

MAINE STATE LEGISLATURE

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OF THE
STATE OF MAINE

AS PASSED BY THE
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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
1993

REVISOR'S REPORT

1991

Sec. 1. 1 MRSA §219, as enacted by PL 1991, c. 279, §2, is corrected by amending the headnote to read:

§219. §220. Official state language of the deaf community

Sec. 2. PL 1991, c. 279, §2, first line is corrected to read:

Sec. 2. 1 MRSA ~~§219~~ §220 is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1991, chapters 218 and 279, which enacted the same section.

Sec. 3. 3 MRSA §927, sub-§5, ¶B, as amended by PL 1989, c. 857, §12, is corrected to read:

B. Independent agencies:

- (1) Board of Chiropractic Examination and Registration;
- (2) Board of Dental Examiners;
- (3) Nursing Home Administrators Licensing Board;
- (4) Board of Registration in Medicine;
- (5) State Board of Nursing;
- (6) State Board of Optometry;
- (7) Board of Osteopathic Examination and Registration;
- (8) Board of the Maine Children's Trust Fund;
- (9) Examiners of Podiatrists;
- (10) Maine Medical Laboratory Commission;
- (11) State Planning and Advisory Council on Developmental Disabilities;
- (12) Maine Committee on the Problems of the Mentally Retarded; and
- (13) Governor's Committee on Employment of People with Disabilities; and
- (14) ~~Division of Community Services.~~

EXPLANATION

This section deletes a reference to the Division of Community Services because reference is already made to the Department of Human Services of which the appropriate bureau or agency is a part and both references are not necessary. Public Law 1991, chapter 622, Part J, changes the name of the Division of Community Services to the Office of Community Services. Public Law 1991, chapter 780, Part DDD, section 21 instructs the Revisor of Statutes to change all references to the Office of Community Services to the appropriate agency or bureau.

Sec. 4. 4 MRSA §163, sub-§1, as amended by PL 1991, c. 806, §1, is corrected to read:

1. District Court funds. Except as otherwise provided by law, all fines, forfeitures, surcharges, assessments and fees collected in any division of the District Court or by the violations bureau must be paid to the clerk of that District Court, who shall deposit them in a special account in a timely manner. Once each month, the clerk shall remit the sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, the clerk shall remit the sums that have been collected in accordance with section 1057; Title 25 §, chapter 453 316-A; and Title 29, section 1312-B, subsection 5. Funds received by the clerk as bail in criminal cases must be deposited daily in a special account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost effective to do so. Interest accrued in the account is the property of and accrues to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.

The court shall file a monthly report with the State Auditor itemizing the amount of fines, surcharges and assessments imposed and to whom each is payable.

EXPLANATION

This section changes a reference to a chapter that was never enacted. An amendment deleted the part of the bill that would have enacted the new chapter.

Sec. 5. 5 MRSA §19-A, as enacted by PL 1989, c. 606, is corrected to read:

§19-A. Protective equipment training for state employees

If protective equipment, such as that issued to fire fighters in Title 26, section 2103, is issued or made available to any state employee, that employee must receive training in the use of the equipment before being re-

quired or asked to use it. Training must be provided on at least an annual basis and otherwise meet or exceed the requirements of the General Industry Standards of the Occupational Safety and Health Administration, 29 Code of Federal Regulations, Part 1910, Subpart L.

EXPLANATION

This section corrects a punctuation error by placing a comma after the word "employee."

Sec. 6. 5 MRSA §150, 2nd ¶, as amended by PL 1991, c. 780, Pt. BB, §1, is corrected to read:

The Treasurer of State, with the approval of the Governor, may negotiate a temporary loan or loans in anticipation of taxes levied for that fiscal year, but not exceeding a total of that amount of taxes estimated by the Treasurer of State to be collected in the fiscal year in which such temporary loan or loans, or renewal thereof, is made, provided that such temporary loans or renewals thereof ~~may~~ do not exceed any limitation set forth in the Constitution of Maine, Article IX, Section 14. Such loans may be renewed from time to time as the Treasurer of State, with the approval of the Governor, ~~may determine~~ determines, provided that each loan or renewal thereof must be retired not later than the close of the fiscal year in which such loan was originally made and for which were levied the taxes in anticipation of the collection of which such loan was originally made; and that each such loan or renewal thereof must comply with the provisions of this section and the Constitution of Maine, Article IX, Section 14. The Treasurer of State ~~is directed to shall~~ pay such loan or loans in anticipation of taxes during such year and there is appropriated for any year in which the Treasurer of State and the Governor deem it necessary to borrow in anticipation of taxes the sum of \$30,000,000; except that for fiscal year 1991-92, the sum may not exceed \$150,000,000 and for fiscal year 1992-93, the sum may not exceed ~~\$170,000,000~~ \$170,000,000.

EXPLANATION

This section corrects grammar and punctuation and corrects an obvious clerical error by changing a period to a comma to reflect the sum authorized in the law.

Sec. 7. 5 MRSA §285, sub-§8, as amended by PL 1991, c. 527, §1, is corrected to read:

8. Payment by Maine State Retirement System for persons who retire first employed before July 1, 1991. For persons who were first employed before July 1, 1991, the Maine State Retirement System shall pay 100% of only the retiree's share of the premiums for this health plan for persons who were previously eligible for this

health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G.

EXPLANATION

This section corrects a subsection headnote to make the headnote accurately reflect the content of the subsection as amended by Public Law 1991, chapter 527, section 1.

Sec. 8. 5 MRSA §1653, sub-§4, as amended by PL 1989, c. 700, Pt. A, §16, is corrected to read:

4. Department. "Department" means the Department of Education, the Department of Human Services, the Department of Mental Health and Mental Retardation and the Department of Corrections; ~~the Division of Community Services of the Executive Department;~~ the Criminal Justice Planning and Assistance Agency of the Executive Department; or the Department of Transportation; and may mean such other administrative units of State Government as are defined from time to time by the commissioner, except that the Maine Health Care Finance Commission ~~shall~~ is not be defined as "department" for the purposes of this chapter.

EXPLANATION

This section deletes a reference to the Division of Community Services because reference is already made to the Department of Human Services of which the appropriate bureau or agency is a part and both references are not necessary. Public Law 1991, chapter 622, Part J, changes the name of the Division of Community Services to the Office of Community Services. Public Law 1991, chapter 780, Part DDD, section 21, instructs the Revisor of Statutes to change all references to the Office of Community Services to the appropriate agency or bureau. This section also corrects a grammatical error.

Sec. 9. 5 MRSA §1665, sub-§2, as enacted by PL 1989, c. 501, Pt. P, §13, is corrected to read:

2. Inclusion in estimate. In preparing budget estimates pursuant to this section, the Department of Human Services, the Department of Mental Health and Mental Retardation; ~~and the Department of Corrections; and the Executive Department, Division of Community Services~~ shall include in their proposed current services budget estimates:

A. The amount necessary to cover projected increases in costs attributable to contracted social services ~~which are to that will~~ be continued at cur-

rent levels, based on the United States Consumer Price Index established by the United States Department of Labor, Bureau of Labor Statistics; or

B. A statement identifying the specific services that ~~are to~~ will be eliminated or reduced in the event that funds are not budgeted to continue all contracted social services at current levels. The statement ~~shall~~ must indicate which categories of clients and geographic areas will be affected.

The analysis and statement required by this subsection ~~shall~~ must be included in the state budget document pursuant to section 1664.

EXPLANATION

This section deletes a reference to the Division of Community Services because reference is already made to the Department of Human Services of which the appropriate bureau or agency is a part and both references are not necessary. Public Law 1991, chapter 622, Part J, changes the name of the Division of Community Services to the Office of Community Services. Public Law 1991, chapter 780, Part DDD, section 21 instructs the Revisor of Statutes to change all references to the Office of Community Services to the appropriate agency or bureau. This section also corrects grammatical errors.

Sec. 10. 5 MRSA §7031, 5th ¶, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

Every employee of the Bureau of Human Resources and any other affected state agency shall act to assure that the provisions of the Civil Service Law are carried out in an open, fair and expeditious manner, with the objective of hiring and retaining the best person for a position as quickly as possible. To this end, all state agencies shall take steps to speed up handling of matters ~~to~~ and to reduce and simplify the procedures and paperwork required by the Civil Service Law.

EXPLANATION

This section corrects a clerical error.

Sec. 11. 5 MRSA §12004-I, sub-§2-B, as enacted by PL 1991, c. 836, §2, is corrected to read:

2-B; 2-D.	Petroleum	For	10 MRSA
Business	Advisory	Legislative	§1678
	Committee	Members	
		\$25/Day and	
		Expenses	

Sec. 12. PL 1991, c. 836, §2, first line is corrected to read:

Sec. 2. 5 MRSA §12004-I, sub-§2-B sub-§2-D is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1991, chapters 779 and 836, which enacted the same subsection number.

Sec. 13. 5 MRSA §12004-I, sub-§24-B, as enacted by PL 1991, c. 838, §1, is corrected to read:

24-B; 24-C.	Great Pond	Not Autho-	38 MRSA
Environment	Task Force	rized	§1842

Sec. 14. PL 1991, c. 838, §1, first line is corrected to read:

Sec. 1. 5 MRSA §12004-I, sub-§24-B sub-§24-C is enacted to read:

Sec. 15. 5 MRSA §12004-I, sub-§24-B, as enacted by PL 1991, c. 879, §1, is corrected to read:

24-B; 24-D.	Citizens'	Expenses	38 MRSA
Environment	Advisory	Only	§1527-A
	Group		

Sec. 16. PL 1991, c. 879, §1, first line is corrected to read:

Sec. 1. 5 MRSA §12004-I, sub-§24-B sub-§24-D is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1991, chapters 698, 838 and 879, which enacted the same subsection number.

Sec. 17. 5 MRSA §13111, sub-§9, as enacted by PL 1991, c. 591, Pt. D, §1, is corrected to read:

~~9; 10.~~ Maine Natural Heritage Program. The director shall administer the Maine Natural Heritage Program established under Title 30-A, section 4342, subsection 4.

Sec. 18. PL 1991, c. 591, Pt. D, §1, first line is corrected to read:

Sec. D-1. 5 MRSA §13111, sub-§9 sub-§10 is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1991, chapters 562 and 591, which enacted the same section of law.

Sec. 19. 5 MRSA Pt. 24, first 2 lines, as enacted by PL 1989, c. 934, Pt. A, §3, are corrected to read:

**PART 24 25
SUBSTANCE ABUSE PREVENTION AND
TREATMENT**

Sec. 20. PL 1989, c. 934, Pt. A, §3, first line is corrected to read:

Sec. A-3. 5 MRSA Pt. 24 25 is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1989, chapters 837 and 934, which enacted the same part.

Sec. 21. 7 MRSA §1-B, as amended by PL 1989, c. 700, Pt. A, §29, is corrected to read:

§1-B. Preservation of rural life and values; joint responsibility

The Legislature finds there has been a dramatic increase of interest in rural living and small and part-time farming; that a high proportion of the population in rural areas ~~are~~ is poor, elderly and underemployed; agriculture is significant to the ~~state's~~ State's economy and that a prospering, stable rural community contributes to the rural quality of life, the preservation of productive farm, farmlands and open space.

The Legislature finds that programs ~~which that~~ improve the employment opportunity, rural skills, food supply, health and nutrition of the rural people of Maine will improve the economy of Maine; and improve the rural quality of life and the health of people and ~~is~~ are therefore in the public interest.

The Legislature further finds the preservation of rural life and values in the State to be the joint responsibility of all public agencies, local, state and federal, whose policies and programs substantially impact the economy and general welfare of people who reside in rural Maine, such as the development and implementation of programs ~~which that~~ assist in the maintenance of family farms, provide specialized opportunities for education and technical training and improve health and nutrition. The state agencies in addition to the department include, but are not limited to, the Department of Education, Depart-

ment of Human Services, Department of Labor; and the Department of Conservation ~~and the Division of Community Services of the Executive Department.~~

EXPLANATION

This section deletes a reference to the Division of Community Services because reference is already made to the Department of Human Services of which the appropriate bureau or agency is a part and both references are not necessary. Public Law 1991, chapter 622, Part J, changes the name of the Division of Community Services to the Office of Community Services. Public Law 1991, chapter 780, Part DDD, section 21 instructs the Revisor of Statutes to change all references to the Office of Community Services to the appropriate agency or bureau. This section also corrects grammatical errors.

Sec. 22. 9-B MRSA §112, as enacted by PL 1975, c. 500, §1, is corrected to read:

§112. Severability

If any provision of this ~~Act~~ Title or the application thereof of this Title to any person or circumstance is held invalid, the invalidity ~~shall~~ does not affect other provisions or applications of this ~~Act~~ which Title that can be given effect without the invalid provision or application, and to this end the provisions of this ~~Act~~ shall be Title are severable.

EXPLANATION

This section corrects 3 internal cross-references and makes several clerical corrections.

