

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

and the

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

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  
1988

---

---

**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST AND SECOND SPECIAL SESSIONS  
and  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

---

---

cation required by the bylaws may be enforced by a separate action against the corporation, if an order for indemnification has not been entered by a court in any action, suit or proceeding in respect to which indemnification is sought.

6. A corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, trustee, partner, fiduciary, employee or agent of another corporation, partnership, joint venture, trust, pension or other employee benefit plan or other enterprise against any liability asserted against that person and incurred by that person in any such capacity, or arising out of that person's status as such, whether or not the corporation would have the power to indemnify that person against such liability under this section.

7. For purposes of this section, references to the "corporation" shall include, in addition to the surviving corporation or new corporation, any participating corporation in a consolidation or merger.

Effective August 4, 1988.

---

## CHAPTER 664

S.P. 809 — L.D. 2118

### AN ACT to Clarify the Experience Requirement for Licensed Dietitians.

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

Whereas, An Act Requiring Registration of Dietitians was enacted by the Legislature in 1985 and amended in 1987 to require licensing for all practicing dietitians; and

Whereas, certain requirements of that law have prevented and continue to prevent otherwise fully qualified, practicing dietitians from obtaining licenses to practice dietetics in the State; and

Whereas, these dietitians are in jeopardy of losing their livelihood; and

Whereas, these dietitians are performing valuable services to the people of 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:

Sec. 1. 32 MRSA §9907, sub-§1, ¶C, as enacted by PL 1985, c. 389, §28, is amended to read:

C. An applicant shall submit to the board evidence of having successfully completed the experience requirements approved by the American Dietetic Association or equivalent experience approved by the board. That experience shall include at least 6 months full-time ~~clinical~~ experience in the field of dietetics, or its part-time equivalent. The experience shall have been acquired during or within 5 years of completion of the academic requirements in paragraph B and or not more than 5 years before the date of license application.

Sec. 2. 32 MRSA §9907, sub-§1, ¶D, as enacted by PL 1987, c. 313, §5, is amended to read:

D. The applicant must have successfully completed an examination given by the American Dietetic Association or its equivalent as determined and administered by the board. The examination requirement of this paragraph shall not apply to an applicant who presents evidence of having practiced as a dietitian without censure for a period of 10 years prior to September 30, 1987.

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

Effective April 1, 1988.

---

## CHAPTER 665

H.P. 1868 — L.D. 2557

### AN ACT Relating to the Employment of Minors.

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

Whereas, hiring for the summer employment season will begin within the next few months; and

Whereas, manufacturers and employers in service industries in some parts of the State are facing a labor shortage and would like to employ minors in non-hazardous retail operations; 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. 26 MRSA §773, as amended by PL 1987, c. 401, is further amended by adding at the end a new paragraph to read:

The provisions of this section pertaining to manufacturing or mechanical establishments, laundries, dry cleaning establishments and bakeries shall not apply to minors under 16 years of age who are employed in retail sales, customer service operations or office work for these establishments, provided that retail, customer service or office areas are in a separate room.

Sec. 2. 26 MRSA §781 is amended to read:

§781. Penalties; employers

Any person, firm or corporation, agent or manager of any firm or corporation, who, either for himself or for some firm or corporation, or by himself or through his agents, servants or foremen, employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of sections 771 to 780, or otherwise fails to comply with any of the provisions of ~~said~~ these sections, shall be punished by a fine of not less than ~~\$25~~ \$100 nor more than ~~\$200~~ \$500.

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

Effective April 1, 1988.

## CHAPTER 666

S.P. 832 — L.D. 2166

**AN ACT to Clarify the Status of Police Officers Assigned to the Bureau of Intergovernmental Drug Enforcement and to Add a District Attorney to the Bureau's Policy Board.**

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

Whereas, the creation of the Bureau of Intergovernmental Drug Enforcement within the Department of Public Safety was authorized by the First Regular Session of the 113th Legislature; and

Whereas, all efforts are being made to staff the Bureau of Intergovernmental Drug Enforcement so that it may begin operation to provide for effective drug law enforcement throughout the State; and

Whereas, the status of the director and assistant director of the bureau needs to be clarified so that they will be considered confidential employees; and

Whereas, the status of state police officers who will be assigned to the bureau needs to be clarified so as to protect their seniority and retirement rights and benefits prior to actual assignment; and

Whereas, a district attorney should be included as a member of the Intergovernmental Drug Enforcement

Policy Board so as to provide for more efficient integration and coordination of investigative and prosecutorial function in the State with respect to drug law enforcement; 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. 2 MRSA §6, sub-§5, as amended by PL 1987, c. 511, Pt. A, §1, is further amended to read:

5. Range 86. The salaries of the following state officials and employees shall be within salary range 86:

Director of Labor Standards;

Deputy Chief of the State Police;

Director of State Lotteries;

State Archivist;

Director of Maine Geological Survey;

Executive Director, Maine Land Use Regulation Commission;

Director of the Risk Management Division;

Chairman, Maine Unemployment Insurance Commission;

Director of the Bureau of State Employee Health; ~~and~~

Child Welfare Services Ombudsman; ~~and~~

Director of the Bureau of Intergovernmental Drug Enforcement.

Sec. 2. 5 MRSA §948, sub-§1, ¶G, as amended by PL 1987, c. 355, is further amended to read:

G. Two Deputy Chiefs, Bureau of State Police; ~~and~~

Sec. 3. 5 MRSA §948, sub-§1, ¶H, as enacted by PL 1987, c. 355, is amended to read:

H. Director, Bureau of Safety;

Sec. 4. 5 MRSA §948, sub-§1, ¶I and J are enacted to read:

I. Director, Bureau of Intergovernmental Drug Enforcement; and

J. Assistant Director, Bureau of Intergovernmental