Persons required to file notification who are assignees shall pay an additional fee, at the time and in the manner stated in subsection 1, of ~~\$15~~ \$25 for each \$100,000, or part thereof, of the unpaid balances at the time of the assignment of obligations arising from consumer credit transactions entered into in this State taken by assignment during the preceding calendar year, but an assignee need not pay a fee with respect to an obligation on which the assignor or other person has already paid a fee.

Sec. 3. 32 MRSA §1203, 2nd ¶, as amended by PL 1973, c. 725, §4, is further amended to read:

Applications for a first examination shall be received by the board at least 15 days prior to a scheduled meeting of the board. Any person failing to pass his first such examination shall be reexamined at any subsequent meeting of ~~said~~ the board, within one year of such first examination, upon payment of an additional examination fee of ~~\$12.50 for a master electrician's license, \$5 for a journeyman's license and \$7.50 for a limited electrician's license~~ 1/2 of the regular application fee as set forth in this section and thereafter shall be examined as often as he may desire, upon payment of the full application fee as set forth in this section.

Sec. 4. 32 MRSA §2057, first ¶, as repealed and replaced by PL 1977, c. 360, §27, is amended to read:

Licenses for arborists shall expire ~~biennially~~ on December 31st, or at such other times as the Commissioner of Business Regulation may designate, and shall become invalid on that date unless renewed.

Sec. 5. 32 MRSA §2058, as amended by PL 1981, c. 567, §5, is further amended to read:

§2058. Renewals

It shall be the duty of the board to notify every person licensed under this subchapter of the date of expiration of his certificate and the amount of fee required for its annual renewal ~~for a 2-year period~~. Such notice shall be mailed to such person's last known address at least 30 days in advance of the expiration of such license. Applications for renewal licenses shall contain whatever information is necessary for the board to determine whether the applicant should continue to hold a license and shall be accompanied by the required fee, which shall be returnable if the applicant is denied a renewal license. Lost licenses shall be replaced on application by the licensed arborist and payment of \$2.

Sec. 6. 32 MRSA §2059, as repealed and replaced by PL 1981, c. 567, §6, is amended to read:

§2059. Fees

A \$25 fee shall accompany each application for examination and shall not be returnable. When an applicant is notified that he is eligible for a license following examination, he shall remit ~~an additional \$20 to cover the biennial~~ annual license fee ~~of \$20~~ before a license is issued.

The fee for a ~~biennial~~ an original or renewal annual license shall be ~~\$20~~ not exceed \$50.

Sec. 7. 32 MRSA §2402, sub-§2, ¶¶A - C, as amended by PL 1979, c. 569, §15, are further amended to read:

A. Master, original license, ~~\$32.50~~ \$50; biennial renewal fee, ~~\$65~~ \$100;

B. Journeyman, original license, ~~\$12.50~~ \$25; biennial renewal fee, ~~\$25~~ \$50; and

C. Apprentice, original license, ~~\$7.50~~ \$10; biennial renewal fee, ~~\$15~~ \$20.

Sec. 8. 32 MRSA §2403, first ¶, as amended by PL 1979, c. 569, §17, is further amended to read:

Applicants for a master or journeyman's oil burner technician or master solid fuel burner technician license shall present to the executive secretary of the board a written application for examination, containing such information as the board may require, accompanied by a fee of ~~\$10~~ \$20. Examinations shall be in whole or in part in writing, shall be conducted by the board and shall be of a thorough and practical

character commensurate with the responsibilities of the type license applied for.

Sec. 9. 32 MRSA §3116, first ¶, as repealed and replaced by PL 1981, c. 501, §65, is amended to read:

All licenses shall be renewed biennially on or before March 31st of each even-numbered year or at such other times as the Commissioner of Business Regulation may designate. The biennial licensure renewal fee shall not exceed ~~\$50~~ \$60. The Central Licensing Division shall notify each licensee, at his last known address, 30 days in advance of the expiration of his license. Renewal notices shall be on forms provided by the board. Any license not renewed by March 31st automatically expires. The board may renew an expired license without penalty if the renewal notice is returned within 30 days of the expiration date. A license which has expired for more than 30 days may be reinstated only by a majority vote of the board after the following conditions are met:

Sec. 10. 32 MRSA §3835, first ¶, as amended by PL 1979, c. 189, §2, is further amended to read:

The board shall have authority to adopt and enforce rules and regulations to require every person having a license granted by the board to pay a biennial renewal fee of ~~\$40~~ up to \$80. That fee shall become due on a date fixed by the board, subject to the approval of the Commissioner of Business Regulation.