Sec. 23. 9-B MRSA §436, sub-§3, as enacted by PL 1975, c. 500, §1, is corrected to read:

3. Applicability limited. The provisions of this ~~paragraph~~ subsection may not be construed to affect or otherwise change the present law ~~which that~~ allows mortgages stating nominal or no consideration to secure existing debts or obligations, or debts or obligations created simultaneously with the execution of the mortgage, to the extent of the actual debts or obligations, existing or granted; but such mortgages, when not also expressly providing for future advances to be made at the option of the parties, ~~shall~~ may not afford security for any future advances except those necessary to protect the security.

EXPLANATION

This section corrects a cross-reference and makes clerical corrections.

Sec. 24. 9-B MRSA §539-A, sub-§1, as amended by PL 1991, c. 34, §15, is corrected to read:

1. Authorization; limitations. A savings bank may grant to any person or syndicate a commercial line of credit to an amount not exceeding the limits set forth in section 439-A, subject to the restrictions set forth in section ~~465~~ 465-A.

EXPLANATION

This section corrects a cross-reference.

Sec. 25. 9-B MRSA §636, sub-§1, as amended by PL 1991, c. 34, §18, is corrected to read:

1. Authorization; limitations. A trust company may grant to any person or syndicate a line of credit to an amount not exceeding the limits set forth in section 439-A, subject to the restrictions set forth in section ~~465~~ 465-A.

EXPLANATION

This section corrects a cross-reference.

Sec. 26. 9-B MRSA §683, sub-§2, as enacted by PL 1985, c. 328, §5, is corrected to read:

2. Provisions applicable. Without limiting the generality of subsection 1, a subsidiary trust company ~~shall have~~ has the powers and ~~be is~~ subject to the limitations; applicable to trust companies set forth in section 443, subsections 2, 3 and 4; section 623, other than subsection 2, paragraphs E and F; and sections 625, 641, 662, 663, 664 and 665. The enumeration of the foregoing provisions of this Title ~~shall may~~ not be held to make other sections of this Title inapplicable if those sections would otherwise be applicable to subsidiary trust companies pursuant to subsection 1.

EXPLANATION

This section corrects punctuation, clarifies an incomplete cross-reference and corrects grammatical errors.

Sec. 27. 9-B MRSA §686, sub-§5, as enacted by PL 1985, c. 328, §5, is corrected to read:

5. Order. On the date fixed for the hearing on the petition, upon making a determination that notice has been properly given as required by this section, the court shall enter an order substituting the subsidiary trust company for each of its specified affiliated banks in every

designated existing fiduciary capacity and, in the case of the first petition by the petitioner, in every fiduciary capacity ~~which may take that takes~~ effect after the filing of the petition, excepting fiduciary capacities in any existing relationship with respect to which an objection has been filed pursuant to and in accordance with subsection 4, provided that in the case of a fiduciary relationship ~~where when~~ more than one person ~~would be is~~ entitled under this ~~article section~~ to object to substitution of the subsidiary trust company, the properly made objection by less than all of the persons ~~shall must~~ be considered by the court, which shall, in its sole discretion, determine whether the substitution ~~shall will~~ be ordered. In the case of a fiduciary relationship in respect of which an objection has been properly made by any person who is entitled pursuant to this ~~article section~~ to object to the substitution, the court may, in its discretion, determine that the resignation of the affiliated bank will be accepted in respect of the fiduciary relationship; ; if the court ~~shall determine determines~~ that the resignation will be accepted, it shall enter an order substituting a different financial institution or subsidiary trust company, ~~which shall have that has~~ given its written consent to such a substitution prior to the entry of the order. In construing the language of any instrument ~~which that~~ is the subject of a proceeding pursuant to this section, nothing contained in this section may be considered to abrogate or affect the terms of the instrument creating the fiduciary relationship. Upon entry of the court's order, the subsidiary trust company ~~shall~~, without further act, ~~be is~~ substituted in every such fiduciary capacity.

EXPLANATION

This section corrects 2 incorrect cross-references in the Maine Revised Statutes, Title 9-B, section 686, subsection 5 and corrects grammatical and clerical errors.

Sec. 28. 9-B MRSA §739-A, sub-§1, as amended by PL 1991, c. 34, §24, is corrected to read:

1. Authorization; limitations. A savings and loan association may grant to any person or syndicate a commercial line of credit to an amount not exceeding the limits set forth in section 439-A, subject to the restrictions set forth in section ~~465~~ 465-A.

EXPLANATION

This section corrects a cross-reference.

Sec. 29. 9-B MRSA §812, sub-§2, as amended by PL 1991, c. 386, §22, is corrected to read:

2. Application to organize. The organizers shall file with the superintendent an application to organize a

credit union, together with copies that the superintendent requires and shall agree to be bound by the terms of that application. The application must state:

- A. The name by which the credit union will be known, which must include the words "credit union";
- B. The proposed location of its principal office;
- C. The names and addresses of subscribers to the application and the number of shares subscribed for by each;
- D. The proposed field of membership as defined in section 814; and
- E. All other information that the superintendent determines necessary and appropriate.

~~An application for permission to organize a credit union is not considered complete unless accompanied by an application fee payable to the Treasurer of State to be credited and used as provided in section 214. The superintendent shall establish the amount of the fee according to different application requirements, but in no instance may it exceed \$1,000.~~

An application for permission to organize a credit union is not considered complete unless accompanied by an application fee payable to the Treasurer of State to be credited and used as provided in section 214. The superintendent shall establish the amount of the fee according to different application requirements, but in no instance may it exceed \$1,000.

EXPLANATION

This section provides the correct statutory format for the law.

Sec. 30. 10 MRSA §1061-A, as repealed and replaced by PL 1991, c. 606, Pt. F, §3, is corrected to read:

§1061-A. Limitations on certain projects

In the case of projects consisting of multi-family or single-family residential property, the Maine State Housing Authority has responsibility to approve or disapprove such projects in accordance with regulations adopted pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, in lieu of the approval required by the authority under this subchapter, provided that this ~~sub-section~~ section applies only to projects that require an allocation under any applicable state bond ceiling for tax-exempt bonds.

EXPLANATION

This section corrects an internal reference.

Sec. 31. 10 MRSA §1100-N, sub-§2, as amended by PL 1991, c. 622, Pt. J, §19 and affected by §25, is corrected by amending the first paragraph to read:

2. Loan criteria and procedures. The authority may ~~promulgate~~ adopt rules to implement the Maine Job-start Program, which ~~shall~~ must include, but are not ~~be~~ limited to, the following loan criteria:

EXPLANATION

This section corrects grammatical and punctuation errors.

Sec. 32. 10 MRSA §1527, sub-§2, ¶A, as enacted by PL 1979, c. 572, §2, is corrected by amending subparagraph (2) to read:

(2) Paints, varnishes, lacquers; ~~perservatives~~ preservatives against rust and against deterioration of wood; coloring matters, dyestuffs; mordants; natural resins and metals in foil and powder form for painters and decorators;

EXPLANATION

This section corrects a misspelling.

Sec. 33. 10 MRSA §1531, sub-§3, as enacted by PL 1979, c. 572, §2, is corrected to read:

3. Attorney's fees and costs. The Superior Court shall award the prevailing party ~~his~~ costs and, in exceptional cases only, may award ~~him~~ reasonable ~~the prevailing party reasonable~~ attorney's fees.

EXPLANATION

This section corrects a misspelling and corrects gender-specific language.

Sec. 34. 10 MRSA §1678, first and last ¶¶, as enacted by PL 1991, c. 836, §3, are corrected to read:

A Petroleum Advisory Committee, as established by Title 5, section 12004-I, subsection ~~2-B~~ 2-D, is created for the purpose of assisting the Department of the At-

torney General in formulating recommendations to the Legislature as required by section 1677. The committee consists of 7 members appointed for one-year terms, as follows.

Committee members are entitled to compensation in accordance with Title 5, section 12004-I, subsection 2-B 2-D.

EXPLANATION

This section corrects 2 internal cross-references.

Sec. 35. 11 MRSA §1-201, sub-§(37), ¶(c), as enacted by PL 1991, c. 805, §3, is corrected by amending subparagraph (iii) to read:

(iii) "Present value" means the amount as of a date certain of one or more sums payable in the future, discounted to the date certain. The discount is determined by the interest rate specified by the parties if the rate is not manifestly unreasonable at the time the transaction is entered into; otherwise, the discount is determined by a commercially reasonable rate that takes into account the facts and circumstances of each case at the time ~~th~~ the transaction was entered into.

EXPLANATION

This section corrects a spelling error.

Sec. 36. 12 MRSA §558-A, sub§10, as amended by PL 1991, c. 427, §3, is corrected to read:

10. 11. Revenues. All revenues from the bureau's activities under this section accrue to the Submerged Lands Fund established in section 557-A.

Sec. 37. PL 1991, c. 427, §3, first line is corrected to read:

Sec. 3. 12 MRSA §558-A, sub-§10 sub-§11 is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1991, chapters 381 and 427, which enacted the same subsection.

Sec. 38. 12 MRSA §6862, as amended by PL 1989, c. 788, §5, is corrected to read:

§6862. Lobster tail permit

1. Current lobster tail permit. It is unlawful for any person to engage in the activities authorized by a permit issued under this section without a current lobster tail permit.

2. Permitted activity. A lobster tail permit authorizes a wholesale seafood license holder to remove lobster tails in the shell from lobster under the following conditions.

A. The lobster tails ~~shall~~ may only be processed at the establishment named in the permit.

B. The tails ~~shall~~ may only come from legal sized lobsters, as defined in section 6431.

C. All containers in which lobster tails are packed to be sold, shipped or transported ~~shall~~ must be clearly labeled with the name, address and permit number of the packer.

3. Permit limitation. A permit ~~shall~~ may only authorize these activities at one location or place of business.

4. Regulations. The commissioner, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, may adopt such regulations as are deemed necessary for implementation and enforcement of this section. These regulations may include provisions for determining that lobster tails processed under this section were removed from legal sized lobsters and other provisions as may be deemed necessary.

EXPLANATION

This section adds a section headnote that was inadvertently omitted when the section was reenacted and makes punctuation and grammatical corrections.

Sec. 39. 12 MRSA §7901, sub-§13, as repealed and replaced by PL 1989, c. 878, Pt. A, §40, is corrected by amending the 2nd and 4th blocked paragraphs to read:

For purposes of this ~~section~~ subsection, a prior conviction has occurred within the 6-year period if the date of docket entry by the clerk of a judgment of conviction or adjudication is 6 years or less from the date of the new conduct ~~which~~ that is penalized or for which the penalty is or may be enhanced.

References in this Title to this ~~section~~ subsection are determined also to refer to the juvenile crime

stated in Title 15, section 3103, subsection 1, paragraph E and to the disposition, including a suspension, for that juvenile crime as provided in Title 15, section 3314, subsection 3, except as otherwise provided or except when the context clearly requires otherwise.

EXPLANATION

This section corrects an internal cross-reference and grammatical errors.

Sec. 40. 13 MRSA §931, as amended by PL 1977, c. 592, §2, is corrected to read:

§931. Powers; change of name; proceedings; fee

The incorporators shall adopt a corporate name, and they, their associates and successors may have continual succession; have a common seal; elect all necessary officers; adopt bylaws not inconsistent with law and enforce the same by suitable penalties; have the same rights and be under the same liabilities as other corporations in prosecuting and defending civil actions; and enjoy all other rights, privileges and immunities of a legal corporation. Any corporation organized under this subchapter may by a majority vote, at a legal meeting of its members at which at least 25% are present, or at a legal meeting of its directors, trustees or managing board, however designated, change its name and adopt a new one, a notice of the intention to change the name to be given in the call for the meeting. When the proceedings of such meeting relating to such change of name, certified by the clerk or secretary thereof of the corporation, are returned to the office of the Secretary of State to be recorded ~~by him~~, the name ~~shall be deemed~~ is changed. A fee of \$5 ~~shall must~~ accompany the certificate. The corporation, under its new name, has the same rights, powers and privileges, and is subject to the same duties, obligations and liabilities as before, and ~~shall hold holds~~ and ~~be is~~ entitled to the same property and property rights as it held under its former name, and may sue or be sued by its new name, but no action brought against it by its former name ~~shall may~~ be defeated on that account. A certificate of the change of the name of such corporation ~~shall must~~ be filed by the clerk or secretary of the corporation in the registry of deeds in the county in which the corporation has its location; within 20 days after the proceedings of the meeting are returned to the office of the Secretary of State. No fee ~~shall be is~~ required ~~therefor~~ by the Secretary of State for the filing, but the registry of deeds ~~shall must~~ receive for recording such certificate the fee of 50¢. This section ~~shall does~~ not apply to corporations organized under or governed governed by Title 13-B.

EXPLANATION

This section corrects a misspelling, removes gender-specific language and corrects grammatical errors.

Sec. 41. 13 MRSA §940, as amended by PL 1977, c. 592, §7, is corrected by amending the headnote to read:

§940. ~~Idemnification~~ Indemnification

EXPLANATION

This section corrects a misspelling.

