

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

(5) ATV's may be operated on streets and public ways during a period of emergency when the emergency has been so declared by a police agency having jurisdiction and when travel by conventional motor vehicles is not practicable; ~~and~~

(6) ATV's may be operated on streets and public ways in special events of limited duration conducted according to a prearranged schedule, under a permit from the governmental unit having jurisdiction; ~~and~~

(7) An ATV may be operated on a public way on the extreme right of the traveled way by a law enforcement officer for the sole purpose of traveling between the place where the ATV is usually stored and an area to be patrolled by the law enforcement officer.

See title page for effective date.

CHAPTER 27

H.P. 198 - L.D. 260

An Act to Require the Use of Standardized Evidence Kits for Cases of Gross Sexual Assault

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

Sec. 1. 30-A MRSA §287, sub-§4 is enacted to read:

4. Standardized kit for evidence collection in cases of gross sexual assault. The Department of Public Safety shall determine by rule what constitutes a standardized kit for evidence collection in cases of gross sexual assault. A physician or other health care professional who conducts a physical examination of an alleged victim of gross sexual assault shall use a standardized evidence collection kit that meets the requirements established by rule of the Department of Public Safety.

Evidence collection results may not be excluded as evidence in any proceeding before any court of this State as a result of the failure to use the standardized evidence collection kit required by this subsection.

See title page for effective date.

CHAPTER 28

H.P. 303 - L.D. 391

An Act to Repeal the Statutory Provisions Formerly Governing Unfunded State Mandates

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

Sec. 1. 30-A MRSA §5684, as amended by PL 1991, c. 847, §4, is repealed.

See title page for effective date.

CHAPTER 29

S.P. 63 - L.D. 125

An Act to Prohibit the Board of Land Surveyors from Enacting Continuing Education Rules

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

Sec. 1. 32 MRSA §13903, sub-§2, as enacted by PL 1989, c. 346, §3, is amended to read:

2. Rules. The board may, in accordance with procedures established by the Maine Administrative Procedure Act, Title 5, chapter 375, adopt rules ~~as may be reasonably~~ necessary for the proper performance of its duties and the administration of this chapter. The board may not adopt rules requiring a specific program of continuing education to qualify for relicensure.

Sec. 2. Study.

1. Definitions. As used in this section, the following terms have the following meanings.

A. "Board" means the Board of Licensure for Professional Land Surveyors.

B. "Commissioner" means the Commissioner of Professional and Financial Regulation.

C. "Committee" means the Committee to Study Continuing Education for Land Surveyors.

D. "Department" means the Department of Professional and Financial Regulation.

2. Committee appointed. The commissioner shall, within 15 days of the effective date of this Act, appoint the Committee to Study Continuing Education for Land Surveyors to consist of 6 licensed professional land surveyors and the commissioner or the commissioner's designated representative who, if not a member of the department, must be a public member as defined in the Maine Revised Statutes, Title 5, section 12004-A. The 6 licensed members must include 2 persons who favor the current board rule regarding continuing education, 2 who favor no continuing education requirement and 2 who favor a continuing education requirement other than that in board rules. Prior to making these appointments, the