

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

and expenses in connection with ~~any~~ an action or proceeding by or on behalf of the bondholders, are fully met and discharged and such contracts are fully performed on the part of the authority. Nothing in this chapter precludes such limitation or alteration if and when adequate provision is made by law for the protection of the holders of such bonds, notes or other obligations of the authority or those entering into such contracts with the authority. The authority is authorized to include this pledge and undertaking for the State in such bonds, notes or other obligations or contracts.

See title page for effective date.

CHAPTER 391

H.P. 1143 - L.D. 1543

An Act to Clarify the Laws Governing HIV Testing of Sexual Offenders

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

Sec. 1. 5 MRSA §19203-E, sub-§5, as enacted by PL 1991, c. 803, §3, is amended to read:

5. Determination. ~~The If the petitioner proves by a preponderance of the evidence the following, the court may shall require the convicted offender to obtain HIV Testing only if the petitioner proves by a preponderance of the evidence that testing:~~

A. The alleged exposure to blood or body fluids of the convicted offender created a significant risk of HIV infection as defined by the Department of Human Services, Bureau of Health through the adoption of rules in accordance with the Maine Administrative Procedure Act;

B. An authorized representative of the petitioner, the prosecuting attorney or the court has sought to obtain written informed consent from the convicted offender; and

C. Written informed consent was not given by the convicted offender.

Sec. 2. 5 MRSA §19203-E, sub-§9, as enacted by PL 1991, c. 803, §3, is amended to read:

9. Subsequent testing. Subsequent testing arising out of the same incident of exposure must be conducted in accordance with this section, except that the court is not required but has discretion to order subsequent testing under subsection 5 if the requirements of that subsection are met. Other testing of the convicted offender may not be required except as provided by this section.

See title page for effective date.

CHAPTER 392

H.P. 1136 - L.D. 1536

An Act to Establish the Maine Youth Apprenticeship Program

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

Sec. 1. 5 MRSA §12004-G, sub-§26-A is enacted to read:

26-A.	Skill Stand-	Expenses	20-A MRSA
Labor	ards Board	Only	§12734

Sec. 2. 20-A MRSA c. 432 is enacted to read:

CHAPTER 432

MAINE YOUTH APPRENTICESHIP PROGRAM

§12731. Administration and purpose

The Maine Technical College System in cooperation with the Department of Education and the Department of Labor is authorized to provide comprehensive administrative and financial services to the Maine Youth Apprenticeship Program, a nonprofit corporation organized under the laws of the State of Maine to provide an additional education option, through a partnership between business and education, for high school students and young adults to obtain classroom instruction and on-the-job training that prepares them directly for career-related employment or continued education. The sole purpose of the Maine Youth Apprenticeship Program, referred to in this chapter as "the program," is to assist the Maine Technical College System, public secondary schools and other publicly supported educational institutions in the State in providing a combination of academic learning and structured work-based learning at businesses in the State to students enrolled at Maine Technical College System facilities, public secondary schools or other publicly supported educational institutions.

The Maine Technical College System is authorized to receive and administer on behalf of the program any grants, fees, charges, appropriations and other funds from whatever source.

§12732. Goals

The goals of the program as delineated by its articles of incorporation and bylaws are:

1. Education and training. To provide a sequential education and training program that enhances opportunities for youth in this State to become highly skilled and productive members of the work force;