Sec. 42. 13-A MRSA §712, sub-§2, as enacted by PL 1971, c. 439, §1, is corrected to read:

2. If a meeting otherwise valid of the board of directors or of any committee is held without call or notice ~~where~~ when such is required, any action taken at such meeting ~~shall be~~ is deemed ratified by a director or ~~committe~~ committee member who did not attend; unless, after learning of the action taken and of the impropriety of the meeting, ~~he the director or committee member~~ makes prompt objection ~~thereto to the action taken~~.

EXPLANATION

This section corrects punctuation, a misspelling, gender-specific language and grammatical errors.

Sec. 43. 13-B MRSA §109, as enacted by PL 1977, c. 525, §13, is corrected to read:

§109. Reservation of power

Acts of ~~incorporation~~ incorporation passed since March 17, 1831, including this Act, may be amended, altered or repealed by the Legislature; as if express provision ~~therefor to amend, alter or repeal~~ were made in them, unless they contain an express limitation. This section ~~shall does~~ not deprive the courts of any power ~~which~~ that they have at common law over a corporation or its officer.

EXPLANATION

This section corrects a misspelling, punctuation and grammatical errors.

Sec. 44. 13-B MRSA §201, sub-§1, ¶B, as enacted by PL 1977, c. 525, §13, is corrected to read:

B. Professional, commercial, industrial, trade association or ~~collective~~ collective bargaining; and

EXPLANATION

This section corrects a misspelling.

Sec. 45. 13-B MRSA §603, sub-§3, as enacted by PL 1977, c. 525, §13, is corrected to read:

3. Notice of adjourned meeting. When a meeting is adjourned, for whatever reason, for 30 days or more, notice of the adjourned meeting ~~shall~~ must be given as provided by this section. Notice of a meeting adjourned for less than 30 days need not be given if the time and place of the adjourned meeting are announced at the meeting at which the adjournment is taken. At the adjourned meeting, the corporation may transact any ~~business which~~ business that might have been transacted at the meeting at which the adjournment was taken.

EXPLANATION

This section corrects a misspelling and grammatical errors.

Sec. 46. 13-B MRSA §804, sub-§1, as enacted by PL 1977, c. 525, §13, is corrected to read:

1. Effective date. An amendment ~~shall take effect as of~~ takes effect on the date of filing the articles of amendment by the Secretary of State as provided by section 106.

EXPLANATION

This section corrects a misspelling and corrects a grammatical error.

Sec. 47. 13-B MRSA §1213, sub-§1, as enacted by PL 1977, c. 525, §13, is corrected to read:

1. Limited jurisdiction. Every foreign corporation ~~which~~ that carries on any activities in this State without having been authorized to carry on activities in this State thereby submits itself to the ~~jurisdiction~~ jurisdiction of the courts of this State, with respect to any action arising out of or in connection with activities actually carried on in this State, and also thereby designates the Secretary of State as its agent upon whom any process, notice or demand upon it may be served in any action or proceeding arising out of or in connection with the carrying on of any activities in this State.

EXPLANATION

This section corrects a misspelling and a grammatical error.

Sec. 48. 13-B MRSA §1301, sub-§6, as amended by PL 1991, c. 837, Pt. A, §37, is corrected to read:

6. Vote to carry on activities. The members entitled to vote or, if none, the directors of a corporation that has been excused pursuant to subsection 5 may vote to resume carrying on activities at a meeting duly called and held for that purpose. A certificate, executed and filed as provided in sections 104 and 106, setting forth that a members' or directors' meeting was held, the date and location of the meeting and that a majority of the members or directors voted to resume carrying on activities, authorizes that corporation to carry on activities; and after that certificate is filed, the ~~corporations~~ corporation is required to file annual reports.

EXPLANATION

This section corrects a grammatical error.

Sec. 49. 13-B MRSA §1401, sub-§29, as amended by PL 1989, c. 875, Pt. E, §14, is corrected to read:

29. Statement of change. Statement of change in registered office or agent, as provided in section 1212, subsection 2, \$5 for each foreign corporation listed; or when separate ~~statement statements~~ are filed at one time, \$5 for each separate statement up to but not exceeding 100 statements, \$2 for each separate statement over 100 but not exceeding 200 statements, \$1 for each statement over 200 statements;

EXPLANATION

This section corrects an obvious clerical error.

Sec. 50. 17-A MRSA §15, sub-§1, ¶A, as amended by PL 1991, c. 566, §1, is corrected by amending subparagraph (10) to read:

(10) Violation of a condition of release in violation of Title 15, section 1026, subsection 3; Title 15, section 1051, ~~subsection subsections 2, section 1051, subsection and~~ sections 2, section 1051, subsection and 9; and Title 15, section 1092; or

EXPLANATION

This section corrects the format of a statutory reference to clarify the reference.

Sec. 51. 18-A MRSA §3-1006, as amended by PL 1991, c. 188, is corrected to read:

§3-1006. Limitations on actions and proceedings against distributees

Unless previously adjudicated in a formal testacy proceeding or in a proceeding settling the accounts of a personal representative or otherwise barred, the claim of any claimant to recover from a distributee who is liable to pay the claim, and the right of an heir or devisee, or of a successor personal representative acting in ~~their the~~ heir's or devisee's behalf, to recover property improperly distributed or its value from any distributee is forever barred at the later of 3 years after the decedent's death or one year after the time of its distribution, but all claims of creditors of the decedent are barred 9 months after the decedent's death. This section does not bar an action to recover property or value received as the result of fraud.

EXPLANATION

This section corrects an obvious clerical error.

Sec. 52. 19 MRSA §530, as enacted by PL 1991, c. 256, is corrected to read:

§530. Acknowledgment of paternity

If, prior to the filing in a court, the alleged father executes and delivers to the department an acknowledgment of paternity of the child in accordance with the laws of the state in which the child was born, the proceeding must be terminated and the department may proceed against the father under subchapter V with respect to any remedy provided under that ~~section~~ subchapter.

EXPLANATION

This section corrects punctuation and an internal cross-reference.

Sec. 53. 20-A MRSA §1, sub-§6, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

6. Cooperative board. "Cooperative board" means the governing body with statutory powers and duties for ~~a vocational~~ an applied technology region.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716.

Sec. 54. 20-A MRSA §1, sub-§42, as affected by PL 1991, c. 716, §6, is corrected to read:

42. Applied technology center. "Applied technology center" is defined in section 8301 ~~8301-A~~, subsection 3.

Sec. 55. 20-A MRSA §1, sub-§43, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

43. ~~Vocational~~ Applied technology education. "~~Vocational~~ Applied technology education" is defined in section 8301 ~~8301-A~~, subsection ~~4~~ 11.

Sec. 56. 20-A MRSA §1, sub-§§44 and 45, as affected by PL 1991, c. 716, §6, are corrected to read:

44. Applied technology region. "Applied technology region" is defined in section 8301 ~~8301-A~~, subsection ~~5~~ 6.

45. Applied technology satellite program. "Applied technology satellite program" is defined in section 8301 ~~8301-A~~, subsection ~~4~~ 8.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also corrects cross-references.

Sec. 57. 20-A MRSA §1352, sub-§2, ¶B, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

B. When a district votes to change the site of its school construction project using the article in paragraph A, subparagraph (3), the date of authorization of the project ~~shall be~~ is the original date the voters authorized the board of directors to issue bonds or notes for that project.

EXPLANATION

This section corrects a cross-reference and makes a technical change.

Sec. 58. 20-A MRSA §4103, sub-§4, ¶C, as enacted by PL 1983, c. 422, §17, is corrected to read:

C. The school board of a school administrative unit may convey title to any and all school buildings, regardless of whether they are held in the names of the inhabitants of a municipality, a school administrative district, a community school district, ~~a vocational~~ an applied technology region or a union school.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716.

Sec. 59. 20-A MRSA §4725, as enacted by PL 1983, c. 859, Pt. C, §§5 and 7, is corrected to read:

§4725. ~~Vocational~~ Applied technology instruction

Each school administrative unit operating a secondary school shall provide ~~vocational~~ applied technology instruction through ~~a vocational~~ an applied technology center or region in accordance with chapter 313.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716.

Sec. 60. 20-A MRSA §5401, sub-§9, ¶A, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

A. The sending school administrative unit shall provide transportation for its students to and from ~~a vocational~~ an applied technology center or ~~vocational~~ applied technology satellite program.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes a grammatical change so that the paragraph reads properly.

Sec. 61. 20-A MRSA §8301-A, sub-§§1, 2, 3, 6 and 8, as enacted by PL 1991, c. 518, §2, are corrected to read:

1. Affiliated unit. "Affiliated unit" means a school administrative unit that is affiliated with another school

administrative unit that operates ~~a vocational~~ an applied technology center. An affiliated school administrative unit may have its secondary students served by ~~a vocational~~ an applied technology center operated by a school administrative unit with which it is affiliated. An affiliated school administrative unit may also operate ~~vocational~~ applied technology satellite programs.

2. Budget failure. "Budget failure" means the failure of ~~a vocational~~ an applied technology region, by August 1st of any fiscal year, to approve a budget for the ~~vocational~~ applied technology region that is at least equal to the sum of the total allocations for ~~vocational~~ applied technology education of the member school administrative units in the ~~vocational~~ applied technology region.

3. Center. "Center" means an administrative entity established pursuant to this chapter that provides ~~vocational~~ applied technology education to secondary students. Unless otherwise specifically provided for by this chapter, ~~a vocational~~ an applied technology center is governed, operated and administered by a single school administrative unit. ~~A vocational~~ An applied technology center shall make its programs available to serve secondary students from school administrative units with which it is affiliated. ~~A vocational~~ An applied technology center may include within its administrative structure ~~vocational~~ applied technology satellite programs operated by school administrative units with which it is affiliated.

6. Region. "Region" means a quasi-municipal corporation established by the Legislature to provide ~~vocational~~ applied technology education to secondary students that is comprised of all of the school administrative units within the geographical boundaries set forth for each ~~vocational~~ applied technology region in section 8451. ~~A vocational~~ An applied technology region is governed by a cooperative board formed and operating in accordance with this chapter.

8. Satellite program. "Satellite program" means a program providing ~~vocational~~ applied technology education to secondary students that is operated, under section 8403, by a school administrative unit affiliated with ~~a vocational~~ an applied technology center.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the subsections read properly.

Sec. 62. 20-A MRSA §8305-A, sub-§3, as enacted by PL 1991, c. 518, §4, is corrected to read:

3. Adult participation in ~~vocational~~ applied technology education courses. Persons who are 20 years of age or older and who otherwise comply with the require-

ments of this section may receive ~~vocational~~ applied technology education in a ~~vocational~~ an applied technology education course if, after all other eligible persons have been enrolled in that course, space exists to accommodate participation by persons who are 20 years of age or older. A region, center or satellite program may charge reasonable fees to persons who are 20 years of age or older and who receive ~~vocational~~ applied technology education pursuant to this section.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes a grammatical change so that the subsection reads properly.

Sec. 63. 20-A MRSA §8455, as amended by PL 1991, c. 518, §23, is corrected to read:

§8455. Vocational Applied technology region considered a political subdivision

~~A vocational~~ An applied technology region is a political subdivision within the meaning of Title 5, section 19002, subsection 6, and a quasi-municipal corporation within the meaning of Title 30-A, section 5701, and all the provisions of those sections apply to it.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes a grammatical change so that the section reads properly.

Sec. 64. 20-A MRSA §8468, sub-§1, as amended by PL 1991, c. 518, §32, is corrected to read:

1. Establishment. ~~A vocational~~ An applied technology region may establish a reserve fund for a school construction project, the acquisition or reconstruction of a specific item or type of capital improvement or the acquisition of a specific item or type of capital equipment by establishing such a reserve fund in the region budget pursuant to this chapter. The cooperative board is the trustee of such a reserve fund.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes a grammatical change so that the subsection reads properly.

Sec. 65. 20-A MRSA §8703, sub-§§1 and 3, as amended by PL 1989, c. 179, §2, are corrected to read:

1. Regular certification. Only ~~persons~~ a person certified by the commissioner as a driver education teacher may be employed by a public secondary school, approved private secondary school, ~~vocational~~ an applied technology center, ~~vocational~~ applied technology region or adult education program, conducted pursuant to chapter 315, to teach driver education. The commissioner shall establish instructor qualification requirements for a person to obtain certification to teach courses in preparation for a Class 1 or Class 2 license. Those requirements ~~shall~~ may be no less rigorous than any similar requirements prescribed by the Board of Commercial Driver Education.

3. Contracts. A public secondary school, approved private secondary school, ~~vocational~~ an applied technology center, ~~vocational~~ applied technology region or adult education program conducted pursuant to chapter 315 may contract with a commercial driver education school to provide driver education as part of the secondary school curriculum provided that ~~any~~ an instructor is properly certified.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the subsections read properly.

