

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

2. Skilled work force. To provide a skilled and educated work force for businesses in the State to increase their competitiveness in the global economy; and

3. Economic future. To enhance the economic future of the State and improve its productivity and competitive position in a world economy by creating a skilled and educated work force.

§12733. Activities

The program shall provide a sequence of combined school and workplace education and training that has a specific industrial or occupational focus. Students participate in the program for up to 3 years and, while doing so, must be enrolled in a State technical college or other publicly supported secondary or postsecondary school. The program shall offer a curriculum based on industry skill standards recommended by the Skill Standards Board established in section 12734. Participants who demonstrate that they have met these skill standards are entitled to a certificate of skill mastery that describes the competencies achieved by the students.

The program shall encourage career exploration, applied academic and occupational course work, paid work and education experience, outcome-based assessment, structured work-based learning and enrollment in a postsecondary educational institution.

§12734. Skill Standards Board

1. Establishment. The Skill Standards Board, established in Title 5, section 12004-G, subsection 26-A and referred to in this section as "the board," shall advise the director of the program on the industry skill standards associated with an industry or occupational group that must be mastered in order for a student to be awarded a certificate of skill mastery.

2. Membership. The board consists of 14 members as follows:

- A. Three members representing business and industry;
- B. Three members representing organized labor;
- C. Three members representing education;
- D. Two student members who participate in the program;
- E. Two members from businesses that participate in the program; and
- F. One member representing the State Apprenticeship and Training Council.

3. Appointments. The Governor, the President of the Senate and the Speaker of the House of Representa-

tives shall each appoint one member representing business and industry, one member representing organized labor and one member representing education. The Governor shall appoint 2 members from businesses that participate in the program, 2 student members who participate in the program from persons nominated by the director of the program and one member representing the State Apprenticeship and Training Council from persons nominated by that council.

4. Officers and staff. The officers of the board consist of a chair and vice-chair, elected by the board from the board membership for a term of one year. Officers may be elected for one additional term. The vice-chair serves as the chair in the absence of the chair. The board is staffed by the Maine Youth Apprenticeship Program staff.

5. Compensation. Members are entitled to compensation for expenses, from program funds, according to Title 5, chapter 379.

See title page for effective date.

CHAPTER 393

H.P. 89 - L.D. 119

An Act Regarding Medicaid Reimbursement for Counseling Services

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

Sec. 1. 22 MRSA §3174-L is enacted to read:

§3174-L. Parity among counselors

1. Licensed clinical social workers and licensed clinical professional counselors. Licensed clinical social workers must be eligible to receive Medicaid reimbursement for counseling services whenever licensed clinical professional counselors are eligible to be reimbursed for those services. Licensed clinical professional counselors must be eligible to receive Medicaid reimbursement for counseling services whenever licensed clinical social workers are eligible to be reimbursed for those services.

2. Licensed master social workers and licensed professional counselors. Licensed master social workers must be eligible to receive Medicaid reimbursement for counseling services whenever licensed professional counselors are eligible to be reimbursed for those services. Licensed professional counselors must be eligible to receive Medicaid reimbursement for counseling services whenever licensed master social workers are eligible to be reimbursed for those services.

Sec. 2. Study. The Board of Counseling Professionals Licensure and the State Board of Social Worker

Licensure shall jointly study whether Medicaid reimbursement should be extended to licensed marriage and family therapists and licensed pastoral counselors. The boards shall consult with the Department of Human Services in preparing their recommendations. The boards shall submit a report, along with any necessary implementing legislation, to the Joint Standing Committee on Human Resources by January 1, 1994.

See title page for effective date.

CHAPTER 394

H.P. 587 - L.D. 791

An Act to Eliminate the Prescription Requirement for Hypodermic Syringes

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

Sec. 1. 32 MRSA §13787, as enacted by PL 1987, c. 710, §5, is repealed.

Sec. 2. 32 MRSA §13787-A is enacted to read:

§13787-A. Sale of hypodermic apparatus

1. Authorized seller. A hypodermic apparatus, as defined in Title 17-A, section 1101, subsection 2, may be sold only by a manufacturer or dealer of embalming supplies, manufacturer or dealer of medical or dental supplies, wholesale druggist, manufacturing pharmacist, pharmacist, veterinarian, agricultural supply store or manufacturer of surgical instruments.

2. Purchaser. Any person who is 18 years of age or older may purchase a hypodermic apparatus from a seller described in subsection 1.

3. Criminal immunity. Immunity from criminal prosecution is governed by the following.

A. A seller described in subsection 1 is "expressly authorized" within the meaning of Title 17-A, section 1110, subsection 1, paragraph A.

B. A seller described in subsection 1 or a purchaser described in subsection 2 is "expressly authorized" within the meaning of Title 17-A, section 1111, subsection 1, paragraph A.

4. Immunity limited. This section does not limit prosecution for violation of any law prohibiting or regulating the use, possession, dispensing, distribution or promotion of controlled substances, scheduled drugs or drug paraphernalia.

5. Medicaid not affected. This section does not diminish, expand or otherwise affect Medicaid reimbursement for hypodermic apparatuses.

See title page for effective date.

CHAPTER 395

S.P. 182 - L.D. 596

An Act Concerning Technical Changes to the Tax Laws

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

Whereas, delay in making technical changes to the tax laws would interfere with administration of those laws; and

Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the tax laws; 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. 33 MRSA §203, first ¶, as amended by PL 1983, c. 635, is further amended to read:

Deeds and all other written instruments before recording in the registries of deeds, except those issued by a court of competent jurisdiction and duly attested by the proper officer thereof, and excepting plans and notices of foreclosure of mortgages and certain financing statements as provided in Title 11, section 9-401, and excepting notices of liens for internal revenue taxes and certificates discharging such liens ~~as provided in section 664 and excepting notices of liens for taxes assessed pursuant to Title 36, Part 1 and Parts 3 to 8 and Title 26, chapter 13, and releases discharging such liens, shall~~ must be acknowledged by the grantors, or by the persons executing any such written instruments, or by one of them, or by their attorney executing the same, or by the lessor in a lease or one of the lessors or ~~his lessor's~~ attorney executing the same, before a notary public in the State, or before an attorney-at-law duly admitted and eligible to practice in the courts of the State, if within the State; or before any clerk of a court of record having a seal, notary public or commissioner appointed by the Governor of this State for the purpose, or a commissioner au-