

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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**

---

**CHAPTER 128**

**H.P. 380 - L.D. 493**

**An Act to Clarify the Disbursement of Maine Children's Trust Fund Income**

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

**Sec. 1. 22 MRSA §3725-A, sub-§1**, as enacted by PL 1991, c. 780, Pt. DDD, §10, is amended to read:

**1. Distribution to child abuse and neglect councils.** Notwithstanding section 3873, the bureau shall distribute income available under this section to the ~~community coordinating committees~~ child abuse and neglect councils created under chapter 1057. The bureau shall distribute the income ~~on a per capita basis among all the child abuse and neglect councils~~, with each ~~coordinating committee~~ council receiving an amount that reflects the ~~population demographics~~ of its area of jurisdiction. The ~~community coordinating committees~~ child abuse and neglect councils shall use funds received under this subsection to award direct grants for the development and operation of prevention programs and to fund prevention programs and activities sponsored by the councils.

See title page for effective date.

---

**CHAPTER 129**

**H.P. 424 - L.D. 543**

**An Act to Amend the Laws Pertaining to the Distance Snowmobiles May Be Operated from Certain Buildings**

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

**Whereas**, operators of snowmobiles are greatly inconvenienced by current law that effectively prohibits them from accessing places of business; and

**Whereas**, the winter weather required for snowmobiling is in season; 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. 12 MRSA §7827, sub-§23, ¶D**, as amended by PL 1979, c. 543, §80, is further amended to read:

D. Notwithstanding the provisions of subsection 4:

(1) Properly registered snowmobiles may operate on a public way only the distance necessary, but in no case to exceed 300 yards, on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, sidewalk or culvert;

(2) Properly registered snowmobiles may operate on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the sole purpose of crossing, as directly as possible, a bridge, overpass or underpass, provided that that operation can be made in safety and that it does not interfere with vehicular traffic approaching from either direction on the public way;

(3) Snowmobiles may operate on any portion of a public ~~ways way~~ way when the public way has been closed in accordance with Title 23, section 2953;

(4) If the main traveled portion of a public way is publicly plowed and utilized by conventional motor vehicles, snowmobiles may operate only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left side of the way ~~shall be is~~ prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles. This subparagraph ~~shall does~~ not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility's corporate function, so that public utilities may effectively and speedily carry out their obligations to the public;

(5) Snowmobiles 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. This subparagraph ~~shall does~~ not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility's corporate

function, so that public utilities may effectively and speedily carry out their obligations to the public; and

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

(7) Notwithstanding subparagraphs (1) to (6), snowmobiles may be operated on the extreme right of a public way within the built-up portion of a municipality, unorganized or unincorporated township if the appropriate governmental unit has designated the public way as a snowmobile-access route for the purpose of allowing snowmobiles access to places of business. A public way designated by an appropriate governmental unit as a snowmobile-access route must be posted conspicuously at regular intervals by that governmental unit with highly visible signs designating the snowmobile-access route. Before designating a public way as a snowmobile-access route, the appropriate governmental unit shall make appropriate determinations that snowmobile travel on the extreme right of the public way may be conducted safely and will not interfere with vehicular traffic on the public way. For purposes of this subparagraph, "appropriate governmental unit" means the Department of Transportation, county commissioners or municipal officers within their respective jurisdictions. The jurisdiction of each appropriate governmental unit over public ways pursuant to this subparagraph is the same as its jurisdiction over the passage of vehicles on public ways pursuant to Title 29, section 902. Municipal or county law enforcement officials having jurisdiction have primary enforcement authority over any route established under this subparagraph.

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

Effective May 18, 1993.

## CHAPTER 130

H.P. 210 - L.D. 272

### An Act to Exempt Qualified Flight Nurses from the Licensing Requirements of the Emergency Medical Services System

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

**Whereas,** Maine has no dedicated helicopter air ambulance services in operation that are capable of transporting patients from the scene of their illness or injury and providing advanced emergency medical care en route; and

**Whereas,** Maine has no provision to license flight nurses for air ambulance services; and

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

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

**Sec. 1. 32 MRSA §82, sub-§2, ¶¶E and F,** as enacted by PL 1981, c. 661, §2, are amended to read:

E. A person serving as an industrial nurse or safety officer, a school or camp nurse, a life guard, a member of a ski patrolman patrol, a nurse or technician in a hospital or a physician's office, or other similar occupation in which the person provides on-site emergency treatment at a single facility to the patrons or employees of that facility; or

F. A person serving as a medical technician with the United States Armed Forces, the Maine Army National Guard or the Maine Air National Guard; or

**Sec. 2. 32 MRSA §82, sub-§2, ¶G** is enacted to read:

G. A flight nurse while acting within the scope of employment with a Maine licensed air ambulance service.

**Sec. 3. 32 MRSA §83, sub-§14-B** is enacted to read:

**14-B. Flight nurse.** "Flight nurse" means any registered professional nurse, currently licensed in the State, who has completed a prehospital care curriculum authorized by the Emergency Medical Services' Board.

**Sec. 4. 32 MRSA §83, sub-§21-A** is enacted to read:

**21-A. Registered nurse.** "Registered nurse" has the same meaning set forth under section 2102, subsection 5.