Sec. 66. 20-A MRSA §10951, sub-§6, as enacted by PL 1987, c. 735, §14, is corrected to read:

6. Project. "Project" means any structure designed for use as a dormitory or other housing facility, dining facility, student union, academic building, administrative facility, library, classroom building, research facility, faculty facility, office facility, athletic facility, health care facility, laboratory, maintenance, storage or utility facility or other building or structure essential, necessary or useful for instruction in a program of education provided by the university; or any multipurpose structure designed to combine 2 or more of the functions performed by the types of structures enumerated in this ~~paragraph~~ subsection, including, without limitation, improvements, reconstruction, additions and equipment acquired in connection with the project or in connection with operation of any such currently existing facilities. "Project" includes all real and personal property, lands, improvements, driveways, roads, approaches, pedestrian access roads, parking lots, parking facilities, rights-of-way, utilities, easements and other interests in land, machinery and equipment, and all appurtenances and facilities either on, above or under the ground ~~which~~ that are used or usable in connection with any of the structures mentioned in this

subsection. "Project" also includes landscaping, site preparation, furniture, machinery, equipment and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended, but does not include such items as books, fuel, supplies or other items ~~which that~~ are customarily considered as a current operating charge.

EXPLANATION

This section corrects grammatical errors and a cross-reference where a subsection was incorrectly referred to as a paragraph.

Sec. 67. 20-A MRSA §13019-D, as enacted by PL 1985, c. 287, §5, is corrected to read:

§13019-D. Recertification of administrators

Administrators who hold certificates issued in accordance with chapter 501 ~~shall~~ continue to hold those certificates until their termination dates. Renewal of administrator certificates issued in accordance with chapter 501 ~~which that~~ are granted after the effective date of this Act September 19, 1985 and before July 1, 1988, ~~shall be~~ are valid for 5 years. All certificates issued after June 30, 1988, ~~shall~~ must be issued in accordance with this chapter.

EXPLANATION

This section corrects a reference to the effective date of Public Law 1985, chapter 287, corrects punctuation and makes grammatical corrections.

Sec. 68. 20-A MRSA §13901, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

2. Findings. The party states find that included in the large movement of population among all sections of the nation are many qualified educational personnel who move for family and other personal reasons but who are hindered in using their professional skill and experience in their new locations. Variations from state to state in requirements for qualifying educational personnel discourage such personnel from taking the steps necessary to qualify in other states. As a consequence, a significant number of professionally prepared; and experienced educators is lost to our school systems. Facilitating the employment of qualified educational personnel, without reference to their states of origin, can increase the available educational resources. Participation in this compact agreement can increase the availability of educational manpower.

EXPLANATION

This section corrects a reference where an agreement was incorrectly referred to as a compact and corrects a punctuation error.

Sec. 69. 20-A MRSA c. 511, sub-c. II, first 2 lines are corrected to read:

SUBCHAPTER II

PROVISIONS RELATING TO COMPACT AGREEMENT

EXPLANATION

This section corrects a reference where an agreement was incorrectly referred to as a compact.

Sec. 70. 20-A MRSA §15602, sub-§7, as enacted by PL 1991, c. 802, §3, is corrected to read:

1. 7. Fiscal year 1992-93. Notwithstanding any other provision of this Title, the following provisions apply to fiscal year 1992-93 general purpose subsidy for public schools.

A. For each unit, the total amount provided to the unit in fiscal year 1992-93 as state subsidy and as described in section 15610, subsection 1-C and sections 15612 and 15613 must be the same as the amount calculated for fiscal year 1991-92 for these purposes, including the calculations described in section 15602, subsections 5 and 6, except as described below.

(1) Debt service must be the costs attributable to fiscal year 1992-93.

(2) The Public Law 81-874 federal impact aid reduction must be calculated pursuant to federal requirements and section 15612, subsection 5.

(3) Reductions to the total amount provided to Maine Indian education schools must be in accordance with Title 30, section 6211, subsection 2.

(4) The amounts provided for the costs of state agency clients and for state wards, as specified in section 15607, subsection 9 and section 15613, subsection 5 must be in accordance with actual fiscal year 1992-93 costs.

(5) For any school administrative unit whose fiscal year 1992-93 foundation and minimum subsidy, as calculated in other parts of this

subsection, would be less than the amount that would be calculated on the department's printout presented to the Joint Standing Committee on Appropriations and Financial Affairs dated February 19, 1992, the greater amount on that printout must be provided.

B. To provide for maximum subsidy stability between fiscal year 1991-92 and fiscal year 1992-93, the state share percentage for each school administrative unit, the per pupil operating rates, the program millage limit and debt service millage limit must be the same as those used for fiscal year 1991-92.

EXPLANATION

This section corrects an obvious clerical error by changing the number of a subsection to be consistent with the numbering in the section.

Sec. 71. 20-A MRSA §15901, sub-§§6, 7 and 8, as enacted by PL 1987, c. 98, §5, are corrected to read:

6. School administrative unit. "School administrative unit" means a school administrative unit as defined by section 1, subsection 26 and ~~a vocational~~ an applied technology region as defined by section ~~8301~~ 8301-A, subsection 5 ~~6~~, except that in section 15907, the reference to "unit" or "school administrative unit" means ~~the units a unit within the vocational regions~~ an applied technology region.

7. School board. "School board" means a school board as defined in section 1, subsection 28 and the cooperative board of ~~a vocational~~ an applied technology region.

8. Superintendent. "Superintendent" means a superintendent as defined by section 1, subsection 39, and the director of ~~a vocational~~ an applied technology region, if that person had been appointed to serve as administrative officer of the region, or the superintendent who has been appointed to serve as ex officio administrative officer.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the subsections read properly and corrects internal cross-references.

Sec. 72. 20-A MRSA §15904, sub-§5, as enacted by PL 1987, c. 98, §7, is corrected to read:

5. ~~Vocational~~ Applied technology regions. In a ~~vocational~~ an applied technology region, the vote shall ~~must~~ be conducted in accordance with sections 1351 to 1354 and section 8465. References in sections 1351 to 1354 to school administrative unit and board of directors ~~means mean~~ "vocational applied technology region" and "cooperative board," respectively.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the subsection reads properly.

Sec. 73. 22 MRSA §396-P, sub-§1, ¶C, as amended by PL 1989, c. 503, Pt. B, §81, is corrected to read:

C. The commission shall appoint a Payor Advisory Committee, authorized by Title 5, section 12004-I, subsection 46, consisting of one representative of nonprofit hospital and medical service corporations, one representative of commercial insurance companies, one representative of self-insured groups and one representative of the department. This committee shall advise the commission and its staff with respect to analytical techniques, data requirements and other technical matters involved in implementing and administering the health care financing system established under this subchapter.

EXPLANATION

This section corrects a cross-reference.

Sec. 74. 22 MRSA §777, as enacted by PL 1989, c. 657, §1, is corrected to read:

§777. Use of listed facilities

Any person who is required to register under section 774 or 775 shall use only authorized radon testing devices and shall have these devices analyzed by a listed facility. When disclosing test results, any person registered under ~~sections~~ section 774 or 775 shall provide in writing the name and address of the listed facility that performed the analysis.

EXPLANATION

This section corrects a grammatical error.

Sec. 75. 22 MRSA §778, as enacted by PL 1989, c. 657, §1, is corrected to read:

§778. Reports

A person registered under section 774 or 775 shall, within 45 days of the date the services are provided, notify the department in writing of the zip code of the client and the results of any tests performed. The department may, by rule, specify an alternative notification procedure and notification period.

EXPLANATION

This section corrects an obvious clerical error by adding a word that was inadvertently omitted.

Sec. 76. 22 MRSA §1812-F, as enacted by PL 1991, c. 421, §1, is corrected by amending the headnote to read:

§1812-F. §1812-G. Maine Registry of Certified Nursing Assistants

Sec. 77. PL 1991, c. 421, §1, first line is corrected to read:

Sec. 1. 22 MRSA §1812-F §1812-G is enacted to read:

EXPLANATION

These sections correct a renumbering conflict created by Public Law 1991, chapters 327 and 421, which enacted the same section.

Sec. 78. 22 MRSA §2053, sub-§4-C, as enacted by PL 1991, c. 50, §3, is corrected to read:

4-C. Participating community mental health facility. "Participating community mental health facility" means a community mental health facility that is exempt from taxation under Section 501 of the United States Internal Revenue Code and that, pursuant to this ~~subchapter~~ chapter, undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of existing indebtedness as provided in and permitted by this chapter.

EXPLANATION

This section corrects an obvious clerical error by supplying a correct reference.

Sec. 79. 22 MRSA §3189, sub-§5, ¶G, as amended by PL 1991, c. 591, Pt. GG, §7, is corrected by amending the last paragraph to read:

Sixty days prior to the effective date of any proposed reduction of benefits or eligibility recommended pursuant to this paragraph, the department shall provide copies of the proposed rule together with a concise statement of the principal reason for the rule, including the balance remaining in the account for the program, an analysis of the proposed rule and the savings anticipated by the adoption of the proposed rule to the Governor and to each member of the joint standing ~~committee~~ committees of the Legislature having jurisdiction over insurance matters and ~~appropriations~~ appropriation matters. This paragraph does not preclude emergency rulemaking when the existence of an emergency, as defined in Title 5, section 8054, is present.

EXPLANATION

This section corrects 2 grammatical errors.

Sec. 80. 22 MRSA §3474, sub-§3, ¶C, as amended by PL 1989, c. 858, §9, is corrected to read:

C. A grand jury on its determination that access to those records is necessary in the conduct of its official business; and

Sec. 81. 22 MRSA §3474, sub-§3, ¶D, as amended by PL 1989, c. 858, §10, is corrected to read:

D. An advocacy agency conducting an investigation under chapter 961, United States Public Law 88-164, Title I, Part C or United States Public Law 99-319, regarding a developmentally disabled person or mentally ill person who is or who, within the last 90 days, was residing in a facility rendering care or treatment, when a complaint has been received by the agency or there is probable cause to believe that that individual has been subject to abuse or neglect, and that person does not have a legal guardian or the person is under public guardianship. The determination of which information and records are relevant to the investigation is made by agreement between the department and the agency; and.

EXPLANATION

These sections correct punctuation errors.

Sec. 82. 22 MRSA c. 1071, sub-c. XII, first 3 lines, as enacted by PL 1989, c. 483, §34, are corrected to read:

SUBCHAPTER ~~XH~~ XIII

HOSPITAL-BASED SUSPECTED CHILD ABUSE AND NEGLECT COMMITTEES

Sec. 83. PL 1989, c. 483, §34, first 2 lines are corrected to read:

Sec. 34. 22 MRSA c. 1071, sub-c. ~~XH~~ XIII is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1989, chapters 400 and 483, which enacted the same subchapter.

Sec. 84. 22 MRSA §6101, as enacted by P&SL 1973, c. 38, Pt. B, §1, is corrected to read:

§6101. Short title

This ~~sub~~title Part may be cited as the "Priority Social Services Act of 1973."

Sec. 85. 22 MRSA §6103, first ¶, as enacted by P&SL 1973, c. 38, Pt. B, §1, is corrected to read:

To achieve this objective, it is the purpose of this subtitle Part:

EXPLANATION

These sections correct clerical errors by supplying correct internal cross-references.

Sec. 86. 22 MRSA §7305, sub-§2, as enacted by PL 1981, c. 511, §1, is corrected to read:

2. Fee scale. The department shall develop, ~~wherever~~ whenever practicable, sliding fee scales for in-home and community support services provided pursuant to this subtitle.

EXPLANATION

This section corrects an obvious clerical error by inserting a word that was inadvertently omitted.

Sec. 87. 22 MRSA §7323, sub-§2, as enacted by PL 1981, c. 511, §1, is corrected to read:

2. Membership Membership. Each multidisciplinary team ~~shall~~ must include at least one social services' professional, one health care professional and, whenever possible, the adult with long-term care needs and a family or designated representative.

EXPLANATION

This section corrects a misspelling and a grammatical error.