Sec. 11. 32 MRSA §6028, first ¶, as enacted by PL 1975, c. 705, §4, is amended to read:

Every person to whom an initial license is issued pursuant to this chapter shall pay a license fee of \$25 up to \$50. The fee for a temporary license shall be \$25 not exceed \$50. The fee for biennial renewal of a license shall be \$50 not exceed \$100. The board may, by regulation, provide for the waiver of all or part of the fee for an initial license, if it is issued less than 120 days before the date on which it will expire. When the unexpired term of an initial license of an applicant is or will be more than one year at time of licensure, the board may, by regulation, require such applicants to pay an additional fee not to exceed 1/2 the biennial renewal fee. The fee fees for an application and examination shall be an amount established by the board, not to exceed \$25.

Sec. 12. 32 MRSA §6215, as enacted by PL 1977, c. 466, §2, is amended to read:

§6215. Application; membership fees

Application for registration as a registered substance abuse counselor shall be on a form prescribed and furnished by the board. A nonrefundable application fee shall be established by the board in an amount not to exceed \$100 which fee shall accompany the application. A fee shall be established by the board in an amount not to exceed \$25 for provisionally registered substance abuse counselors who reapply for registration. A biennial fee for registered substance abuse counselors shall be established by the board in an amount not to exceed \$50 \$100 biennially. A triennial fee for provisionally registered substance abuse counselors shall be established by the board in an amount not to exceed \$50 \$100 triennially.

Sec. 13. 32 MRSA §7060, first ¶, as enacted by PL 1977, c. 673, §3, is amended to read:

Certificates of registration shall expire biennially on December 31st or at such other times as the Commissioner of Business Regulation may designate. Biennial fees for renewal of registration shall be set by the board in an amount not to exceed \$20 \$50 and shall be due and payable biennially on or before the first day of January. Every 2nd renewal shall be contingent upon evidence of participation in a continuing professional education course or program as approved by the board. Any person who fails to renew his license within 90 days following the expiration date shall be required to take an examination.

Sec. 14. 32 MRSA §9605, as enacted by PL 1981, c. 456, Pt. A, §113, is amended to read:

§9605. Licensing fees

1. Commercial driver education school license. Each application for a commercial driver education school shall be accompanied by an application fee of \$20 which shall not be refunded. If the application is approved by the board, the applicant, upon payment of an additional fee of \$20 up to \$80, shall be granted a license, which shall be valid during the calendar year of its issue unless sooner revoked as provided. The renewal fee is \$40 up to \$100.

2. Instructor license. Each application for an instructor's license shall be accompanied by an application fee of \$20 which shall not be refunded. If the application is approved by the board, the applicant, upon payment of an additional fee of \$10 \$20, shall be granted a license, which shall be valid during the calendar year of its issue unless sooner

revoked. The renewal fee is \$30 \$40.

Sec. 15. 32 MRSA §9607, first ¶, as enacted by PL 1981, c. 456, Pt. A, §113, is amended to read:

Every commercial driver education school shall be assessed for the actual expenses incurred by the board or its agents for ~~regular or~~ special investigations or enforcement activities undertaken under this chapter.

Sec. 16. 32 MRSA §9607, sub-§1, as enacted by PL 1981, c. 456, Pt. A, §113, is amended to read:

1. Frequency of inspections. These activities shall include at least an annual on-site visit to the main office of each commercial driver school for the purpose of reviewing records, facilities and operating procedures. The cost of one on-site inspection of a school shall be deemed to be covered by the school's annual license fee.

Effective September 23, 1983.

CHAPTER 205

H.P. 151 - L.D. 159

AN ACT Relating to the Maine State
Lottery Law.

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

8 MRSA §351, 4th ¶, as repealed and replaced by PL 1975, c. 394, §1, is amended to read:

The members of the commission shall receive no salaries, but shall be allowed reasonable expenses in the performance of their official duties not exceeding \$5,000 per year in the case of the chairman and \$3,500 in the case of each of the other commissioners. These expenses shall include a per diem of \$25 salary rate not to exceed the per diem salary rate received by Legislators for each commission meeting attended, not to exceed 20 such meetings in any fiscal year and such other reasonable expenses incurred in attendance and travel to and from such these meetings.

Effective September 23, 1983.
