

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**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**  
**1997**

**1. Duties; use of economic assumptions.** The committee shall develop current fiscal biennium and 2 ensuing fiscal ~~biennium~~ biennia revenue projections using the economic assumptions recommended by the Consensus Economic Forecasting Commission.

**2. Biennial revenue projections.** The committee shall submit recommendations for state revenue projections for the next 2 fiscal ~~biennium~~ biennia and analyze revenue projections for the current fiscal biennium, which must be approved by a majority of the committee members. No later than December 1st of each even-numbered year, the committee shall submit to the Governor, the Legislative Council, the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the State Budget Officer a report that presents the analyses, findings and recommendations for General Fund and Highway Fund revenue projections for the next 2 fiscal ~~biennium~~ biennia. In its report the committee shall fully describe the methodology employed in reaching its recommendations. Revenue projections for other funds of the State may be included in the report at the discretion of the committee.

**3. Current and ensuing biennium adjustments.** No later than March 1st and December 1st annually the committee shall submit to the Governor, the Legislative Council, the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the State Budget Officer a report that presents the analyses, findings and recommendations for adjustments to General Fund revenue and Highway Fund revenue for the current and ensuing fiscal ~~biennium~~ biennia. In each report the committee shall fully describe the methodology employed in reaching its recommendations. Revenue adjustments for other funds of the State may be included in the report at the discretion of the committee.

#### §1710-G. Use of revenue forecasts

The State Budget Officer shall consider the revenue projections recommended by the committee in setting revenue estimates in accordance with section 1665, subsection 3. The State Budget Officer shall use the revenue projections of the committee in preparing General Fund and Highway Fund revenue and expenditure forecasts in accordance with section 1664 and section 1665, subsection 7. If the State Budget Officer adjusts the revenue projections recommended by the committee in setting revenue estimates in accordance with section 1665, subsection 3, the State Budget Officer shall submit to the Governor, the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report that presents the analyses, findings and recommenda-

tions by revenue line and explains the variances from the revenue projections recommended by the committee.

See title page for effective date.

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## CHAPTER 158

### H.P. 252 - L.D. 316

#### An Act to Establish a 30-day Temporary Sea Urchin and Scallop Diving Tender License

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

**Sec. 1. 12 MRSA §6533, first ¶,** as amended by PL 1995, c. 392, §1, is further amended to read:

~~The~~ Except as provided under subsection 3, the commissioner may not issue a sea urchin and scallop diving tender license under section 6535 or a scallop diving tender license under section 6536 to any person for calendar year 1995 or later unless that person has attended a safety training session offered under this section.

**Sec. 2. 12 MRSA §6533, sub-§3** is enacted to read:

**3. Requirement for 30-day license.** The commissioner may issue a 30-day temporary sea urchin and scallop diving tender license under section 6535, subsection 2-A to a person if that person provides a current certificate documenting that the person has received training in cardiopulmonary resuscitation.

**Sec. 3. 12 MRSA §6535, sub-§2-A** is enacted to read:

**2-A. Thirty-day temporary license.** A person may be issued a 30-day temporary sea urchin and scallop diving tender license. A person may be issued a license only one time under this subsection. A license issued under this subsection may not be renewed.

**Sec. 4. 12 MRSA §6535, sub-§3,** as enacted by PL 1995, c. 392, §2, is amended to read:

**3. Eligibility.** A sea urchin and scallop diving tender license and a 30-day temporary sea urchin and scallop diving tender license may be issued only to an individual and ~~is a~~ are resident ~~license~~ licenses.

**Sec. 5. 12 MRSA §6535, sub-§4,** as enacted by PL 1995, c. 392, §2, is repealed and the following enacted in its place:

4. Fee. Fees for licenses issued under this section are as follows:

A. For a sea urchin and scallop diving tender license, \$89; and

B. For a 30-day temporary sea urchin and scallop diving tender license, \$25.

See title page for effective date.

**CHAPTER 159**

**S.P. 95 - L.D. 374**

**An Act to Consider Cost-effectiveness When Providing Medicaid Coverage for Dental Services**

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

**Sec. 1. 22 MRSA §3174-F, sub-§1, ¶¶C and D,** as amended by PL 1991, c. 591, Pt. P, §13, are further amended to read:

C. Extraction of teeth that are severely decayed and pose a serious threat of infection during a major surgical procedure of the cardiovascular system, the skeletal system or during radiation therapy for a malignant tumor; ~~and~~

D. Treatment necessary to relieve pain, eliminate infection; or prevent imminent tooth loss; ~~and~~

**Sec. 2. 22 MRSA §3174-F, sub-§1, ¶F** is enacted to read:

F. Other dental services, including full and partial dentures, medically necessary to correct or ameliorate an underlying medical condition, if the department determines that provision of those services will be cost-effective in comparison to the provision of other covered medical services for the treatment of that condition.

See title page for effective date.

**CHAPTER 160**

**S.P. 120 - L.D. 399**

**An Act to Extend Certain Survivor Benefits to the Spouses of Firefighters and Law Enforcement Officers and Expand the Definition of Law Enforcement Officers**

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

**Sec. 1. 20-A MRSA §12551,** as amended by PL 1989, c. 502, Pt. A, §61, is further amended to read:

**§12551. Purpose**

In recognition of the indispensable public service role ~~which that~~ firefighters and law enforcement officers play in the well-being of the people of this State, it is the purpose of this chapter to provide for assistance to the children ~~and spouse~~ of firefighters and law enforcement officers who are killed in the line of duty so that these children ~~and spouses~~ may have the opportunity to pursue a degree at one of the state ~~post-secondary~~ postsecondary educational institutions.

**Sec. 2. 20-A MRSA §12552, sub-§2,** as enacted by PL 1985, c. 472, is amended to read:

**2. Law enforcement officer.** "Law enforcement officer" means an active state police officer, municipal police officer, county sheriff or deputy sheriff in this State. "Law enforcement officer" also means an active game warden, fire marshal, liquor enforcement officer or marine patrol officer, if employed on a full-time basis in that position in this State.

**Sec. 3. 20-A MRSA §12553,** as amended by PL 1987, c. 402, Pt. A, §124, is further amended to read:

**§12553. Tuition waiver**

The child ~~or spouse~~ of a firefighter or law enforcement officer who has been killed or who has received an injury during the performance of ~~his that~~ firefighter's or law enforcement officer's duties, which results in death, may attend, as provided in this section, any state ~~post-secondary~~ postsecondary educational institution free of tuition charges.

**1. Eligibility of a child.** The child of a firefighter or law enforcement officer ~~shall be~~ is eligible for tuition waiver under this chapter if ~~he the child~~ is:

A. The natural or legally adopted child of a firefighter or law enforcement officer;

B. Is less than 21 years old at the time of the death of the parent who is a firefighter or law enforcement officer;

C. A Maine resident;

D. A high school graduate or has attained equivalent certification; and