Sec. 88. 23 MRSA §73, sub-§3, as enacted by IB 1991, c. 1, §1, is corrected to read:

3. Transportation policy. It is the policy of the State that transportation planning decisions, capital investment decisions and project decisions must:

~~A. Minimize the harmful effects of transportation on public health and on air and water quality, land use and other natural resources;~~

~~B. Require that the full range of reasonable transportation alternatives be evaluated for all significant highway construction or reconstruction projects and give preference to transportation system management options, demand management strategies, improvements to the existing system, and other transportation modes before increasing highway capacity through road building activities;~~

~~C. Ensure the repair and necessary improvement of roads and bridges throughout the State to provide a safe, efficient and adequate transportation network;~~

~~D. Reduce the State's reliance on foreign oil and promote reliance on energy-efficient forms of transportation;~~

~~E. Meet the diverse transportation needs of the people of the State, including rural and urban populations and the unique mobility needs of the elderly and disabled;~~

~~F. Be consistent with the purposes, goals and policies of the Comprehensive Planning and Land Use Regulation Act; and~~

~~G. Incorporate a public participation process in which local governmental bodies and the public have timely notice and opportunity to identify and comment on concerns related to transportation planning decisions, capital investment decisions and project decisions. The department and the Maine Turnpike Authority shall take the comments and concerns of local citizens into account and shall be responsive to them.~~

A. Minimize the harmful effects of transportation on public health and on air and water quality, land use and other natural resources;

B. Require that the full range of reasonable transportation alternatives be evaluated for all significant highway construction or reconstruction

projects and give preference to transportation system management options, demand management strategies, improvements to the existing system, and other transportation modes before increasing highway capacity through road building activities;

C. Ensure the repair and necessary improvement of roads and bridges throughout the State to provide a safe, efficient and adequate transportation network;

D. Reduce the State's reliance on foreign oil and promote reliance on energy-efficient forms of transportation;

E. Meet the diverse transportation needs of the people of the State, including rural and urban populations and the unique mobility needs of the elderly and disabled;

F. Be consistent with the purposes, goals and policies of the Comprehensive Planning and Land Use Regulation Act; and

G. Incorporate a public participation process in which local governmental bodies and the public have timely notice and opportunity to identify and comment on concerns related to transportation planning decisions, capital investment decisions and project decisions. The department and the Maine Turnpike Authority shall take the comments and concerns of local citizens into account and must be responsive to them.

EXPLANATION

This section corrects a clerical error by indenting and blocking the lettered paragraphs of the subsection and corrects a grammatical error.

Sec. 89. 23 MRSA §1913-A, sub-§6, as enacted by PL 1981, c. 318, §3, is corrected to read:

6. Interstate system. None of the signs referred to in this section, other than signs conforming with subsection 1, paragraphs B and C, may be located within the right-of-way limits of the interstate ~~system~~ system or within 660 feet of the nearest edge of the interstate system and erected in such a fashion that the message may be read from the interstate highway.

EXPLANATION

This section corrects a spelling error.

Sec. 90. 23 MRSA §1965, sub-§1, ¶D, as amended by IB 1991, c. 1, §5, is corrected to read:

~~D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way may not be widened or expanded without the express approval of the Legislature.~~

~~A license, permit, or approval necessary for the widening or expansion of the turnpike may not be issued by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy as well as rules implementing that policy;~~

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way may not be widened or expanded without the express approval of the Legislature.

A license, permit, or approval necessary for the widening or expansion of the turnpike may not be issued by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy as well as rules implementing that policy;

EXPLANATION

This section corrects a clerical error by indenting and blocking the lettered paragraphs.

Sec. 91. 24 MRSA §2405, sub-§7, as enacted by PL 1975, c. 442, is corrected to read:

7. Temporary contribution. In the event that sufficient funds are not available for the sound financial operation of the association, pending recoupment as provided in ~~section~~ subsection 6, all members shall, on a temporary basis, contribute to the financial requirements of the association in the manner provided for in section 2408. Any such contribution ~~shall~~ must be reimbursed to the members by recoupment as provided in subsection 6.

EXPLANATION

This section corrects an obvious clerical error by putting in a correct cross-reference.

Sec. 92. 24-A MRSA §3474, sub-§1, ¶C, as enacted by PL 1989, c. 611, §2 and affected by §4, is corrected to read:

C. A domestic insurer may not participate in a merger or consolidation that will result in the surviving or new corporation being domiciled in a ju-

risdiction other than this State unless the surviving or new insurer in the merger or consolidation obtains a ~~Certificate of Authority~~ certificate of authority in the jurisdiction in which it will be domiciled and in this State to transact the kinds of insurance for which any participating insurers were authorized at the time of the merger or consolidation and agrees to maintain that certificate of authority in this State until and unless the superintendent approves a plan of withdrawal filed pursuant to section 415-A.

EXPLANATION

This section corrects as obvious clerical error by making the term "certificate of authority" lower cased throughout the paragraph.

Sec. 93. 24-A MRSA §6097, as amended by PL 1989, c. 724, §1, is corrected to read:

§6097. Purchasing groups; exemption from certain laws relating to the group purchase of insurance

Any purchasing group meeting the criteria established under the provisions of the federal Liability Risk Retention Amendments of 1986 is exempt from any law of this State relating to the creation of groups for the purchase of insurance, prohibition of group purchasing or any law that discriminates against a purchasing group or its members. In addition, an insurer is exempt from any law of this State ~~which that~~ prohibits providing, or offering to provide, to a purchasing group or its members advantages based on their loss and expense experience not afforded to other persons with respect to rates, policy forms, coverages or other matters. A purchasing group and any insurer that provides coverage to a purchasing group with Maine members ~~is are~~ subject to all other applicable laws of this State, including, but not limited to, chapters 25, 27 and 39.

EXPLANATION

This section corrects grammatical errors and a punctuation error.

Sec. 94. 24-A MRSA §6405, as enacted by PL 1991, c. 828, §33, is corrected to read:

§6405. Disclosure

Prior to the effective date of the policy, the controlling insurer shall cause the controlling broker, to deliver written notice to the prospective insured disclosing the relationship between the broker and the controlled insurer, except that if the business is placed through a

subproducer who is not a controlling broker, the controlling insurer shall cause the controlling broker to retain a signed commitment from the subproducer that the subproducer is aware of the relationship between the insurer and the controlling broker and that the subproducer has notified or will notify the insured.

EXPLANATION

This section corrects an error in punctuation.

Sec. 95. 25 MRSA §1675, as enacted by PL 1965, c. 435, is corrected to read:

§1675. Designation of alternate

The Chief of the State Police is authorized to designate an alternate to serve in ~~his the chief's~~ place and stead on the New England State Police Administrators' Conference as ~~permitted~~ permitted by Article III, subsections 2 and 3 of the compact. However, it is the intention of the Legislature that such Chief of the State Police ~~shall~~ attend and participate in the work of the conference in person to the maximum extent practicable.

EXPLANATION

This section corrects a grammatical error, a misspelling and changes gender-specific language.

Sec. 96. 25 MRSA §2447-B, sub-§1, ¶A, as enacted by PL 1979, c. 167, is corrected by amending subparagraphs (1) and (5) to read:

(1) Foam plastics may be used without the thermal barrier described in this paragraph ~~A~~ when the foam plastic is protected by a minimum of one inch thickness of masonry or concrete.

(5) Foam plastic may be used in a roof covering assembly without the thermal barrier when the foam is separated from the interior of the building by plywood sheathing not less than 1/2 inch in thickness bonded with interior glue, with edges supported by blocking, tongue-and-groove joints or other approved type of edge support, or an equivalent material.

Foam plastic roof insulation ~~which that~~ complies with Factory Mutual Standard 4450 or Underwriters Laboratories Subject 1256 need not meet the requirements of this paragraph ~~A~~.

For roofing applications, the smoke-developed rating shall not be limited.

EXPLANATION

This section makes technical changes to correct internal references and corrects grammatical errors.

Sec. 97. 25 MRSA §2806, sub-§2, as amended by PL 1991, c. 790, §§3 and 4, is corrected to read:

2. Procedure. For action taken by the board under subsection 1, the procedure ~~shall be~~ is as follows:

A. For subsection 1, paragraph A and subsection 1, paragraph B, subparagraph (2), (4) or (5), in accordance with Title 5, chapter 375, subchapter IV;

B. For subsection 1, paragraph B, subparagraph (1) or (3), if the officer is employed as a law enforcement officer, in accordance with Title 5, section 10004; and

C. For subsection 1, paragraph C, in accordance with Title 5, chapter 375, subchapter VI.

EXPLANATION

This section corrects cross-references and corrects a grammatical error.

Sec. 98. 25 MRSA §2904, sub-§2, as enacted by PL 1977, c. 138, §3, is corrected by amending the first paragraph to read:

2. Officials of governmental units. The officials of the governmental units listed in ~~the 2nd paragraph paragraphs A to E~~ are authorized and empowered to ~~promulgate~~ adopt rules governing the access, use; and occupancy of buildings or parts of buildings and of other public property ~~which that~~ are under their respective supervisions. Prior to ~~promulgating~~ adopting any such rule, ~~such~~ the official shall consult with the Commissioner of Public Safety; the commissioner ~~shall must~~ be given an opportunity to review ~~such the~~ rule and to comment upon its content and enforcement. These rules ~~shall~~ become effective upon deposit of a copy with the Secretary of State, who shall forward a copy attested under the Great Seal of the State to the District Court for Southern Kennebec. ~~Such~~ These rules ~~shall be~~ are suspended to the extent necessary at any time when the Commissioner of Public Safety determines that an emergency exists within the facilities to which they apply; ~~provided, except that~~ the commissioner ~~shall may~~ not suspend ~~such the~~ rules governing the legislative offices without the con-

sent of the Legislative Council. The Commissioner of Public Safety shall enforce rules ~~promulgated~~ adopted pursuant to this subsection, consistent with available resources and funding.

EXPLANATION

This section makes a technical change to correct an internal reference and corrects grammatical errors.

Sec. 99. 26 MRSA §1194, sub-§8, as amended by PL 1987, c. 641, §11, is corrected to read:

8. Appeals to courts. Any decision of the commission ~~shall become~~ becomes final 10 days after receipt of written notification and any person aggrieved by the decision may appeal by commencing an action pursuant to Title 5, chapter 375, subchapter VII. The commission ~~shall must~~ be made a party defendant in any such appeal.

EXPLANATION

This section corrects an obvious clerical error by supplying a correct cross-reference and corrects grammatical errors.

Sec. 100. 26 MRSA §1308, sub-§3, as amended by PL 1987, c. 786, §16, is corrected to read:

3. Appeal. Any person affected by the determination of the director, whether or not such person participated in the proceedings resulting in such determination, may appeal to the commissioner from such determination by filing a written notice with the commissioner stating the specific grounds of ~~his that person's~~ objection within 10 days from the filing of the copy of the determination with the Secretary of State. The commissioner shall hold a hearing on the appeal, pursuant to Title 5, chapter 375, subchapter IV, within 20 days from the receipt of notice of appeal. The hearing by the commissioner ~~shall must~~ be held in Augusta. The commissioner ~~shall have~~ has the authority to affirm, reverse or amend the determination of the director. The commissioner shall render a decision within 10 days after the conclusion of the hearing.

EXPLANATION

This section corrects an obvious clerical error by supplying a correct cross-reference, removes gender-specific language and corrects grammatical errors.

Sec. 101. 27 MRSA §110, sub-§2, as amended by PL 1989, c. 700, Pt. B, §25, is corrected to read:

2. Area reference and resource center. "Area reference and resource center" means a large public, school or academic library designated by the State Librarian and receiving state aid for the ~~purpose~~ purposes of making its resources and services available without charge to all residents of the district, of providing supplementary library services to local libraries within the district; and of coordinating the services of all local libraries within the district ~~which~~ that by contract become part of the library district.

EXPLANATION

This section corrects grammatical and clerical errors.

Sec. 102. 27 MRSA §112, sub-§3, as amended by PL 1989, c. 700, Pt. B, §27, is corrected to read:

3. Review. Act, on written request by any interested library, as an appeals board concerning decisions of the State Librarian regarding the items in subsection 2. The written request for a hearing must be filed within 30 days from the date of the decision; and

EXPLANATION

This section corrects a punctuation error.

Sec. 103. 27 MRSA §502, as amended by PL 1989, c. 700, Pt. B, §38, is corrected to read:

§502. Maine Historic Preservation Commission

There is created the Maine Historic Preservation Commission. It ~~shall consist~~ consists of 11 members made up as follows: The Commissioner of Transportation or a representative of the Department of Transportation, and the Commissioner of Conservation or a representative of the Department of Conservation, to serve ex officio; and 9 representatives from among the citizens of Maine the State, one of whom ~~shall must~~ must be elected chair and one of whom ~~shall must~~ must be elected vice-chair, who are known for their competence, experience and interest in this field historic preservation, including at least one pre-historic archaeologist, one historic archaeologist, one historian, one architectural historian and one architect, to be appointed by the Governor. In making these appointments, due consideration ~~shall must~~ must be given to the recommendations made by the representative professional, civic and educational associations and groups concerned with or engaged in the field of historic preservation.

EXPLANATION

This section corrects clerical and grammatical errors.

Sec. 104. 29 MRSA §246-A, sub-§1, as amended by PL 1987, c. 185, §1, is corrected to read:

1. Application. Notwithstanding any other provision of law, a person owning, operating or causing operation of a vehicle on the highways of this State, subject to Title 36, chapter ~~453~~, 457, 459 or 463-A, ~~shall must~~ must apply to the Secretary of State for a fuel use identification decal for each vehicle covered by those reports or licensing requirement, except vehicles owned and operated by government agencies, vehicles bearing dealer registration plates pursuant to subchapter III-A, recreational vehicles; and authorized emergency vehicles as defined in section ~~± 946-C~~, subsection ~~1-B~~ 1, paragraph B based in another jurisdiction and operating in or through this State in response to a declared emergency.

