

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.

J.S. McCarthy Company
Augusta, Maine
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

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SECOND REGULAR SESSION

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1991

(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 B, §173, is repealed.

Sec. 2. 38 MRSA §603-A, sub-§§5, 6 and 7, as enacted by PL 1983, c. 504, §10, are repealed.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

grant a one-year deferment for each successful request for deferment. A recipient may receive no more than 5 one-year deferments. The decision of the chief executive officer is final.

Sec. 3. 20-A MRSA §12508, sub-§3 is enacted to read:

3. Deferment. A recipient of a loan may seek a deferment of the annual payments for a period or periods as established by 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 grant a one-year deferment for each successful request for deferment. A recipient may receive no more than 5 one-year deferments. The decision of the chief executive officer is final.

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

Effective March 13, 1992.

CHAPTER 665

H.P. 1509 - L.D. 2121

An Act Regarding the Parking Violations that Occur on State Controlled Property within the Capitol Area

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

Sec. 1. 25 MRSA §2906, 2nd ¶, as enacted by PL 1977, c. 138, §3, is amended to read:

The Commissioner of Public Safety may by rule establish a method by which persons charged with the violation of parking regulations may waive all court action by payment of specified fees within specified periods of time. ~~Said~~ These regulations may provide that a vehicle unlawfully parked ~~shall be~~ is prima facie evidence of the unlawful parking of ~~such the~~ such the vehicle by the person in whose name ~~such the~~ such the vehicle is registered. The specified fee for any violation must be at least \$10.

Sec. 2. 25 MRSA §2906, 3rd ¶, as enacted by PL 1991, c. 591, Pt. W, §1, is repealed.

Sec. 3. 25 MRSA §2910, as repealed and replaced by PL 1987, c. 416, §5, is amended to read:

§2910. Fine

Any person found guilty of violating any rule made pursuant to sections 2904 to 2907 shall, upon conviction, pay a fine of not less than ~~\$10~~ \$50 for each offense.

See title page for effective date.

CHAPTER 666

H.P. 1423 - L.D. 2035

An Act to Encourage Lawful Rental Practices

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

14 MRSA §6014, sub-§2, as enacted by PL 198 c. 428, §8, is amended to read:

2. Remedies. Upon a finding that an illegal eviction has occurred, the court shall ~~take~~ find one or both of the following actions.

A. The tenant ~~shall~~ is entitled to recover actual damages or ~~\$100~~ \$250, whichever is greater.

B. The tenant ~~shall~~ is entitled to recover the aggregate amount of costs and expenses determined by the court to have been reasonably incurred on ~~his the tenant's~~ the tenant's behalf in connection with the prosecution or defense of such action, together with a reasonable amount for attorneys' fees.

See title page for effective date.

CHAPTER 667

H.P. 1534 - L.D. 2167

An Act Concerning the Operation of the Maine Automobile Insurance Plan

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

Sec. 1. 24-A MRSA §2325, sub-§2, as amended by PL 1989, c. 797, §29 and affected by §§37 and 38, is further amended to read:

2. Every insurer undertaking to transact in this State the business of automobile and motor vehicle bodily injury, property damage liability, physical damage; and medical payments insurance and every advisory organization ~~which that~~ that files rates for ~~such that~~ such insurance shall cooperate in the preparation and submission of a plan for the equitable apportionment among insurers of applicants for insurance who are in good faith entitled to, but who are unable to procure through ordinary meth-