

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

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.

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

Effective May 18, 1993.

CHAPTER 131

H.P. 456 - L.D. 582

An Act Regarding Responsibilities of School Union Committees

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

Sec. 1. 20-A MRSA §1902, sub-§3, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

3. Duties. The union committee:

A. Shall meet annually in December, at a day and place agreed upon by the ~~chairman~~ chairs of the school boards comprising the union;

B. Shall choose a ~~chairman~~ chair and a secretary;

C. Shall, at its organizational meeting or as soon thereafter as possible and whenever a vacancy occurs, elect a superintendent as provided under section 1051;

D. Shall apportion the costs for a superintendent under section 1051, among the school administrative units in proportion to the service to be performed and certify to the treasurer of each school administrative unit and to the commissioner the amounts to be paid; ~~and~~

E. May authorize a school administrative unit within the school union to serve as a contractual employer of teachers who provide services to more than one unit in the union. Employment ~~shall be~~ is subject to section 13201 and Title 26, chapter 9-A; ~~and~~

F. May assume additional responsibilities delegated by the school boards of the school administrative units comprising the school union. A plan for the delegation of additional responsibilities under this section must be approved by a majority of the members of each school board. The plan must include, but is not limited to, a description of the delegated responsibilities, apportionment of costs among the member school administrative units and consideration of appropriate time limits on contracts for purchases of school supplies. Funds to support

additional responsibilities under this section must be budgeted and approved as part of each school administrative unit's budget.

See title page for effective date.

CHAPTER 132

H.P. 628 - L.D. 848

An Act to Amend Laws Related to Dependent's Group Life Insurance Coverage

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

Sec. 1. 24-A MRSA §2611-A, as enacted by PL 1981, c. 150, §15, is amended to read:

§2611-A. Dependent's coverage

Except for a policy issued under section 2604-A, a group life insurance policy may ~~be extended to~~ insure the lives of spouses and dependent children of employees or members against loss due to death without also insuring employees or members against loss due to the death of their spouses and dependent children, or any class or classes thereof, subject to the following.

1. The premium for the insurance ~~shall~~ must be paid either from funds contributed by the employer, union, association or other person to whom the policy has been issued or from funds contributed by ~~the covered persons~~ employees or members, or from both. Except as provided in subsection 2, a policy on which no part of the premium for the spouse's and dependent child's coverage is to be derived from funds contributed by ~~the covered persons~~ employees or members, spouses or dependent children must insure all eligible employees or members with respect to their spouses and dependent children, or all eligible spouses and dependent children, or any class or classes thereof.

2. An insurer may exclude or limit the coverage on any spouse or dependent child as to whom evidence of individual insurability is not satisfactory to the insurer.

3. ~~The amounts of insurance for any covered spouse or dependent child under the policy may not exceed 50% of the amount of insurance for which the employee or member is insured.~~

Sec. 2. Application. This Act applies to all group life insurance policies issued or renewed on or after October 1, 1993.

See title page for effective date.