EXPLANATION

This section corrects cross-references.

Sec. 105. 29 MRSA §260, as enacted by PL 1987, c. 185, §2, is corrected to read:

§260. Authorized emergency vehicles

Authorized emergency vehicles as defined in section ~~± 946-C~~, subsection ~~1-B~~ 1, paragraph B duly registered in another jurisdiction and operating in or through this State as a result of a declared emergency ~~shall be~~ are exempt from further registration requirements.

EXPLANATION

This section corrects a cross-reference and corrects a grammatical error.

Sec. 106. 29 MRSA §538-A, sub-§1, as amended by PL 1989, c. 700, Pt. A, §119, is corrected to read:

1. Educational need. A person qualifies for a special restricted license based on educational need by filing a notarized signed application including: a statement from the applicant and the applicant's parent or guardian that no readily available alternative means of transportation exists and that use of a motor vehicle is necessary for transportation to and from a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational~~ an applied technology center or ~~a vocational~~

an applied technology region ~~which that~~ the applicant is attending; a verification of school attendance; and the lack of a readily available alternative means of transportation by the principal of the school.

Notwithstanding the first paragraph of this section, a person between the ages of 16 and 17 is not required to complete a driver education course in order to qualify for a restricted license based on educational need.

A special restricted license issued under this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the subsection reads properly.

Sec. 107. 29 MRSA §583, first ¶, as repealed and replaced by PL 1989, c. 878, Pt. G, §4, is corrected to read:

No operator's license, except to operate a moped only, may be issued to any person under 17 years of age unless that person presents a certificate of successful completion of a driver education course and examination given by a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center or a vocational an applied technology region~~; or a certificate of successful completion of a driver education course and examination given by a person or persons licensed by the Department of Professional and Financial Regulation, Board of Commercial Driver Education.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the paragraph reads properly.

Sec. 108. 29 MRSA §583-A, 2nd ¶, as amended by PL 1991, c. 800, §2, is corrected to read:

Any person who satisfies the Secretary of State that no readily available means of transportation exists to and from a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center or a vocational an applied technology region~~ that person is attending, may be issued, upon passing the

motorcycle or motor driven cycle driver's examination as provided in section 581, a special motorcycle or motor driven cycle permit authorizing that person to drive to and from the school.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the paragraph reads properly.

Sec. 109. 29 MRSA §583-B, 2nd ¶, as amended by PL 1989, c. 700, Pt. A, §121, is corrected to read:

An approved motorcycle driver education program may be offered by a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center or a vocational an applied technology region~~ and adult education program conducted pursuant to Title 20-A, chapter 315; as a component of a driver education course approved pursuant to Title 20-A, chapter 316. Any motorcycle program offered independently of an approved driver education course may not be offered for credit toward a high school diploma.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical and punctuation changes so that the paragraph reads properly.

Sec. 110. 29 MRSA §1312-D, sub-§2-A, as amended by PL 1991, c. 850, §16, is corrected to read:

2-A. Special licenses for Driver Education and Evaluation Programs participants. Following the expiration of the total period of suspension imposed on a first-time offender pursuant to Title 15, section 3314 or section 1312-B, the Secretary of State shall issue a special license or permit to the person if the Secretary of State receives written notice that the person has completed the assessment components of the alcohol and other drug program as set out in Title 5, section 20073-A. First offenders with an aggravated offense as defined in Title 5, section 20071, subsection 4-B are entitled to ~~received~~ receive a special license after completion of the evaluation provided by the Office of Substance Abuse. A special license or permit may not be issued under this section to 2nd and subsequent offenders.

EXPLANATION

This section corrects a grammatical error.

Sec. 111. 29 MRSA §1312-D, sub-§2-B, as amended by PL 1991, c. 622, Pt. Y, §12, is corrected to read:

2-B. Suspension of special licenses for ~~safety training operating under the influence~~ program Driver Education and Evaluation Programs participants. If the person refuses or fails to complete the alcohol and other drug program set out in Title 5, section 20073-A; within 6 months after receiving a special license, the Secretary of State, following notice of that refusal or failure, may suspend the special license until the person completes the program. The suspension must continue until the Secretary of State receives written notification from the Office of Substance Abuse that the person has satisfactorily completed all required components of that program. The Secretary of State shall provide notice of suspension and opportunity for hearing pursuant to Title 5, chapter 375, subchapter IV. The sole issue at the hearing is whether the person has written notification from the Office of Substance Abuse establishing that the person has satisfactorily completed all components of that program as set out in Title 5, section 20073-A.

EXPLANATION

This section corrects a subsection headnote to reflect the substantive change made by Public Law 1991, chapter 850 and corrects punctuation errors.

Sec. 112. 29 MRSA §2300, sub-§1-A, as enacted by PL 1991, c. 593, §1, is corrected by amending the headnote to read:

~~1-A.~~ 1-B. Creation of forms. The Commissioner of Public Safety is responsible for creating the forms of Uniform Traffic Ticket and Complaint, subject to the approval of the forms by the Chief Judge of the District Court.

Sec. 113. PL 1991, c. 593, §1, first line is corrected to read:

Sec. 1. 29 MRSA §2300, sub-§1-A sub-§1-B is enacted to read:

EXPLANATION

These sections correct a renumbering conflict created by Public Law 1991, chapters 459 and 593, which enacted the same subsection.

Sec. 114. 30-A MRSA §1606, sub-§1, as amended by PL 1989, c. 629, §2, is corrected to read:

1. Participation in public works projects authorized. The sheriff in charge of a county jail may permit certain inmates of that jail to participate in public works-related projects and improvement of property owned by charitable organizations if the public works project or property is in the county where the jail is located. The sheriff may request payment from charitable organizations for the transportation of the prisoners and for the transportation and per diem compensation for any guards who accompany the prisoners. For the purposes of this section, "charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), because the ~~nonprofit~~ nonprofit organization is described in the United States Internal Revenue Code of 1986, Section 501(c)(3). Before an inmate is permitted to participate in this type of project, the judge or justice who originally sentenced the inmate to the county jail must sign an approval to the inmate's participation.

EXPLANATION

This section corrects a misspelling.

Sec. 115. 30-A MRSA §5054, as amended by PL 1991, c. 610, §§22 and 23, is corrected by amending the headnote to read:

§5054. Duties of commissioner state authority

EXPLANATION

This section corrects a headnote.

Sec. 116. 31 MRSA §403, sub-§1, ¶B, as enacted by PL 1991, c. 552, §2 and affected by §4, is corrected to read:

B. May not contain the name of a limited partner unless:

(1) It is also the name of a general partner; or

(2) The business of the limited partnership had been carried on under that name before the admission of that limited partner; and

EXPLANATION

This section corrects a punctuation error.

Sec. 117. 32 MRSA §1202, sub-§1, ¶C, as amended by PL 1989, c. 483, Pt. A, §50, is corrected by amending subparagraph (6) to read:

(6) A limited electrician in refrigeration ~~shall~~ must have 270 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 6,000 hours of experience. Graduates of a Maine ~~vocational-technical institute~~ technical college electrical program in refrigeration approved by the Electricians' Examining Board or from an accredited institution ~~shall be~~ are credited with 4,000 hours of experience upon graduation. Privileges of practice ~~shall be~~ are restricted to all associated wire from the loadside of distribution.

EXPLANATION

This section makes grammatical changes and corrects an obvious clerical error by supplying the correct reference to an institution of the Maine Technical College System.

Sec. 118. 32 MRSA §8105, sub-§7-A, ¶C, as enacted by PL 1985, c. 141, §2, is corrected to read:

C. Has been employed for a minimum of one year as a law enforcement officer of a state or political subdivision of a state and has met the training requirements set forth in Title 25, section ~~2805~~ 2804-C, or is qualified to receive a waiver from those requirements; or

EXPLANATION

This section corrects a cross-reference.

Sec. 119. 32 MRSA §9502, sub-§2, as amended by PL 1989, c. 700, Pt. A, §152, is corrected to read:

2. Commercial driver education. "Commercial driver education" means any type of instruction or tutoring given any person in the driving of a motor vehicle or in the preparing of any person for a driver examination in exchange for remuneration, except instruction or tutoring in a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center, a vocational an applied technology region~~, an adult education program conducted pursuant to Title 20-A, chapter 315, or a technical college.

Sec. 120. 32 MRSA §9502, sub-§3, as amended by PL 1989, c. 700, Pt. A, §153, is corrected to read:

3. Commercial driver education school. "Commercial driver education school" means any person or persons engaged in teaching driver education for remuneration, except a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center, a vocational an applied technology region~~, an adult education program conducted pursuant to Title 20-A, chapter 315, or a technical college.

EXPLANATION

These sections replace the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. They also make grammatical changes so that the subsections read correctly.

Sec. 121. 32 MRSA §9601, sub-§3, as amended by PL 1989, c. 700, Pt. A, §154, is corrected to read:

3. Exclusion. No license under this chapter may be required of a certified teacher conducting a driver education course in a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center or a vocational an applied technology region~~.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical changes so that the subsection reads correctly.

Sec. 122. 32 MRSA §9602, sub-§5, as amended by PL 1989, c. 700, Pt. A, §155, is corrected to read:

5. School contracts. Commercial driver education schools ~~shall~~ remain subject to the requirements of this chapter while providing driver education services pursuant to Title 20-A, chapter 316; on a contract basis to a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, ~~a vocational an applied technology center, a vocational an applied technology region~~, an adult education program conducted pursuant to Title 20-A, chapter 315; or a technical college.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as directed by Public Law 1991, chapter 716. It also makes grammatical and punctuation changes so that the subsection reads correctly.

Sec. 123. 32 MRSA §13980, sub-§1, ¶B, as enacted by PL 1989, c. 806, §3, is corrected to read:

B. For original and renewal fees for certified appraisers, \$300 ~~biennially~~ biennially.

EXPLANATION

This section corrects a spelling error.

Sec. 124. 32 MRSA c. 125, first 2 lines, as enacted by PL 1991, c. 403, §1, are corrected to read:

CHAPTER ~~125~~ 127

MASSAGE THERAPISTS

Sec. 125. PL 1991, c. 403, §1, first line is corrected to read:

Sec. 1. 32 MRSA c. ~~125~~ 127 is enacted to read:

EXPLANATION

These sections correct a numbering conflict created by Public Law 1991, chapters 403 and 468, which enacted the same chapter number.

Sec. 126. 33 MRSA c. 10, first 2 lines are corrected to read:

CHAPTER 10

UNIT OWNERSHIP

SUBCHAPTER 1

UNIT OWNERSHIP

EXPLANATION

This section corrects a clerical error by replacing a subchapter heading that was inadvertently repealed.

Sec. 127. 34-A MRSA §1210, sub-§6-A, as amended by PL 1991, c. 690, is corrected to read:

6-A. Funds to be used for community corrections programs. Thirty percent of all funds claimed by each county for reimbursement under this section must be retained by the department until the county demonstrates that the retained funds will be used for community corrections programs, as described in subsection 1, paragraph B, that are developed as part of a comprehensive

local plan approved by the commissioner. ~~One-half~~ One half of the retained funds must be retained until the county demonstrates that the funds will be used for adult programs, and 1/2 of the retained funds must be retained until the county demonstrates that the funds will be used for juvenile programs. All funds retained by the department under this subsection not released by the end of the year may not lapse, but must be carried forward into subsequent years, with each county's funds carried over for that county. All funds not committed by any county after 3 years from the date the county's claim is approved by the department ~~will~~ must be placed by the department in a pool from which supplementary funds ~~will~~ periodically must be made available to all counties on a competitive basis. Annually, by September 1st, the commissioner shall submit to the joint standing committee of the Legislature having jurisdiction over corrections matters a report of the activity in the prior fiscal year of the funds retained under this subsection, including the following:

- A. The amount retained from each county;
- B. The amount of any funds that have been carried over from previous fiscal years for each county;
- C. The amount released to each county; and
- D. The specific programs for which funds were released for each county, including an indication of whether each program serves juveniles or adults.

EXPLANATION

This section corrects grammatical errors and adds standard language that was omitted.

Sec. 128. 34-A MRSA §1403, sub-§9, as amended by PL 1991, c. 716, §6, is corrected by amending the first paragraph to read:

9. Industries programs. The commissioner may establish ~~vocational training~~ applied technology training, work and industries programs, including those permitted under a certification issued by the United States Department of Justice under ~~the 18~~ the United States Code, Title ~~18~~; Section 1761.

EXPLANATION

This section replaces the word "vocational" with the words "applied technology" as instructed by Public Law 1991, chapter 716, corrects a grammatical and a punctuation error and uses proper format for a federal law reference.

Sec. 129. 35-A MRSA §2514, sub-§3, as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

3. Bridges. This chapter ~~and chapter 25~~ may not be construed to authorize the construction of a bridge across any of the waters of the State.

EXPLANATION

This section corrects an error in an internal reference.

