

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

tion in Part A, section 1 as a result of Public Law 1993, chapter 5 funding the February 17, 1993 payroll.

Bangor Mental Health Institute

Personal Services (110,000)

Provides for a deappropriation of funds to offset an appropriation in Part A, section 1 as a result of Public Law 1993, chapter 5 funding the February 17, 1993 payroll.

Mental Health Services - Community

All Other 230,000

Provides for an appropriation of funds to offset a deappropriation in Part A, section 1 as a result of Public Law 1993, chapter 5 that deappropriates funds through across-the-board reductions in the administrative costs of community mental health services.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
TOTAL**

-0-

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

Effective February 18, 1993, unless otherwise indicated.

CHAPTER 7

H.P. 437 - L.D. 563

An Act to Amend the Laws Concerning Reapportionment

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

Whereas, this legislation must be enacted as an emergency measure to ensure that the time frame for congressional district reapportionment conforms to the Constitution of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Con-

stitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 21-A MRSA §1201, sub-§7, ¶ C, as enacted by PL 1985, c. 161, §6, is amended to read:

C. In 1983 and every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the apportionment commission established pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A; shall review the existing congressional districts. If the districts do not conform to Supreme Judicial Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall ~~insure~~ ensure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish as equally populated districts as possible. The commission shall submit its plan to the Clerk of the House no later than 90 ~~120~~ calendar days after ~~appointment of the commission~~ the convening of the Legislature in which apportionment is required. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the members of each house within 30 calendar days after the plan is submitted to the Clerk of the House. This action is subject to the Governor's approval, as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

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

Effective February 25, 1993.

CHAPTER 8

S.P. 18 - L.D. 8

An Act to Legalize Blue-dot Taillights

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

Sec. 1. 29 MRSA §946-C, sub-§2, ¶D, as enacted by PL 1991, c. 444, §5, is amended to read:

D. Emergency lights used on a police vehicle; a Department of Corrections vehicle as described in

subsection 1, paragraph B, subparagraph (6); a vehicle operated by a chief of police, a sheriff or a deputy sheriff; and a vehicle operated by a qualified deputy sheriff or other qualified individual performing court security-related functions and services must emit a blue light or a combination of blue and white light. No other vehicle may be equipped with or display a blue light, except that on any vehicle, or replica of a vehicle, manufactured prior to 1952 and registered under section 114, the taillight may contain a blue or purple insert of not more than one inch in diameter.

See title page for effective date.

CHAPTER 9

H.P. 38 - L.D. 46

An Act Concerning Installation of Propane Gas Water Heaters

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

Sec. 1. 32 MRSA §3301, sub-§5-A is enacted to read:

5-A. Propane gas installer. A "propane gas installer" means a person carrying a certification of qualification issued by the person's employer pursuant to the training requirements and qualifications required by National Fire Protection Association Code Number 58, subsection 1-6 "Qualification of Personnel," 1992 edition.

Sec. 2. 32 MRSA §3302, sub-§1, ¶B, as enacted by PL 1977, c. 469, §6, is amended to read:

B. Plumbing by oil burner ~~men~~ technicians, duly licensed under chapter 33, and propane gas installers, provided that this exception only applies to hot and cold water connections to existing piping in the same room where ~~an oil burner is being installed~~ the installation is taking place and does not apply beyond any existing branch connection supplying water; and

See title page for effective date.

CHAPTER 10

H.P. 161 - L.D. 213

An Act Concerning the Employment of Personnel by the Department of Inland Fisheries and Wildlife

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

Sec. 1. 12 MRSA §7034, sub-§2-A, as amended by PL 1985, c. 785, Pt. B, §69, is further amended to read:

2-A. Employment of personnel. The commissioner shall employ, subject to the Civil Service Law, such employees as are necessary to carry out the duties of ~~his organization the department,~~ except that persons in the following positions ~~shall be~~ are appointed by and serve at the pleasure of the commissioner: Deputy Commissioner; Game Warden Colonel; and Assistant to the Commissioner for Public Information.

The Game Warden Colonel ~~shall be~~ is appointed from among the game wardens of the department ~~with the rank of sergeant or higher.~~ In the event that the Game Warden Colonel is not reappointed, ~~he shall have the Game Warden Colonel has~~ the right to be restored to the classified position from which ~~he shall have been the Game Warden Colonel was~~ promoted or to a position equivalent ~~thereto~~ in salary grade in an agency, without impairment of his personnel status or the loss of seniority, retirement or other rights to which uninterrupted service in the classified position would have entitled ~~him the Game Warden Colonel.~~ If his service in that unclassified supervisory position ~~shall have been is~~ terminated for cause, ~~his the~~ right to be ~~so~~ restored ~~shall to that position must~~ be determined by the State Civil Service Appeals Board.

See title page for effective date.

CHAPTER 11

H.P. 9 - L.D. 16

An Act to Authorize Financing of Solid Waste Districts on a Per Capita or a State Valuation Basis

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

Whereas, methods of financing refuse districts that are flexible and that accommodate regional differences are necessary for effective municipal waste management; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 38 MRSA §1724, sub-§1, as enacted by PL 1983, c. 820, §2, is amended to read: