

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

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PUBLIC LAWS

OF THE

STATE OF MAINE

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

Sec. 4. 20-A MRSA §15603, sub-§22, ¶E is enacted to read:

E. The cost of tuition, books, fees and transportation for courses taken at post-secondary institutions under chapter 208.

Effective September 29, 1987.

CHAPTER 524

H.P. 884 — L.D. 1185

AN ACT to Clarify the State's Responsibility to Establish Competitive Pay Schedules for State Teachers and Related Classifications.

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

20-A MRSA §13507-A, sub-§2, as enacted by PL 1985, c. 797, §52, is amended to read:

2. Minimums. Notwithstanding any other provision of law, the State and the bargaining agent for state teachers in state-operated schools and related classifications shall at a minimum, in accordance with bargaining procedures set forth in Title 26, chapter 9-B, negotiate as to the impact of implementation of sections 13403 and 13404. The negotiations shall be limited to salaries. Minimum salaries established by those negotiations shall be based upon a 180-day school year and shall be proportionately higher for positions whose incumbents work for longer terms. Negotiations shall establish pay schedules which enable the State to be competitive with local school administrative units in recruitment and retention with regard to teachers and related classifications. The term "teachers and related classifications" includes any classification in State Government which is a teaching classification, requires professional work in or around the classroom setting or is within the career ladder of the classifications by virtue of its relationship to educational supervision or programming.

Effective September 29, 1987.

CHAPTER 525

H.P. 590 — L.D. 801

AN ACT to Prohibit Drinking of Alcoholic Beverages in Motor Vehicles.

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

29 MRSA §1312-F is enacted to read:

§1312-F. Drinking while operating a motor vehicle

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Liquor" means any alcoholic, spirituous, vinous, fermented or other alcoholic beverage, or combination of liquors and mixed liquors, intended for human consumption and which contains more than 1/2 of 1% of alcohol by volume.

2. Violation. No person may drink liquor while operating a motor vehicle on any public way.

3. Penalty. Any person who violates this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged.

Effective September 29, 1987.

CHAPTER 526

H.P. 999 — L.D. 1345

AN ACT Relating to the Membership of the Atlantic Sea Run Salmon Commission.

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

Whereas, in order to most adequately ensure continuity of and provide regional representation on the Atlantic Sea Run Salmon Commission, it is necessary that this legislation become effective immediately upon enactment; 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. 5 MRSA §12004, sub-§8, ¶A, sub-¶(19-A) is enacted to read:

(19-A)	Marine Resources	Atlantic Sea Run Salmon Commission	Legislative Per Diem	12 MRSA §6251-A
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Sec. 2. 5 MRSA §12004, sub-§10, ¶A, sub-¶(54) is repealed.

Sec. 3. 12 MRSA §6251-A, sub-§2, ¶C, as enacted by PL 1985, c. 481, Pt. A, §39, is repealed and the following enacted in its place:

C. Three public members, who shall be residents of

the State, appointed by the Governor. One public member shall be chosen from each Congressional District and one public member shall be appointed at large. The appointments shall be for 4 years.

Sec. 4. 12 MRSA §6251-A, sub-§3, as enacted by PL 1985, c. 481, Pt. A, §39, is amended to read:

3. Compensation. The appointed public member members shall be compensated as provided in Title 5, chapter 379.

Sec. 5. 12 MRSA §6251-A, sub-§5, as enacted by PL 1985, c. 481, Pt. A, §39, is amended to read:

5. Meetings. Except as otherwise provided in this section, the commission shall conduct its business in public meetings, from time to time called by the chairman, in accordance with Title 1, sections 401 to 406. Decisions of the commission require at least 2 3 affirmative votes. The commission may delegate to any of its members or to its staff any routine business as it deems necessary to carry out its purposes.

Sec. 6. 12 MRSA §6251-A, sub-§7 is enacted to read:

7. Transition. For the purposes of transition, initial terms for the additional public members shall be one member for 2 years and one member for 3 years.

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

Effective June 30, 1987.

CHAPTER 527

H.P. 581 — L.D. 779

AN ACT to Enhance Higher Educational Opportunities.

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

Whereas, the cost of post-secondary education is escalating at a rapid pace; and

Whereas, the trend in available financial aid is toward loan programs and away from grants and scholarship assistance; and

Whereas, these trends are forcing Maine students to rely more heavily on borrowing to finance their post-secondary education; and

Whereas, these trends may also be discouraging some students from pursuing post-secondary study and may be influencing the course of study and career selection of those who do attend; and

Whereas, it is in the best interests of the State to encourage as many students as possible to pursue post-secondary study and to provide a broad range of career options to those who do so; 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. 5 MRSA §12004, sub-§7, ¶A, sub-¶(11) is enacted to read:

(11) Board of Directors, \$50/day 20-A MRSA §12610
Student Educational
Enhancement Deposit Plan

Sec. 2. 20-A MRSA c. 430 is enacted to read:

CHAPTER 430

STUDENT EDUCATIONAL ENHANCEMENT DEPOSIT ACT

§12601. Student Educational Enhancement Deposit Act

This chapter shall be known and may be cited as the "Student Educational Enhancement Deposit Act."

§12602. Definitions

As used in this Act, unless the context otherwise indicates, the following terms have the following meanings.

1. Advance tuition payment contract. "Advance tuition payment contract" means a contract entered into by the plan and a purchaser pursuant to this Act to provide for the higher education of a qualified beneficiary.

2. Accredited institution. "Accredited institution" means any nationally accredited 2-year or 4-year institution of higher education.

3. Board. "Board" means the Board of Directors of the Student Educational Enhancement Deposit Plan described in section 12610.

4. Fund. "Fund" means the Advance Tuition Payment Fund created in section 12609.

5. Plan. "Plan" means the Student Educational Enhancement Deposit Plan created in section 12603.

6. Purchaser. "Purchaser" means a person who makes or is obligated to make advance tuition payments pursuant to an advance tuition payment contract.

7. Qualified beneficiary. "Qualified beneficiary" means any person who is a resident of this State at the