Sec. 130. 35-A MRSA §3131, as amended by PL 1991, c. 640, §1, is corrected by amending the headnote to read:

§3131. Definitions:

EXPLANATION

This section corrects a punctuation error.

Sec. 131. 35-A MRSA §6105, sub-§4, ¶E, as repealed and replaced by PL 1991, c. 221, §1, is corrected to read:

E. To provide for a contingency reserve fund allowance as provided in section ~~6111~~ 6112; and

EXPLANATION

This section corrects an incorrect cross-reference.

Sec. 132. 36 MRSA §653, sub-§1, ¶F, as amended by PL 1991, c. 824, Pt. A, §72, is corrected to read:

F. To be eligible for exemption under this subsection:

~~(3)~~ (1) No exemption may be granted to any person under this subsection unless the person is a resident of this State; and

~~(4)~~ (2) Notwithstanding any other provisions of this paragraph, prior to April 1, 1982, any person claiming an exemption under paragraph C who is receiving any form of pension or compensation from the Federal Government for total disability, service-connected or nonservice-connected, as a veteran, and any person claiming an exemption under paragraph C-1, D, D-1, D-2 or D-3 is not required to meet the standards specified in

former subparagraphs (1) and (2). Any such person who received an exemption in 1980 is not required to reapply in 1981. Exemptions granted under this section that are reimbursable pursuant to section 661 are not considered eligible for reimbursement under paragraph H. Any person whose exemption is reimbursable under section 661 is, for 1981, entitled to an extension until May 1, 1981; for filing a written application and written proof of entitlement for exemption with the assessors of the place in which the person resides, notwithstanding the provisions of paragraph G.

EXPLANATION

This section corrects a punctuation error and renumbers the subparagraphs to read consecutively.

Sec. 133. 36 MRSA §1861-A, as enacted by PL 1989, c. 880, Pt. F, is corrected to read:

§1861-A. Reporting use tax on individual income tax returns

The assessor shall provide that individuals report use tax on ~~the~~ their Maine individual income tax returns. Taxpayers are required to attest to the amount of their use tax liability for the period of the tax return. Alternatively, they may elect to report an amount that is .04% of their Maine adjusted gross income. The table amount does not relate to items with a purchase price in excess of \$1,000. Liability arising from such items must be added to the table amount. If a taxpayer fails to attest to an alternate liability on the return, the taxpayer is subject to an increase in income tax liability amounting to .04% of the taxpayer's Maine adjusted gross income. Upon subsequent review, if use tax liability for the period of the return exceeds the amount of liability arising from the return, a credit of the amount of liability arising from the return is allowed subject to the limitation set out in this section. The credit is limited to the amount of liability arising from the return for items with a sales price of \$1,000 or less and may be applied only against a liability determined on review with regard to items with a sales price of \$1,000 or less.

EXPLANATION

This section corrects an obvious clerical error by deleting the word "the" before the word "their" in the first sentence.

Sec. 134. 36 MRSA §2526, sub-§3, as enacted by PL 1989, c. 927, §1, is corrected to read:

3. Eligible machinery and equipment. Purchases eligible for the credit allowed under this section include structures, machinery, equipment and devices used to reduce, reuse or recycle solid waste, at least 90% of which is generated within the State. A certificate that the structures, machinery, equipment and devices qualify for the credit provided for in this section from the Maine Waste Management Agency is required before the tax credit may be taken. Machinery and equipment associated with the separation of wastes prior to incineration are eligible when the Maine Waste Management Agency certifies that the separated wastes are being recycled.

EXPLANATION

This section corrects a punctuation error.

Sec. 135. 36 MRSA §4641-B, last ¶, as repealed and replaced by PL 1991, c. 622, Pt. K, §9, is corrected to read:

For the period beginning November 1, 1991 and ending June 30, 1992, the State Tax Assessor shall pay all net receipts to the Treasurer of State who shall credit all such revenue to the General Fund. For the period beginning July 1, 1992 and ending June 30, 1993, the State Tax Assessor shall pay all net receipts to the Treasurer of State, who shall pay \$1,500,000 of the revenues to the Maine State Housing Authority in 12 equal monthly installments for deposit in the Housing Opportunities for Maine Fund created in Title 30-A, section 4843, and shall credit the balance of the revenues to the General Fund. This paragraph is repealed June 30, 1993.

EXPLANATION

This section corrects a punctuation error by inserting a comma after the date June 30.

Sec. 136. 36 MRSA §5122, sub-§1, ¶A, as amended by PL 1981, c. 463, Pt. C, §2, is corrected to read:

A. Interest or dividends on obligations or securities of any state or of a political subdivision or authority ~~thereof of any state~~ (other than this State and its political subdivisions and authorities);

EXPLANATION

This section corrects a grammatical error by replacing the word "thereof" and also corrects a punctuation error by removing parentheses.

Sec. 137. 36 MRSA §5122, sub-§1, ¶F, as amended by PL 1987, c. 739, §§44 and 48, is corrected to read:

F. For a taxable year ending in 1984, the sum of the following portions of the deductions allowed for that taxable year to the taxpayer under the United States Internal Revenue Code, Section 168:

- (1) 2.5% of the deductions for 3-year property;
- (2) 7.5% of the deductions for 5-year property;
- (3) 12.5% of the deductions for 10-year property; and
- (4) 20% of the deductions for 15-year property; and

Sec. 138. 36 MRSA §5122, sub-§1, ¶G, as enacted by PL 1987, c. 739, §§44 and 48, is corrected to read:

G. Pick-up contributions paid by the taxpayer's employer on the taxpayer's behalf to the Maine State Retirement System as defined in Title 5, section 17001, subsection 28-A; and

EXPLANATION

These sections correct punctuation errors.

Sec. 139. 36 MRSA §5219-D, sub-§3, as enacted by PL 1989, c. 927, §6, is corrected to read:

3. Eligible machinery and equipment. Purchases eligible for the credit allowed under this section include structures, machinery, equipment and devices used to reduce, reuse or recycle solid waste, at least 90% of which is generated within the State. A certificate that the structures, machinery, equipment and devices qualify for the credit provided for in this section from the Maine Waste Management Agency is required before the tax credit may be taken. Machinery and equipment associated with the separation of wastes prior to incineration are eligible when the Maine Waste Management Agency certifies that the separated wastes are being recycled.

EXPLANATION

This section corrects a punctuation error.

Sec. 140. 38 MRSA §3-A, as enacted by PL 1991, c. 685, §2, is corrected to read:

§3-A. Mooring transfer permitted by ordinance

A municipality may adopt an ordinance that allows the transfer of a mooring assignment used for commercial fishing purposes. The ordinance may permit a mooring assignment to be transferred only at the request or death of the assignee, only to a member of ~~the~~ assignee's family and only if ~~the~~ mooring assignment will continue to be used for commercial fishing purposes. For the purposes of this ~~subsection~~ section, "member of the assignee's family" means an assignee's parent, child or sibling, by birth or by adoption, including a relation of the half blood.

EXPLANATION

This section corrects grammatical errors and an internal reference.

Sec. 141. 38 MRSA §420, sub-§1, ¶B, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §38, is corrected to read:

B. Notwithstanding paragraph A, whenever the commissioner finds that a concentration of 10 parts per billion of mercury or greater is present in any waters of this State, or that danger to public health exists due to mercury concentrations of less than 10 parts per billion in any waters of this State, the commissioner may issue an emergency order to all persons discharging to such waters prohibiting or curtailing the further ~~discharge~~ ~~discharge~~ of mercury, and compounds containing mercury, thereto. These findings and the order must be served in a manner similar to that described in section 347-A, subsection 3, and the parties affected by that order ~~shall~~ have the same rights and duties as ~~is~~ are described in section 347-A, subsection 3.

EXPLANATION

This section corrects a spelling error and several grammatical errors.

Sec. 142. 38 MRSA §420-A, sub-§2, ¶B, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §40, is corrected to read:

B. Sample and test the sludge of these facilities for dioxin contamination at least once during each season of the year. The commissioner shall specify which ~~cogeners~~ congeners of dioxin will be analyzed; and

EXPLANATION

This section corrects a spelling error.

Sec. 143. 38 MRSA §438-A, sub-§2, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §44, is corrected to read:

2. Municipal ordinances. In accordance with a schedule adopted by the board and acting in accordance with a local comprehensive plan, municipalities shall prepare and submit to the commissioner zoning and land use ordinances that are consistent with or are no less stringent than the minimum guidelines adopted by the board and, for coastal communities, ~~which that~~ address the coastal management policies cited in section 1801. When a municipality determines that special local conditions within portions of the shoreland zone require a different set of standards from those in the minimum guidelines, the municipality shall document the special conditions and submit them, together with its proposed ordinance provisions, to the commissioner for review and approval.

EXPLANATION

This section corrects a grammatical error.

Sec. 144. 38 MRSA §446, as amended by PL 1989, c. 403, §14, is corrected to read:

§446. Municipal ordinance review and certification

Each municipality with shorelands along significant river segments, as identified in section 437, shall review the adequacy of the zoning on these shorelands to protect the special values cited for these river segments by the Department of Conservation's 1982 Maine Rivers Study and for consistency with the guidelines established under section 445. Prior to December 15, 1984, each such municipality shall certify to the Board of Environmental Protection either that its existing zoning for these areas is at least as restrictive as the guidelines established under section 445, or that it has amended its zoning for this purpose. This certification ~~shall~~ must be accompanied by the ordinances and zoning maps covering these areas. Failure to accomplish the purposes of this ~~subsection shall result~~ section results in adoption of suitable ordinances for these municipalities, as provided for in section 438-A.

EXPLANATION

This section makes a technical change to correct an internal reference and corrects several grammatical errors.

Sec. 145. 38 MRSA §467, sub-§4, ¶A, as amended by PL 1991, c. 813, Pt. E, §1, is corrected to read:

A. Kennebec River, main stem.

~~(1-A)~~ (1) From the east outlet of Moosehead Lake to a point 1,000 feet below the lake - Class A.

~~(1-B)~~ (2) From the west outlet of Moosehead Lake to a point 1,000 feet below the lake - Class A.

(2) (3) From a point 1,000 feet below Moosehead Lake to its confluence with Indian Pond - Class AA.

~~(3)~~ (4) From Harris Dam to a point located 1,000 feet downstream from Harris Dam - Class A.

~~(4)~~ (5) From a point located 1,000 feet downstream from Harris Dam to its confluence with the Dead River - Class AA.

~~(5)~~ (6) From its confluence with the Dead River to the confluence with Wyman Lake, including all impoundments - Class A.

~~(5-A)~~ (7) From the Wyman Dam to its confluence with the impoundment formed by the Williams Dam - Class A.

~~(5-B)~~ (8) From the confluence with the Williams impoundment to the Route 201A bridge in Anson-Madison, including all impoundments - Class A.

(6) (9) From the Route 201A bridge in Anson-Madison to the Fairfield-Skowhegan boundary, including all impoundments - Class B.

~~(7)~~ (10) From the Fairfield-Skowhegan boundary to its confluence with Messalonskee Stream, including all impoundments - Class C.

~~(8)~~ (11) From its confluence with Messalonskee Stream to the Sidney-Augusta boundary, including all impoundments - Class B.

~~(9)~~ (12) From the Sidney-Augusta boundary to the Father John J. Curran Bridge in Augusta, including all impoundments - Class C.

~~(10)~~ (13) From the Father John J. Curran Bridge in Augusta to a line drawn across the

tidal estuary of the Kennebec River due east of Abagadasset Point - Class C. Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use must be maintained.

~~(11)~~ (14) From a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point, to a line across the southwesterly area of Merrymeeting Bay formed by an extension of the Brunswick-Bath boundary across the bay in a northwesterly direction to the westerly shore of Merrymeeting Bay and to a line drawn from Chop Point in Woolwich to West Chop Point in Bath - Class B. Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use must be maintained.

EXPLANATION

This section rennumbers subparagraphs to read consecutively.

Sec. 146. 38 MRSA §482, sub-§2-C, ¶B, as enacted by PL 1981, c. 449, §5, is corrected to read:

B. Hazardous matter, as defined in section 1317; or

EXPLANATION

This section corrects a grammatical error by adding a conjunction that was inadvertently omitted when the language of Title 38, section 482 was amended.

Sec. 147. 38 MRSA §551, sub-§7, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §123, is corrected to read:

7. Waiver of reimbursement. Upon petition of any licensee, the board may, after hearing, waive the right to reimbursement to the fund if it finds that the occurrence was the result of any of the following:

A. An act of war;

B. An act of government, either ~~State state~~, ~~Federal federal~~ or municipal, except insofar as the act was pursuant to section 548; or

C. An act of God, which means an unforeseeable act exclusively occasioned by the violence of nature without the interference of any human agency.

Upon such finding by the board, immediate credit therefor must be entered for the party involved. The findings of the board are conclusive as it is the legislative intent that waiver provided in this subsection is a privilege conferred, not a right granted.

EXPLANATION

This section corrects grammatical and punctuation errors.

