

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

3. Certification. Participants who complete training under this section with a 200-hour curriculum approved by the Department of Education to include both theoretical and practical training receive a statewide certificate granted by the Department of Education. This certificate or a certificate issued under subsection 4 is required for employment as an activities coordinator in this State after December 31, 1993, except that a person employed as an activities coordinator on the effective date of this chapter who has completed a training program approved by the Department of Human Services is not required to obtain a certificate under this section.

4. Reciprocity. Certification may also be issued to candidates who can document completion of comparable training and experience in accordance with rules ~~promulgated~~ adopted by the Commissioner of Education and the Commissioner of Human Services after consultation with the activities coordinator board of a state health care association.

See title page for effective date.

CHAPTER 307

S.P. 462 - L.D. 1454

An Act to Amend the Professional Surveyors Licensing Requirements

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

Whereas, the laws pertaining to the licensing of land surveyors were revised in 1991; and

Whereas, certain questions have emerged concerning individuals licensed under the laws in effect before the licensing revisions of 1991; and

Whereas, these questions must be clarified immediately in order to facilitate the professional growth of certain land surveyors; 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 §13905, sub-§2, ¶A, as amended by PL 1991, c. 509, §41, is further amended to read:

A. A land surveyor-in-training with a specific record of 2 additional years of progressive combined office and field experience, or if licensed before February 1, 1990, a total of 7 years of surveying experience either before or after licensure as a land surveyor-in-training, satisfactory to the board under the responsible charge of a professional land surveyor must be admitted to a written examination in the principles and practice of land surveying. Upon passing the examination, the applicant must be granted a license to practice land surveying in this State if the applicant is otherwise qualified.

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

Effective June 9, 1993.

CHAPTER 308

H.P. 585 - L.D. 789

An Act to Restrict Self-referral by Health Care Practitioners

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

Sec. 1. 22 MRSA c. 414 is enacted to read:

CHAPTER 414

HEALTH CARE PRACTITIONER SELF-REFERRALS

§2081. Short title

This chapter may be known and cited as the "Health Care Practitioner Self-referral Act."

§2082. Legislative finding

The Legislature finds that referral of patients by a health care practitioner to a facility in which the referring health care practitioner has an investment interest may present a potential conflict of interest, which could be harmful to the public health or welfare.

§2083. Applicability

This chapter applies to referrals for health services made on or after January 1, 1994. However, if a health care practitioner acquired an investment interest in a facility before January 1, 1993, this chapter does not apply to referrals by that health care practitioner to that facility before January 1, 1997.