

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

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

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J.S. McCarthy Company  
Augusta, Maine  
1992

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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the area of the dwelling to exceed the maximum permissible lot coverage.

See title page for effective date.

## CHAPTER 660

S.P. 797 - L.D. 1996

### An Act to Amend the Laws Governing Telecommunications Interexchange Carrier Selection

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

**Whereas,** there is an immediate need to amend the law to avoid placing local exchange carriers in the untenable position of complying with conflicting state and federal requirements thereby resulting in increased costs and administrative burdens; 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**Sec. 1. 35-A MRSA §7506,** as enacted by PL 1991, c. 318, §2, is repealed.

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

Effective March 13, 1992.

## CHAPTER 661

H.P. 1415 - L.D. 2027

### An Act to Expand the Definition of "Tenant" in the Laws Pertaining to Mobile Home Parks

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

**Sec. 1. 10 MRSA §9098, sub-§4** is enacted to read:

**4. Return of security deposit to renter.** Notwithstanding the definition of "tenant" in section 9091, subsection 5, this section applies to a person who rents a mobile home and rents the mobile home park lot on

which the mobile home is located and from whom a mobile home park operator collects a security deposit.

**Sec. 2. 10 MRSA §9099, sub-§6** is enacted to read:

**6. Applicability to renter.** Notwithstanding the definition of "tenant" in section 9091, subsection 5, this section applies to a person who rents a mobile home and rents the mobile home park lot on which the mobile home is located from a mobile home park operator.

See title page for effective date.

## CHAPTER 662

S.P. 828 - L.D. 2132

### An Act to Amend the Laws Concerning High School Equivalency Certificates

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

**Sec. 1. 20-A MRSA §257,** as amended by PL 1989, c. 525, §1, is repealed and the following enacted in its place:

#### §257. High school equivalency diplomas

**1. Issuance of diploma.** The commissioner shall issue a high school equivalency diploma to a person who:

A. Is at least 18 years of age, if that person:

(1) Has completed a formal training program approved by the commissioner; and

(2) Has demonstrated, through procedures prescribed by the commissioner, attainment of a general educational development comparable to that of a secondary school graduate; or

B. Is 17 years of age, if that person:

(1) Has not been in attendance for one year or more at a public school or a private school approved by the department pursuant to chapter 117, or has documented an immediate need for a high school equivalency diploma to the superintendent of schools for the school administrative unit in which that person resides, and has received written approval for the issuance of a high school equivalency diploma from the superintendent;

(2) Has completed a formal training program approved by the commissioner; and

(3) Has demonstrated, through procedures prescribed by the commissioner, attainment of a general educational development comparable to that of a secondary school graduate.

The commissioner shall issue a diploma authorized by this subsection upon compliance with the requirements of this subsection or as soon thereafter as possible.

**2. Equivalency diploma status.** High school equivalency diplomas have the legal status of high school diplomas.

**3. Fees.** A fee may not be charged for the issuance of any high school equivalency diploma to residents of the State.

See title page for effective date.

## CHAPTER 663

S.P. 845 - L.D. 2149

### An Act to Repeal a Provision Concerning Low Sulfur Fuel

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

**Sec. 1. 38 MRSA §603-A, sub-§3**, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §173, is repealed.

**Sec. 2. 38 MRSA §603-A, sub-§§5, 6 and 7**, as enacted by PL 1983, c. 504, §10, are repealed.

See title page for effective date.

## CHAPTER 664

S.P. 795 - L.D. 1994

### An Act Regarding the Repayment of Blaine House Scholarships

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

**Whereas**, current economic conditions have reduced the opportunities for employment for public and private school teachers; and

**Whereas**, some Blaine House Scholars loan recipients are unable to obtain employment as teachers upon completion of their academic program; and

**Whereas**, forgiveness of a Blaine House Scholars loan obligation may only be granted to a recipient who is employed as a teacher in a public school or approved private school; and

**Whereas**, this Act would permit the Finance Authority of Maine to immediately issue a deferment to a Blaine House Scholars loan recipient who is unable to find employment that would permit loan forgiveness; 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. 20-A MRSA §12502**, as repealed and replaced by PL 1991, c. 553, §3 and c. 612, §15, is repealed and the following enacted in its place:

#### **§12502. Blaine House Scholars and Financial Assistance Program**

There is established the Blaine House Scholars and Financial Assistance Program to recognize graduates from Maine high schools or the equivalent who attain high academic achievement and to provide financial assistance to college students and graduating high school seniors for postsecondary education and to teachers for advanced degree or continued study. The program recognizes outstanding graduating high school seniors, college students and students pursuing postbaccalaureate teacher certification as described in section 12503 and disburses loans as described in section 12504. The chief executive officer shall administer the program and shall establish by rule the rates of interest or fees to be charged.

**Sec. 2. 20-A MRSA §12507, sub-§3**, as amended by PL 1991, c. 612, §16, is further amended to read:

**3. Deferment.** A recipient of a loan may seek a deferment of the annual principal payments for a period or periods as established by rule of the authority. A request for deferment must be made to the chief executive officer who shall make a determination on a case-by-case basis. The chief executive officer may grant a deferment in the event that a recipient of a loan evidences intent to teach and inability to secure employment necessary to obtain forgiveness of the loan at the time the deferment is sought. The chief executive officer shall require certification of such intent annually and shall