Sec. 148. 38 MRSA §1527-A, first ¶, as enacted by PL 1991, c. 879, §3, is corrected to read:

The authority shall appoint the Citizens' Advisory Group, as established by Title 5, section 12004-I, subsection ~~24-B~~ 24-D, consisting of no less than 20 members broadly representing the people of the State. Representation must be sought to include individuals from business, labor, environmental groups, public interest organizations, low-level radioactive waste generators, municipal officials, governmental agencies and any other person or organization that expresses an interest in the subject of this chapter.

EXPLANATION

This section corrects an internal cross-reference.

Sec. 149. 38 MRSA §1842, first ¶, as enacted by PL 1991, c. 838, §26, is corrected to read:

There is established, pursuant to Title 5, section 12004-I, subsection ~~24-B~~ 24-C, the Great Pond Task Force, referred to in this chapter as the "task force," to coordinate the State's great pond protection efforts.

EXPLANATION

This section corrects an internal cross-reference.

Sec. 150. 38 MRSA §2165, sub-§8, as enacted by PL 1991, c. 808, §2, is corrected to read:

8. Penalty. A violation of subsection 2 is a civil violation for which a forfeiture of not more than \$100 per battery disposed of improperly may be adjudged. A violation of subsection 4 is a civil violation for which a forfeiture of not more than \$100 may be adjudged. A violation of subsection 6 is a civil violation for which a ~~forfeiture~~ forfeiture of not more than \$100 per battery sold, distributed or offered for sale may be adjudged. Each day that a violation continues or exists constitutes a separate offense.

EXPLANATION

This section corrects a spelling error.

Sec. 151. PL 1989, c. 481, Pt. A, §41 is corrected to read:

Sec. 41. 29 MRSA §2502, sub-§3, as enacted by PL 1987, c. 397, §§6 and 10 and amended by c. 789, §24 and PL 1989, c. 71, §8, is repealed.

EXPLANATION

This section corrects an amending clause.

Sec. 152. PL 1989, c. 502, Pt. D, §23, first 2 lines are corrected to read:

Sec. 23. P&SL ~~1989, c. 2, §1~~ 1963, c. 146, §14, 3rd¶, 2nd sentence, as repealed and replaced by P&SL 1989, c. 2, §1, is amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 153. PL 1989, c. 727, §2 is corrected to read:

Sec. 2. 30-A MRSA §4506, sub-§3, as amended by PL 1989, c. 6; and c. 9, §2; repealed by c. 104, Pt. A, §46 and affected by Pt. C, §§8 and 10; and amended by c. 282, §1, is repealed.

EXPLANATION

This section corrects an amending clause.

Sec. 154. PL 1989, c. 833, §13, first 2 lines are corrected to read:

Sec. 13. 21-A MRSA §1052, sub-§5, ¶B, as ~~amended~~ enacted by PL ~~1989~~ 1985, c. 504 ~~161, §§23 and 31~~ §6, is ~~further~~ amended to read:

Sec. 155. PL 1989, c. 833, §20, first 3 lines are corrected to read:

Sec. 20. 21-A MRSA §1059, sub-§2, ¶E, as ~~repealed and replaced~~ enacted by PL 1989, c. 504, §§28 and 31, is repealed and the following enacted in its place:

EXPLANATION

These sections correct 2 amending clauses.

Sec. 156. PL 1989, c. 835, §1, first line is corrected to read:

Sec. 1. 24 MRSA c. 19, sub-c. IV is enacted to read:

EXPLANATION

This section corrects an amending clause.

Sec. 157. PL 1989, c. 878, Pt. A, §65, first 3 lines are corrected to read:

Sec. A-65. 24 MRSA §2325-B, sub-§1, as amended by PL 1989, c. 503, Pt. B, §104 and repealed and replaced by c. 556, Pt. A, §2, is repealed and the following enacted in its place:

EXPLANATION

This section corrects an error in an amending clause.

Sec. 158. PL 1989, c. 878, Pt. A, §130, first 3 lines are corrected to read:

Sec. A-130. PL 1989, c. 394, sub-§2 §2, first 4 lines are repealed and the following enacted in their place:

Sec. 159. PL 1989, c. 878, Pt. A, §146, last 2 lines are corrected to read:

Sec. 3. 5. PL 1989, c. 581, §§1, 2, 3 and 19 are repealed.

Sec. 160. PL 1989, c. 878, Pt. A, §147, last 2 lines are corrected to read:

P&SL 1985, c. 135, §4, last sentence, as amended by ~~PL~~ P&SL 1987, c. 152, §1, is further amended to read:

Sec. 161. PL 1989, c. 878, Pt. A, §148 is corrected to read:

Sec. A-148. P&SL 1987, c. 152, sub-§1 §1, first 2 lines are repealed and the following enacted in their place:

Sec. 1. P&SL 1985, c. 135, §4, last sentence, as repealed and replaced by ~~PL~~ P&SL 1987, c. 84, §1, is amended to read:

EXPLANATION

These sections correct errors in amending clauses.

Sec. 162. PL 1989, c. 889, §6, first line is corrected to read:

Sec. 6. 20-A MRSA §1001, sub-~~§§13 and 14~~ are sub-§13 is enacted to read:

EXPLANATION

This section corrects an enacting clause.

Sec. 163. PL 1989, c. 890, Pt. B, §51, first 3 lines are corrected to read:

Sec. B-51. 38 MRSA §451-A, sub-§1, as amended by PL 1987, c. 737, Pt. C, §§88 and 106 and c. 769, Pt. A, §176 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 164. PL 1989, c. 899, §9, first line is corrected to read:

Sec. 9. ~~20~~ 20-A MRSA §7804, sub-§6 is enacted to read:

EXPLANATION

This section corrects an enacting clause.

Sec. 165. PL 1991, c. 498, §3, first 2 lines are corrected to read:

Sec. 3. 30-A MRSA ~~§4216~~ §421, 2nd ¶ from the end, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

EXPLANATION

This section corrects a clerical error by changing a section number to read properly.

Sec. 166. PL 1991, c. 610, §2, first 2 lines are corrected to read:

Sec. 2. 30-A MRSA §4722, sub-§1, ¶U, as amended by PL 1991, c. 528, Pt. E, §36 and c. 591, Pt. E, §36, is further amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 167. PL 1991, c. 622, Pt. F, §10, first line is corrected to read:

Sec. F-10. 5 MRSA §13072, sub-§7, ¶¶D and E to F are enacted to read:

EXPLANATION

This section corrects an amending clause.

Sec. 168. PL 1991, c. 622, Pt. F, §31 is corrected to read:

Sec. F-31. 30-A MRSA c. 187, sub-c. 2 II, art. 3, as amended, is repealed.

EXPLANATION

This section corrects an amending clause.

Sec. 169. PL 1991, c. 641, §4, first 2 lines are corrected to read:

Sec. 4. ~~18 18-A~~ MRSA §5-419, sub-§(a), as enacted by PL 1985, c. 440, §§12 and 13, is amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 170. PL 1991, c. 716, §5 is corrected to read:

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

EXPLANATION

This section corrects a spelling error.

Sec. 171. PL 1991, c. 760, §7, first 2 lines are corrected to read:

Sec. 7. 19 MRSA §965 §765, sub-§3, ¶A, as amended by PL 1985, c. 495, §13, is further amended to read:

Sec. 172. PL 1991, c. 760, §8, first 2 lines are corrected to read:

Sec. 8. 19 MRSA §965 §765, sub-§3, ¶B, as repealed and replaced by PL 1981, c. 420, §5, is amended to read:

Sec. 173. PL 1991, c. 760, §9, first 2 lines are corrected to read:

Sec. 9. 19 MRSA §965 §765, sub-§4, ¶B, as enacted by PL 1979, c. 578, §§5 and 7, is amended to read:

EXPLANATION

These sections correct amending clauses.

Sec. 174. PL 1991, c. 780, Pt. DDD, §7 is corrected to read:

Sec. DDD-7. 22 MRSA §3723, as amended by PL ~~1989~~ 1991, c. 700 2, Pt. ~~A~~ BB, §83 2, is repealed.

EXPLANATION

This section corrects an amending clause.

Sec. 175. PL 1991, c. 784, §13, first 2 lines are corrected to read:

Sec. 13. 22 MRSA ~~§2154~~ §2152, sub-§4-A, as amended by PL 1981, c. 705, Pt. C, §3, is further amended to read:

EXPLANATION

This section corrects an amending clause by supplying a correct statutory reference.

Sec. 176. PL 1991, c. 824, Pt. A, §27, first 3 lines are corrected to read:

Sec. A-27. 19 MRSA §502, sub-§2, as repealed and replaced by PL 1985, c. 652, §32, is ~~repealed and the following enacted in its place~~ amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. 177. PL 1991, c. 824, Pt. A, §88, first 3 lines are corrected to read:

Sec. A-88. 38 MRSA §2201, as amended by PL 1991, c. 517, Pt. B, §15 and c. 591, Pt. R, ~~§12 §12 and 13~~, is repealed the following enacted its place:

EXPLANATION

This section corrects an amending clause.

Sec. 178. PL 1991, c. 833, §2 is corrected to read:

Sec. 2-2-A. Legislative intent. The purpose of this Act is to allow manufacturers of plastic holding devices sufficient time to develop a plastic holding device that breaks simultaneously with the removal of the container. It is the intent of the Legislature that, after October 1, 1993, the sale of products in containers connected by plastic rings or other plastic holding devices be prohibited or, if the Legislature determines under the provisions of this Act that an acceptable product will be commercially available by that date, that the sale of plastic holding devices be limited to plastic holding devices that break simultaneously with the removal of each container.

EXPLANATION

This section corrects a numbering error.

Sec. 179. PL 1991, c. 846, §33, first 4 lines are corrected to read:

Sec. 33. 36 MRSA §2903, sub-§1-A, as enacted by PL 1987, c. 793, Pt. B, §1; ~~repealed and replaced by PL 1991, c. 529, Pt. D, §3; amended by PL 1991, c. 546, §25 and affected by §42; and repealed and replaced by c. 592, Pt. D, §3 and affected by §15~~, is repealed and the following enacted in its place:

EXPLANATION

This section corrects an amending clause.

Sec. 180. P&SL 1989, c. 129, §1 is corrected to read:

Sec. 1. Authorization of bonds to provide for the restoration and preservation of historic buildings and improvements at state park facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$5,000,000 for the purpose of raising funds to provide for the restoration and preservation of historic buildings and for the improvements at existing state park facilities needed to protect the public health and safety and to provide for access for ~~person~~ persons with disabilities authorized by section 6. The bonds ~~shall be~~ are deemed a pledge of the full faith and credit of the State. The bonds ~~shall may~~ may not run for a longer period than 5 years from the date of the original issue of the bonds. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

EXPLANATION

This section corrects a clerical error by changing a singular noun to a plural noun and corrects grammatical errors.

Sec. 181. P&SL 1991, c. 103, §6, first ¶, is corrected to read:

Sec. 6. Procedure in exercising right of eminent domain; assessment of damage; appeal procedure. In exercising any right of eminent domain in the taking of lands, interests in lands or water rights, the district shall file in the office of the County Commissioners of Aroostook County and record in the Northern Aroostook County Registry of Deeds; plans of the location of all property to be taken, with an appropriate description and the names of the owners, if known. Notice of the filing must be sent by mail to owners at the address appearing on the tax records of the municipality in which the land is located. When for any reason the district fails to acquire the property that it is authorized to take and that is described in the location, or if the location recorded is defective or uncertain, it may, at any time, correct and perfect that location and file a new description and in that case the district is liable for damages only for property for which the owner had not previously been paid, to be assessed as of the time of the original taking, and the district is not liable for any acts that would have been justified if the original taking had

been lawful. Entry may not be made on any private lands, except to make surveys, until the expiration of 10 days from that filing, at which time possession may be had of all lands, interests ~~inland~~ in land or water rights so taken, but title does not vest in the district until payment is made.

EXPLANATION

This section corrects an obvious clerical error and an error in punctuation.

Sec. 182. P&SL 1991, c. 103, §16, first ¶ is corrected to read:

Sec. 16. Acceptance subject to referendum.

This Act must be submitted to the legal voters within the district ~~an~~ at an election called for that purpose and held not later than December 1, 1992. The election must be called, advertised and conducted according to the law related to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters and, for this purpose, the registrar of voters must be in session the 3 secular days preceding the election, of which the first 2 days must be devoted to registration of the voters and the last day to verification of the list and completion of the records of these sessions by the registrar. The subject matter of this Act is reduced to the following question.

EXPLANATION

This section corrects an obvious clerical error.

Sec. 183. Resolve 1989, c. 88, §2, sub-§6 is corrected to read:

6. One representative of business and industry selected by the Maine Chamber of Commerce and Industry and one representative of labor jointly appointed by the President of the Senate and the Speaker of the House of Representatives from lists of nominees submitted by labor organizations; and

EXPLANATION

This section corrects an obvious clerical error.