

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

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1991

the use of tubes, intravenous procedures or similar medical interventions.

"Terminal condition" means an incurable and irreversible condition that, without the administration of life-sustaining treatment, will, in the opinion of the attending physician, result in death within a relatively short time.

"Persistent vegetative state" means a state that occurs after coma in which the individual totally lacks higher cortical and cognitive function, but maintains vegetative brainstem processes, with no realistic possibility of recovery, as diagnosed in accordance with accepted medical standards. Vegetative brainstem processes may include one or more of the following: cycles of sleeping and waking, spontaneous eye opening and movements, some motor activity, vocalization, blood pressure, respiration and heart beat.

If you have questions about the meaning of this form, you are encouraged to seek the advice of a doctor or lawyer.

Sec. 3. 18-A MRSA §5-707, sub-§(a), ¶(1), as enacted by PL 1989, c. 830, §1, is amended to read:

(1) Has been determined by the attending physician to be in a terminal condition or a persistent vegetative state and no longer able to make or communicate decisions regarding administration of life-sustaining treatment; and

See title page for effective date.

CHAPTER 442

S.P. 596 - L.D. 1581

An Act to Improve the Administration of the Engineering Registration Laws

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

Sec. 1. 32 MRSA §1255, first ¶ is amended to read:

The following persons ~~shall be~~ are exempt from this chapter:

Sec. 2. 32 MRSA §1255, sub-§1 is amended to read:

1. Limited practice by nonresident. A person not a resident of and not having ~~no~~ established a place of business in this State, practicing or offering to practice ~~herein~~ the profession of engineering when such practice does not exceed ~~in the aggregate~~ more than 30 consecu-

five days in any calendar year, provided such person is legally qualified by registration to practice the ~~said~~ profession in ~~his~~ that person's own state or county in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this chapter.

Sec. 3. 32 MRSA §1301, first ¶, as amended by PL 1989, c. 503, Pt. B, §126, is further amended to read:

The State Board of Registration for Professional Engineers, as established by Title 5, section 12004-A, subsection 16, ~~shall administer~~ administers this chapter. The board ~~shall consist~~ consists of 6 members appointed by the Governor, of which 5 ~~shall~~ must be professional engineers who have the qualifications required by section 1302 and one ~~shall~~ must be a representative of the public. To the extent that qualified nominees are available, appointment of nonpublic members are made to ensure that a variety of engineering disciplines are represented. Nominees for appointment may be recommended to the Governor by representative engineering societies in the State.

Sec. 4. 32 MRSA §1309, as amended by PL 1981, c. 698, §158, is further amended to read:

§1309. Roster of registered engineers and engineers-in-training

A roster showing the names ~~and places of business~~ of all active registered professional engineers and engineers-in-training ~~shall be~~ is prepared by the secretary of the board during the first calendar quarter of each even-numbered year. A supplementary roster of newly registered professional engineers and newly certified engineers-in-training ~~shall be~~ is prepared by the secretary of the board during the first calendar quarter of each odd-numbered year. The rosters must give the place of business of each listed registered engineer and the date of expiration of the certificate of each listed engineer-in-training. Copies of the roster and of the supplementary roster ~~shall be~~ are mailed to each ~~person~~ active engineer listed ~~therein~~ on the roster and furnished to the public upon request for such fees as the board may authorize in its rules.

Sec. 5. 32 MRSA §1352, sub-§1, ¶D is amended to read:

D. An applicant with an experience record of at least 15 years of lawful practice in engineering work, of which at least 10 years have been in responsible jobs or important engineering work, and of a grade and character which indicates to the board that the applicant may be competent to practice engineering, and who has passed an oral examination conducted by the State Board of Registration for Professional Engineers or an 8-hour written examination in the prin-

ciples and practice of engineering, and is otherwise qualified, shall be registered to practice engineering in this State.

Sec. 6. 32 MRSA §1353, as amended by PL 1983, c. 413, §48, is further amended to read:

§1353. Application; fees

Application for registration as a professional engineer or certification as an engineer-in-training shall be on a form prescribed and furnished by the board; ~~shall contain~~ contains statements made under oath, showing the applicant's education and a detailed summary of ~~his~~ the applicant's technical experience, and ~~shall contain~~ contains references as set forth in section 1352, none of whom may be members of the board. An application fee and an examination fee may be established by the board in amounts which are reasonable and necessary for their respective purposes.

The registration fee for professional engineers shall be established by the board in an amount not to exceed ~~\$25~~ \$40.

The registration fee for engineer-in-training certification or enrollment shall be established by the board in an amount not to exceed 1/2 of the registration fee for professional engineers. ~~The fee paid by an applicant for certification or enrollment as an engineer-in-training shall be credited as the initial payment if and when application is made for registration as a professional engineer.~~

Sec. 7. 32 MRSA §1357, as amended by PL 1983, c. 413, §50, is further amended to read:

§1357. Expiration and renewals

Certificates of registration shall expire on the last day of December of odd-numbered years following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this chapter of the date of the expiration of ~~his~~ that person's certificate and the amount of the fee that shall be required for its renewal for a 2-year period, except when the applicant has become registered during the first year of the 2-year period, then the renewal fee shall be for the remaining one year of that 2-year period. The notice shall must be mailed at least one month in advance of the date of the expiration of the certificate. Renewal may be effected at any time ~~during the month of December~~ after receipt of notice by the payment of a fee ~~designated~~ established by the board, according to its rules which shall may not exceed ~~\$15~~ \$50 annually ~~or be less than \$5 annually~~. Registration may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 in addition to the renewal fee. Any person who submits an application for renewal more than

90 days after the registration renewal date shall be subject to all requirements governing new applicants under this chapter, except that the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is made within 3 years from the date of the expiration.

Sec. 8. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1991-92	1992-93
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
State Board of Registration for Professional Engineers		
All Other	\$3,000	\$1,000
Provides funds for the printing costs associated with expanding the biennial and supplemental rosters.		

See title page for effective date.

CHAPTER 443

H.P. 1226 - L.D. 1784

An Act to Amend Certain Provisions of the Inland Fisheries and Wildlife Laws

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

Sec. 1. 12 MRSA §7001, sub-§1-A, ¶¶T and U, as enacted by PL 1985, c. 607, §1, are amended to read:

T. White sucker, (*Catostomus commersoni*); ~~and~~

U. Creek chubsucker, (*Erimyzon oblongus*); ~~and~~

Sec. 2. 12 MRSA §7001, sub-§1-A, ¶V is enacted to read:

V. American eel (*Anquilla rostrata*)

Sec. 3. 12 MRSA §7001, sub-§1-C, as enacted by PL 1987, c. 212, §1, is amended to read:

1-C. Bear bait. "Bear bait" means any animal or plant or derivative of an animal or plant used to attract bear. "Bear bait" does not include any packaging or container materials that fall within the definition of litter under Title 17, section 2263.