

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

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

Sec. 1. 32 MRSA §14231, as enacted by PL 1991, c. 397, §6, is amended to read:

§14231. Reciprocity with other states

The board ~~may~~ shall waive the examination and grant a license to any applicant who presents proof of ~~current licensure in being authorized to practice by another state or other jurisdiction of the United States or another country that grants similar privileges to persons registered under this chapter and maintains professional standards considered by the board to be equivalent to or higher than those set forth in this chapter, as long as no cause exists for denial of a license under section 14236. Such an applicant must pay the fee as provided in section 14238.~~

~~The board may allow an applicant to take the examination if that applicant presents proof of age, education, training or experience at least equal to that required in this chapter for the applicable license type in another state or jurisdiction of the United States or another country that maintains professional standards considered by the board to be equivalent to those set forth in this chapter, as long as no cause exists for the denial of a license under section 14236. Such an applicant must pay the fee as provided in section 14238.~~

See title page for effective date.

CHAPTER 288

S.P. 158 - L.D. 523

An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1994 and June 30, 1995

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Department of Public Safety and the Department of the Secretary of State will become due and payable on or immediately after July 1, 1993; 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. 29 MRSA §2713, sub-§3, ¶A, as amended by PL 1991, c. 547, §1, is further amended to read:

A. There must be allocated to the Department of Public Safety for the State Police up to ~~\$2,400,000~~ \$2,600,000 in fiscal year ~~1991-92~~ 1993-94 and ~~\$2,400,000~~ \$2,600,000 in fiscal year ~~1992-93~~ 1994-95 from the fund to carry out the duties of the bureau imposed by this chapter and Title 35-A and for related activities.

Sec. 2. 29 MRSA §2713, sub-§3, ¶B-1, as amended by PL 1991, c. 837, Pt. A, §76, is further amended to read:

B-1. There must be allocated to the Department of the Secretary of State for the Bureau of Motor Vehicles up to ~~\$650,000~~ \$660,000 annually from the fund to carry out the duties of the commercial driver license laws.

Sec. 3. Allocation of funds. Income to the Transportation Safety Fund for the next 2 fiscal years, from July 1, 1993 to June 30, 1994 and from July 1, 1994 to June 30, 1995, must be segregated, apportioned and disbursed as designated in the following schedule.

	1993-94	1994-95
PUBLIC SAFETY, DEPARTMENT OF		
Traffic Safety - Commercial Vehicle Enforcement		
Positions - Legislative Count	(41.0)	(41.0)
Personal Services	\$2,157,027	\$2,142,335
All Other	293,817	296,883
Capital Expenditures	81,186	86,555
Provides funds for a State Police Sergeant, a State Police Specialist, a State Police Corporal, 30 State Police Troopers, a Safety Inspector Supervisor, 7 Motor Carrier Inspectors, general operating expenses and capital expenditures to enforce commercial vehicle laws throughout the State.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	\$2,532,030	\$2,525,773
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Positions - Legislative Count	(18.0)	(18.0)
Personal Services	\$544,487	\$545,217

All Other	107,059	88,969
Provides funds for a Driver License Examiner II position, 2 Driver License Examiner I positions, a Clerk IV position, 2 Clerk Typist III positions, a Clerk III position, 11 Clerk Typist II positions and general operating expenses to carry out the Single Point Contact Program.		

DEPARTMENT OF THE SECRETARY OF STATE		
TOTAL	<u>\$651,546</u>	<u>\$634,186</u>
TOTAL ALLOCATIONS	<u>\$3,183,576</u>	<u>\$3,159,959</u>

Sec. 4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer, with the approval of the Governor, to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature, and those reclassifications or range changes that have been approved by the Department of Administrative and Financial Services and submitted for legislative review prior to the effective date of this Act.

Sec. 5. Revenue estimates. The State Budget Officer is responsible for the consolidation of revenue estimates for the Transportation Safety Fund. The Secretary of State and the Department of Public Safety are responsible for providing the State Budget Officer with all necessary current information required to prepare revenue estimates.

Sec. 6. Encumbered balance at year end. At the end of each fiscal year, all encumbered balances may not be carried more than once.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1993.

Effective July 1, 1993.

CHAPTER 289

H.P. 1043 - L.D. 1395

An Act Concerning Renewals of Valid Concealed Weapons Permits

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

Sec. 1. 25 MRSA §2003, sub-§8, as amended by PL 1991, c. 865, §3, is further amended to read:

8. Term of permit. All concealed firearm permits are valid for 4 years from the date of issue, unless sooner

revoked for cause by the issuing authority. If a permit renewal is issued before the expiration date of the permit being renewed or within 6 months of the expiration date of the permit being renewed, the permit renewal is valid for 4 years from the expiration date of the permit being renewed.

See title page for effective date.

CHAPTER 290

S.P. 209 - L.D. 680

An Act to Enhance the Role of the State Board of Education

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

Whereas, the Legislature believes that it is the responsibility of the State to provide an education that will help all children in the State develop the knowledge and skills they need to become productive and fulfilled members of society; and

Whereas, our children will face a world that is increasingly complex and competitive in the areas of family, community, government, stewardship and employment; and

Whereas, the Legislature finds that tomorrow's challenges demand that we make significant changes for our children today, including the development of an education system structured to keep up with the rapidly changing world; and

Whereas, the Legislature believes that an education system based on learning results to be accomplished will provide greater and more equal opportunities for children in this State to prepare themselves for the challenges they will face as adults; and

Whereas, this legislation establishes a task force to develop goals and a plan for an education system based on student achievement; 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. 20-A MRSA §405, sub-§3, ¶O, as amended by PL 1989, c. 698, §11 and affected by §76, is further amended to read: