

# 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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**Whereas**, the orderly administration of the motor vehicle financial responsibility law requires the issuance of standard form motor vehicle identification cards; and

**Whereas**, the Maine Revised Statutes, Title 29, section 102-A requires that an individual establish insurance by showing the motor vehicle identification card defined in Title 24-A, section 2412, subsection 6; 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. 24-A MRSA §2412, sub-§7** is enacted to read:

**7. Motor vehicle insurance identification cards.** Pursuant to this section, the superintendent, with the advice of the Secretary of State, shall prescribe a uniform motor vehicle insurance identification card form. The superintendent shall require all insurance companies transacting business within this State to provide with each motor vehicle liability insurance policy an insurance identification card for each vehicle, describing the vehicle covered. When an insured has 5 or more motor vehicles registered in this State, the insurer may use the designation "all owned vehicles" on each card in lieu of a specific description.

**Sec. 2. 29 MRSA §781, sub-§1, ¶A-2**, as enacted by PL 1987, c. 341, §§4 and 7, is amended to read:

A-2. "Insurance identification card" means a card issued to an insured by an insurer pursuant to Title 24-A, section 2412, subsection 6 7; or a card issued by the Secretary of State for use by any person or corporation who, in lieu of maintaining a motor vehicle liability policy, elects to provide proof of financial responsibility as provided in section 787.

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

Effective March 23, 1992.

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## CHAPTER 716

S.P. 888 - L.D. 2281

### An Act to Change the Term Secondary Vocational Education to Applied Technology and Adult Learning

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

**Sec. 1. Revision clause.** Wherever in the Maine Revised Statutes the words "Bureau of Adult and Secondary Vocational Education" appear or reference is made to that bureau, that phrase is amended to read and mean the "Bureau of Applied Technology and Adult Learning."

**Sec. 2. Revision clause.** Wherever in the Maine Revised Statutes the words "Associate Commissioner of Adult and Secondary Vocational Education" appear or reference is made to that position, that phrase is amended to read and mean the "Associate Commissioner of Applied Technology and Adult Learning."

**Sec. 3. Revision clause.** Wherever in the Maine Revised Statutes the words "Division of Secondary Vocational Education" appear or reference is made to that division, that phrase is amended to read and mean the "Division of Applied Technology Education."

**Sec. 4. Revision clause.** Wherever in the Maine Revised Statutes the words "Director of Secondary Vocational Education" appear or reference is made to that position, that phrase is amended to read and mean the "Director of Applied Technology Education."

**Sec. 5. Revision clause.** Wherever in the Maine Revised Statutes the words "vocation education" or "vocational instruction" appear or reference is made to those phrases, the phrases are amended to read and mean "applied technology education."

**Sec. 6. Revision clause.** Wherever in the Maine Revised Statutes the words "vocational center," "vocational region," "vocational satellite," "vocational program" or "vocational course of study" appear or reference is made to those phrases, the phrases are amended to read and mean, respectively, "applied technology center," "applied technology region," "applied technology satellite," "applied technology program" and "applied technology course of study."

**Sec. 7. Revision clause.** Wherever in the Maine Revised Statutes, Title 20-A the word "vocational" appears or reference is made to that word, except references to "vocational rehabilitation" or "general vocational needs or services" and references to the title of United States Public Law 101-392, the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1990, the word is amended to read and mean "applied technology."

**Sec. 8. Revision clause.** Wherever in the Maine Revised Statutes the words "Division of Program Services and Finance" appear or reference is made to that division, that phrase is amended to read and mean the "Division of Applied Technology Administration."

**Sec. 9. Revision clause.** Wherever in the Maine Revised Statutes the words "Director of Program Services and Finance" appear or reference is made to that

position, that phrase is amended to read and mean the "Director of Applied Technology Administration."

See title page for effective date.

## CHAPTER 717

H.P. 1631 - L.D. 2295

### An Act to Amend the Laws Governing Respiratory Care Practitioners

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

**Whereas**, unless this legislation is enacted as an emergency measure some health care institutions may not be able to adequately procure necessary blood and other specimens or perform certain laboratory testing procedures; and

**Whereas**, this inability would severely impair the quality of care in those institutions; 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. 32 MRSA §9706-A, sub-§1**, as enacted by PL 1989, c. 450, §41, is amended to read:

**1. Licensed or credentialed persons.** Any medical health care personnel licensed or registered in by this State from or who currently hold a nationally recognized credential in a health care profession engaging in the delivery of respiratory care services for which they have been formally trained. That training must include supervised preclinical didactic and laboratory activities and supervised clinical activities and must be approved by the board or an accrediting agency recognized by the board. It also must include an evaluation of competence through a standardized testing mechanism that is determined by the board to be both valid and reliable;

**Sec. 2. Transition.** A person who, as of January 1, 1992, was performing arterial blood gas procedures for the purpose of acquiring blood samples or analyzing these samples and who was neither licensed nor exempted under the Maine Revised Statutes, Title 32, chapter 97, must, in order to continue performing these procedures, within 2 years of the effective date of this Act, have either been licensed or become exempted under Title 32, chapter 97.

In order to qualify under this section a person must be actively pursuing licensure or exemption during this 2-year period.

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

Effective March 23, 1992.

## CHAPTER 718

H.P. 1649 - L.D. 2312

### An Act Concerning the Use of Alternative Coding Systems for Plastic Containers

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

**Sec. 1. 32 MRSA §1723, sub-§2** is enacted to read:

**2. Alternative labels.** The Maine Waste Management Agency may approve use of other nationally or internationally recognized label coding systems for special purpose plastic bottles or rigid plastic containers.

See title page for effective date.

## CHAPTER 719

H.P. 1287 - L.D. 1857

### An Act Concerning Authorization to Consent to Powers of Attorney

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

**Sec. 1. 18-A MRSA §5-209**, as enacted by PL 1979, c. 540, §1, is amended to read:

#### §5-209. Powers and duties of guardian of minor

A guardian of a minor has the powers and responsibilities of a parent who has not been deprived of custody of his the minor and unemancipated child, except that a guardian is not legally obligated to provide from his the guardian's own funds for the ward and is not liable to 3rd persons by reason of the parental relationship for acts of the ward. In particular, and without qualifying the foregoing, a guardian has the following powers and duties:

(a) He The guardian must take reasonable care of his the ward's personal effects and commence protective