

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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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
1999

the same period as the deferment. Failure to fulfill the return service option will necessitate repayment to the authority as follows.

1. Debt calculation. The debt must include the total amount of the loan less the amount, if any, that has been canceled by return service.

2. Time for repayment. The total debt must be repaid to the authority within 3 years of graduation from the institution of higher education or courses for which the funds were given or within 3 years of repayment of any other loans made pursuant to this chapter. If the chief executive officer grants a deferment, the time period may be extended up to the period of the deferment. A repayment schedule including due dates must be set by the chief executive officer.

3. Deferment. A recipient of a loan may seek a deferment of the annual payments for a period or periods as established by the chief executive officer who shall make a determination on a case-by-case basis. The chief executive officer may grant a deferment in the event that a recipient of a loan evidences intent to teach or practice speech pathology and inability to secure employment necessary to obtain forgiveness of the loan at the time the deferment is sought. The chief executive officer shall require certification of the intent annually and grant a one-year deferment for each successful request for deferment. A recipient may not receive more than 5 one-year deferments. The decision of the chief executive officer is final.

Sec. 12. 20-A MRSA §12509, as amended by PL 1995, c. 117, Pt. E, §11 and affected by §§12 and 13, is further amended to read:

§12509. Nonlapsing revolving fund

The ~~Teachers~~ Educators for Maine fund is created under the jurisdiction of the authority as a nonlapsing, interest-earning, revolving fund to carry out the purposes of this chapter. Any unexpended balance in the ~~Teachers~~ Educators for Maine fund carries over for continued use under this chapter. The authority may receive, invest and expend, on behalf of the funds, money from gifts, grants, bequests, loans, including loans obtained pursuant to chapter 417-B, and donations, in addition to money appropriated or allocated by the State. Loan repayments under this section or other repayments to the authority must be invested by the authority, as provided by law, with the earned income to be added to the fund. Money received by the authority on behalf of the fund, except interest income, must be used for the designated purpose; interest income may be used for the designated purpose or to pay student financial assistance

administrative costs incurred by the authority as determined appropriate by the authority.

See title page for effective date.

CHAPTER 442

H.P. 963 - L.D. 1361

**An Act to Increase the Requirement
that Drugs be Confiscated from 48
Hours to 6 Months**

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

Sec. 1. 17-A MRSA §1103, sub-§5, as enacted by PL 1989, c. 924, §9, is repealed.

Sec. 2. 17-A MRSA §1106-A is enacted to read:

§1106-A. Aggregation of amounts of drugs seized

1. Quantities of scheduled drugs involved in violations of section 1103, 1105 or 1106 committed pursuant to one scheme or course of conduct and confiscated within a 6-month period may be aggregated to charge a single violation of appropriate class. Subject to the requirement that the conduct of the defense may not be prejudiced by lack of fair notice or by surprise, the court may at any time order that a single aggregate count be considered as separate violations. An aggregate count of violations may not be deemed duplicative because of such an order and no election may be required. Prosecution may be brought in any venue in which one of the violations aggregated was committed.

2. Quantities of scheduled drugs involved in violation of section 1107 committed pursuant to one scheme or course of conduct and confiscated within a 48-hour period may be aggregated to charge a single violation of appropriate class. Subject to the requirement that the conduct of the defense may not be prejudiced by lack of fair notice or by surprise, the court may at any time order that a single aggregate count be considered as separate violations. An aggregate count of violations may not be deemed duplicative because of such an order and no election may be required. Prosecution may be brought in any venue in which one of the violations aggregated was committed.

See title page for effective date.
