

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

F. Any negligence or misconduct in any of the practices licensed under this chapter;

G. Engaging in false, misleading or deceptive advertising; or

H. Violation of any provision of this chapter or any rule of the board.

§14238. Fees

1. Fees. Application, examination and license fees may be established by the board in amounts that are reasonable and necessary for their respective purposes. With the exception of the various application, examination, registration and permit fees collected as specified in this chapter, all fees are collected by the board on a biennial basis. The fees may not exceed the following amounts:

A. For a student permit, \$25;

B. For a temporary work permit, \$25;

C. For an apprentice registration, \$25;

D. For an original or biennial renewal of a shop license, \$100;

E. For an original or biennial renewal of a cosmetology license, \$100;

F. For an original or biennial renewal of a barber license, \$100;

G. For an original or biennial renewal of a manicurist license, \$100;

H. For an original or biennial renewal of an aesthetician license, \$100;

I. For an original or biennial renewal of a demonstrator license, \$100;

J. For an original or biennial renewal of an instructor license, \$100;

K. For a cosmetology, barber, manicurist, aesthetician or instructor examination, \$100;

L. For special shop inspections, \$40;

M. For a late fee, \$30; and

N. For a late filing penalty fee for repeat offenders, \$100.

2. Investigation; enforcement duties. When there is a finding of a violation of this chapter, a person licensed under this chapter may be assessed for the ac-

tual expenses incurred by the board or its agents for investigations and enforcement duties performed under this chapter.

Sec. 7. Transition provision. The following provisions apply to the transition required by this Act.

1. All liabilities and assets must be transferred from the State Board of Barbers and the State Board of Cosmetology to the Board of Barbering and Cosmetology and the Department of Professional and Financial Regulation.

2. All rules and procedures currently in effect and operations pertaining to any unit that are in compliance with the provisions of this Act remain in effect until rescinded or amended as provided by state law.

3. Members of the State Board of Barbers and the State Board of Cosmetology who have been appointed to terms extending beyond the effective date of this Act continue to serve in their appointed terms of office under the Board of Barbering and Cosmetology.

4. All employees of the Board of Cosmetology become employees of the Department of Professional and Financial Regulation. The accrued fringe benefits, including vacation and sick leave, health and life insurance and retirement of those personnel, remain with those personnel.

5. Any valid license issued under the Maine Revised Statutes, Title 32, chapters 7 and 23 on or before the effective date of this Act remains valid and is renewable by the Board of Barbering and Cosmetology in the same license category upon satisfaction of all license requirements established by the board.

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

Effective June 20, 1991.

CHAPTER 398

H.P. 1109 - L.D. 1634

An Act Regarding Doe Permits

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

12 MRSA §7457, sub-§1, ¶H, as repealed and replaced by PL 1985, c. 230, is amended to read:

H. The commissioner may regulate the taking of antlerless deer within any area of the State, as necessary, to maintain deer populations in balance with

available habitat, ~~provided that:~~ if the following conditions are met.

(1) The demarcation of each area ~~shall~~ must follow recognizable physical boundaries such as rivers, roads and railroad rights-of-way;

(2) The determination ~~is~~ must be made and published prior to August 1st of each year;

~~(3) The commissioner may implement an antlerless deer permit system, provided that, by March 1st of the year of implementation, the department shall submit the rules necessary for the system to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife for review, comment and submission of any necessary legislation;~~

~~(4) If an antlerless deer permit system is implemented, the application fee for a permit to take an antlerless deer shall not exceed \$1;~~

(3) The application fee for a permit to take an antlerless deer may not exceed \$1. The application must include a detachable portion on which the applicant shall write the applicant's name and address and to which the applicant shall affix a stamp of adequate postage. The department shall return this portion of the application to the applicant in acknowledgement of the department's receipt of the application.

~~(5) (4) The commissioner may adopt rules necessary for the administration, implementation, enforcement and interpretation of this subsection, except that there shall may not be no an antlerless deer permit system unless otherwise specified in this paragraph; and.~~

~~(6) Subparagraph (3) shall be repealed 30 days after the submission by the department to the committee of the rules necessary for a permit system.~~

See title page for effective date.

CHAPTER 399

H.P. 773 - L.D. 1105

An Act to Encourage Students to Register and Vote

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

Sec. 1. 21-A MRSA §155, first ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

The registrar shall conditionally accept the registration and enrollment of any person ~~whose age who is between 17 years, 6 months and 18 years of age, and who is otherwise qualified to be a voter, when that person states to the registrar that he will be outside the State, as a student in an educational institution or as a member of the Armed Forces, during the first period at which he would otherwise be able to register.~~ The registrar shall maintain a separate list of these persons, with a notation of their birthdates, and shall place their names on the voting list as soon as they have attained 18 years of age.

Sec. 2. 21-A MRSA §503, sub-§1-A is enacted to read:

1-A. Student election clerks. In addition to the election clerks appointed under subsection 1, the municipal officers may appoint persons who are 17 years of age to serve as student election clerks for a specific election. The student election clerks must be appointed in the same manner as election clerks under subsection 1. A student election clerk may not assist a voter unless the voter specifically requests assistance from the student election clerk.

See title page for effective date.

CHAPTER 400

S.P. 329 - L.D. 885

An Act to Establish a Northern Maine Regional Juvenile Detention Facility

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

34-A MRSA c. 3, sub-c. VIII is enacted to read:

SUBCHAPTER VIII

NORTHERN MAINE REGIONAL JUVENILE DETENTION FACILITY

§4101. Establishment

There is established the Northern Maine Regional Juvenile Detention Facility located in Penobscot County.

§4102. Purposes

The purposes of the Northern Maine Regional Juvenile Detention Facility are:

1. Detention. To detain juveniles prior to juvenile court appearances when a court orders that the juvenile be securely detained;