

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

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FIRST REGULAR SESSION
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
1995

employee did contribute directly to the pension or retirement plan or program; and

(6) For those employers who do not provide a pension plan, the proportional amount, based on the ratio of the employer's contributions to the total contributions made to a qualified profit sharing plan under the United States Internal Revenue Code, Section 401(a) or any successor to the United States Internal Revenue Code, Section 401(a) covering a profit sharing plan that provides for the payment of benefits only upon retirement, disability, death, or other separation of employment to the extent that benefits are vested under the plan.

See title page for effective date.

CHAPTER 77

S.P. 154 - L.D. 340

An Act to Require Insurance Companies to Reenroll Individuals Who Return to an Insurance Group as Though No Break in Coverage Occurred

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

Sec. 1. 24 MRSA §2349, sub-§3, ¶A, as amended by PL 1993, c. 477, Pt. A, §2 and affected by Pt. F, §1, is further amended to read:

A. The request for enrollment is made within 30 days after termination of coverage under a prior contract or policy and the individual did not request coverage initially under the succeeding contract, or terminated coverage under the succeeding contract, because that individual was covered under a prior contract or policy and coverage under that contract or policy ceased due to termination of employment, termination of the group policy or group contract under which the individual was covered, death of a spouse or divorce;

Sec. 2. 24-A MRSA §2849-B, sub-§3, ¶A, as amended by PL 1993, c. 477, Pt. A, §10 and affected by Pt. F, §1, is further amended to read:

A. The request for enrollment is made within 30 days after termination of coverage under a prior contract or policy and the individual did not request coverage initially under the succeeding contract or policy, or terminated coverage under the succeeding contract, because that individual

was covered under a prior contract or policy and coverage under that contract or policy ceased due to termination of employment, termination of the group policy or group contract under which the individual was covered, death of a spouse or divorce;

See title page for effective date.

CHAPTER 78

H.P. 245 - L.D. 347

An Act to Clarify the Requirements for Truck Widths

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

Sec. 1. 29-A MRSA §2380, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed and the following enacted in its place:

3. Width exclusions. A portion of a vehicle or load may not project beyond the side of that vehicle to make a total width greater than 102 inches, except as provided in this subsection and subsection 4. Reflecting mirrors and turn signal lamps are excluded from measurement of width. The following conditions and appurtenances attached to a commercial motor vehicle are excluded from the measurement of width provided that they do not extend more than 3 inches from the side of a vehicle:

A. Corner caps;

B. Rear and side door hinges and their protective hardware;

C. Rain gutters;

D. Side lamp markers;

E. Lift pads for piggyback trailers;

F. Hazardous materials placards;

G. Tarps and tarp hardware;

H. Tiedown assemblies on platform trailers;

I. Weevil pins and sockets on lowbed trailers;

J. Steps and handholds for entry and egress;

K. Flexible fender extensions;

L. Mud flaps and splash and spray suppressant devices;

M. Refrigeration units or air compressors;

N. Load-induced tire bulge; and

O. Wall variation from true flat.

See title page for effective date.

CHAPTER 79

H.P. 248 - L.D. 350

**An Act to Encourage Collaboration
between Local School Units**

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

Sec. 1. 20-A MRSA §17101, as amended by PL 1989, c. 700, Pt. A, §74, is further amended to read:

§17101. Intent

The intent of this chapter is to promote creative improvement in the schools of the State. The Commissioner of Education shall promote innovative projects by means of grants to teachers, school administrative units ~~or~~, private schools approved for tuition purposes or groups of school administrative units formed for the purpose of providing improved educational opportunity through the sharing of resources among the member units. A group of school administrative units seeking a grant in accordance with this chapter shall provide written verification to the commissioner that each school administrative unit comprising the group has agreed to the grant criteria established by the department. The group shall designate one school administrative unit to act as fiscal agent for the group. To promote the greatest possible benefits statewide, a school administrative unit is limited to one grant at a time, whether the grant is received separately or as part of a group. It is not the intent of this chapter to provide funds for programs or services normally provided by those school systems. Project dissemination will be accomplished through the department through instructional support group staff. The use of state, regional and national diffusion networks will be encouraged.

See title page for effective date.

CHAPTER 80

H.P. 259 - L.D. 361

**An Act to Define a "Demonstrator"
under the Board of Barbering and
Cosmetology**

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

Sec. 1. 32 MRSA §14202, sub-§3-A is enacted to read:

3-A. Demonstrator. "Demonstrator" means a person who is licensed to practice cosmetology, barbering, aesthetics or manicuring and engages in performing demonstrations outside establishments licensed by the board in the use of machines, articles or techniques pertaining to practices licensed under this chapter. The term "demonstrator" does not include one who performs demonstrations solely for persons currently licensed to practice cosmetology, barbering, aesthetics or manicuring under this chapter or under the licensing provision of any other state.

Sec. 2. 32 MRSA §14234, as enacted by PL 1991, c. 397, §6, is repealed and the following enacted in its place:

§14234. Demonstrators

A person may not perform demonstrations unless licensed by the board. The board shall adopt rules that describe the articles, machines or techniques that may be demonstrated outside the licensed establishment. All demonstrations must be performed in a safe and sanitary manner for the protection of the public. Licenses must be renewed on or before July 1st biennially. A license is not required for persons who perform demonstrations in a licensed establishment or solely to licensed persons.

See title page for effective date.

CHAPTER 81

H.P. 286 - L.D. 390

**An Act to Clarify the Tax-exempt
Status of Municipally Owned Solid
Waste Disposal Facilities**

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

Sec. 1. 38 MRSA §1304-B, sub-§5, as amended by PL 1989, c. 869, Pt. C, §10, is further amended to read:

5. Public waste disposal corporations. Notwithstanding any law, charter, ordinance provision or limitation to the contrary, pursuant to any interlocal agreement entered into in accordance with Title 30-A, chapter 115, any 2 or more municipalities may organize or cause to be organized or may participate in one or more corporations organized as nonprofit corporations under Title 13, chapter 81, or Title 13-B