

# MAINE STATE LEGISLATURE

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**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.

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Twin City Printery  
Lewiston, Maine  
1988

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**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

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B. Trimming eyebrows; or

C. Dyeing eyelashes or eyebrows.

The practice of aesthetics under this subsection does not include the diagnosis, treatment or therapy of any dermatological condition.

Sec. 3. 32 MRSA §1652-A is enacted to read:

§1652-A. Qualifications for aestheticians

Any person shall be eligible to obtain a license under this chapter for the practice of aesthetics who:

1. Age. Is at least 17 years of age;

2. Education. Has completed the 10th grade in a secondary school or its equivalent;

3. Training. Has satisfactorily completed a course of instruction of at least 750 hours in not less than 5 months, in a school of cosmetology licensed by the Commissioner of Educational and Cultural Services, within the last 3 years from the date of applying to be examined; and

4. Examination. Has satisfactorily passed an examination conducted by the board to determine fitness to receive a license to practice.

Each applicant for examination shall file an application with the secretary of the board as provided in section 1652.

Sec. 4. 32 MRSA §1654, 2nd paragraph, as amended by PL 1987, c. 395, Pt. A, §161, is further amended to read:

The board may allow an applicant to take the examination who presents proof of training or experience, of an amount at least equal to that required under section 1652, subsection 3, or section 1652-A, subsection 3, in another state, other jurisdiction of the United States or another country which maintains professional standards deemed by the board to be equivalent to those set forth in this chapter, provided that no cause exists for denial of a license under section 1657-A. Such an applicant shall pay the fee as provided in section 1657-B.

Sec. 5. 32 MRSA §1657, first paragraph, as amended by PL 1987, c. 395, Pt. A, §165, is further amended to read:

The board shall furnish to each licensed cosmetologist, aesthetician or manicurist a license bearing the seal of the board and the names of all of its members, certifying that the holder thereof of that license is entitled to practice cosmetology in this State. It shall be the duty of the holder of such license to post it in a conspicuous place where it may be readily seen by all persons served.

Sec. 6. 32 MRSA §1657-B, sub-§1, ¶¶I and J, as enacted by PL 1987, c. 395, Pt. A, §167, are amended to read:

I. For original and biennial renewal of a demonstrator's license, \$30; ~~and~~

J. For original and renewal of a manicurist's license, \$35; ;

Sec. 7. 32 MRSA §1657-B, sub-§1, ¶¶K and L are enacted to read:

K. For aesthetician examination, \$15; and

L. For original and biennial renewal of an aesthetician license, \$35.

Effective August 4, 1988.

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## CHAPTER 678

H.P. 1864 — L.D. 2552

### AN ACT Concerning High-Speed Chases.

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

Sec. 1. 17-A MRSA §203, sub-§3-A is enacted to read:

3-A. Aggravated punishment category for vehicular manslaughter. Notwithstanding subsection 3, if the State pleads and proves that at the time the vehicular manslaughter occurred the actor was in fact attempting to elude a law enforcement officer in violation of Title 29, section 2501-A, subsection 3, the sentencing class for the vehicular manslaughter is Class A.

Sec. 2. 29 MRSA §2501-A, sub-§3, as amended by PL 1983, c. 181, §1, is further amended to read:

3. Eluding an officer. Whoever, after being requested or signaled to stop, attempts to elude a law enforcement officer by driving a vehicle at a reckless rate of speed which results in a high-speed chase between the operator's vehicle and any law enforcement vehicle using a blue light ~~or~~ and siren is guilty of a Class ~~D~~ C crime. If any person suffers any serious bodily injury, as defined in Title 17-A, section 2, subsection 23, as a result of the operator's attempt to elude a law enforcement officer as described in this section, that operator commits a Class ~~C~~ B crime.

Effective August 4, 1988.

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## CHAPTER 679

S.P. 922 — L.D. 2413

## AN ACT Relating to Games of Chance.

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

Whereas, under current law, Lucky seven games of chance may be played prior to any "Beano" game for only a one hour period; and

Whereas, many small organizations which conduct games of chance for purposes of charitable fund raising permit Lucky seven games to be played during and following "Beano" games inadvertently in violation of the law; and

Whereas, this Act is necessary to allow the continued conduct of Lucky seven games to further the charitable purposes of these organizations; 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.** 17 MRSA §314-A, sub-§7, as amended by PL 1987, c. 547, §2, is further amended to read:

7. Payment for services. Except as provided in paragraph A, an organization licensed under this section may pay the persons operating the high-stakes beano games for the organization no more than 200% of the minimum wage as established by Title 26, chapter 7, subchapter III. The persons need not be members of an organization licensed under this section.

A. An organization licensed under this section may contract for provision of professional legal, advertising, accounting and auditing services. The persons employed under a contract entered into under this paragraph may receive reasonable professional fees at a rate higher than minimum wage.

**Sec. 2.** 17 MRSA §324, sub-§3, as enacted by PL 1975, c. 307, §2, is amended to read:

3. Lucky seven. Lucky seven or similar sealed tickets may be sold when said that game of chance is licensed by the Chief of the State Police and when a valid license certificate is properly displayed. Notwithstanding this section and section 312, Lucky seven games may be conducted during the period of 2 hours before and 2 hours after any "Beano" game and also may be conducted during the intermission of any "Beano" game.

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

Effective April 6, 1988.

## CHAPTER 680

H.P. 1846 — L.D. 2528

## AN ACT Relating to Exceptions to Prevent Escapes and Other Offenses under the Interception of Wire and Oral Communications Law.

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

**Sec. 1.** 15 MRSA §709, sub-§§1-A and 4-A are enacted to read:

1-A. Administration of criminal justice. "Administration of criminal justice" has the same meaning as in Title 16, section 611, subsection 1.

4-A. Investigative officer. "Investigative officer" means a corrections officer employed by the Department of Corrections and designated by the Commissioner of Corrections as having the authority to conduct investigations of offenses relating to the security or orderly management of a correctional facility administered by the department.

**Sec. 2.** 15 MRSA §710, sub-§1, as repealed and replaced by PL 1979, c. 663, §95, is amended to read:

1. Interception, oral communications prohibited. Any person, other than an employee of a common carrier as defined in this chapter or, a law enforcement officer or an investigative officer as defined in this chapter, carrying out practices otherwise permitted by this chapter, who intentionally or knowingly intercepts, attempts to intercept or procures any other person to intercept or attempt to intercept, any wire or oral communication is guilty of a Class C crime.

**Sec. 3.** 15 MRSA §710, sub-§5, as amended by PL 1979, c. 663, §99, is further amended to read:

5. Possession of interception devices prohibited. A person, other than an employee of a common carrier as defined in this chapter or, a law enforcement officer or an investigative officer as defined in this chapter, carrying out practices otherwise permitted by this chapter, who has in his possession any device, contrivance, machine or apparatus designed or commonly used for intercepting wire or oral communications defined in this chapter, is guilty of a Class C crime.

**Sec. 4.** 15 MRSA §710, sub-§6, as repealed and replaced by PL 1979, c. 663, §100, is amended to read:

6. Sale of interception devices prohibited. A person who sells, exchanges, delivers, barters, gives or furnishes or possesses with an intent to sell any device, contrivance, machine or apparatus designed or commonly used for the interception of wire or oral communications