

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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

Effective June 15, 1993.

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## CHAPTER 339

### H.P. 219 - L.D. 287

#### An Act Concerning the Clerk-of-the-works

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

**Sec. 1. 5 MRSA §1751**, as amended by PL 1983, c. 480, Pt. B, §1, is further amended to read:

#### §1751. Employment of a clerk-of-the-works

A clerk-of-the-works ~~shall~~ must be employed to assist in the inspection of the construction of a public improvement when directed by the director. The clerk shall report directly to the professional architect-engineer of record for the project. In addition, the clerk shall provide a report of all correspondence sent or received by the clerk to the owner. The budget for the public improvement ~~shall~~ must include funding for the clerk. The clerk ~~shall~~ must be hired through an open advertising and interview process by the owner and the architect-engineer. ~~The clerk candidate recommended by the architect-engineer shall be subject to approval by both the owner and director before being hired. The architect-engineer may terminate or impose disciplinary action on the clerk after consultation with the owner.~~ The clerk ~~shall~~ must possess qualifications of education and experience in construction technology and administration compatible with the needs of the public improvement. The director may ~~promulgate~~ adopt rules relative to this section.

See title page for effective date.

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## CHAPTER 340

### H.P. 951 - L.D. 1280

#### An Act to Amend the Laws Related to Concealed Weapon Permits

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

**Sec. 1. 25 MRSA §2002-A**, as enacted by PL 1991, c. 440, is amended to read:

#### §2002-A. Assignment of authority

~~Any~~ The municipal officers of a municipality without a full-time chief of police may designate, if the Chief of the State Police agrees, the State Police as the issuing authority for that municipality. The designation must be made by written agreement with the Chief of the State Police. The agreement must include provisions for termination of the agreement. During the term of an agreement, the State Police shall perform all the functions of the issuing authority, including suspension and revocation of permits. The State Police are entitled to receive any fees authorized for performing the functions of an issuing authority. The State Police are entitled to receive any fees authorized for performing the functions of the issuing authority. The Chief of the State Police continues to serve as the issuing authority until the chief receives from the municipal officers written notice of cancellation or revocation of the determination.

**Sec. 2. 25 MRSA §2003, sub-§1, ¶E**, as amended by PL 1991, c. 865, §1, is further amended by amending subparagraph (4) to read:

(4) Submits an application fee of \$35 for an original application, \$10 of which must be retained by the municipality and \$25 of which must be paid over by the municipality to the Treasurer of State if the designated issuing authority is the State Police, and \$20 for a renewal, \$5 of which must be retained by the municipality and \$15 of which must be paid over by the municipality to the Treasurer of State if the designated issuing authority is the State Police, for a resident of the State. A person who paid \$60 for a concealed weapons permit or renewal during 1991 or 1992 is entitled to a credit toward renewal fees in an amount equal to \$30 for a person who paid \$60 for an original application and \$45 for a person who paid \$60 for a permit renewal. The credit is valid until fully utilized. The fee covers both the cost of processing the application by the issuing authority and the cost of the permit to carry concealed firearms issued by the issuing authority; and

**Sec. 3. 25 MRSA §2003, sub-§6**, as enacted by PL 1985, c. 478, §2, is amended to read:

**6. Unorganized territory.** ~~Any~~ A resident of an unorganized territory shall make written application to the ~~appropriate issuing authority in any municipality nearest the unorganized territory~~ Chief of the State Police and the application, fee and permit provisions of this section ~~shall~~ apply.

See title page for effective date.