

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

~~or certificate is issued on the basis of a detailed application form, a simplified application form or an enrollment form~~ may not deny a claim for any covered loss that begins after the policy or certificate has been in force for at least 6 months, unless that loss results from a preexisting condition that was diagnosed by a physician before the date of application for coverage or that first manifested itself within the 6 months immediately preceding the application date. ~~Except for rescission for misrepresentation,~~ Other defenses based upon preexisting conditions are not permitted ~~except for rescission for misrepresentation.~~ This subsection applies regardless of whether the policy or certificate is issued on the basis of a detailed application form, a simplified application form or an enrollment form.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 31, 2007.

CHAPTER 200

H.P. 133 - L.D. 151

An Act To Include Student Representation on the State Board of Education

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

Sec. 1. 20-A MRSA §401, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Appointment. ~~The state board shall consist of 9 members who shall be and, beginning in the 2007-2008 school year, 2 nonvoting student members, one junior and one senior in high school. All members are appointed by the Governor. One of the student members must reside in the State's First Congressional District at the time of appointment and one must reside in the State's Second Congressional District at the time of appointment. Each appointment shall be~~ is subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Legislature.

Sec. 2. 20-A MRSA §401, sub-§1-A is enacted to read:

1-A. Nomination of student members. Each student member of the state board serves for a term of 2 years, except that the senior appointed in the 2007-2008 school year serves for one year. A junior in high school must be added each year to the state board to serve a term of 2 years.

A. The state board shall notify every public high school principal by March 15th of the year in

which applications are being accepted for the student member's position.

B. Applications for the student member's position must be submitted to the state board no later than April 15th of the year in which applications are being accepted.

C. A screening committee of the state board shall select 6 semifinalists for the student member's position.

D. The state board shall, by May 1st of the year in which applications are being accepted, select 3 finalists for the Governor's consideration and shall rank the finalists according to its preference.

Sec. 3. 20-A MRSA §401, sub-§1-B is enacted to read:

1-B. Term of student member. Notwithstanding subsection 4, the term of office of the student member of the state board is 2 years.

Sec. 4. 20-A MRSA §401, sub-§1-C is enacted to read:

1-C. Qualifications for service as student member. At the time a student member of the state board's term commences, the student must:

A. Be enrolled in good standing in a public high school in the State;

B. Have completed 10th grade prior to the commencement of the term;

C. Provide at least 3 references from teachers in the school that the student attends; and

D. Meet other criteria established by the state board in consultation with students in the State.

See title page for effective date.

CHAPTER 201

H.P. 255 - L.D. 311

An Act To Create a Nonresident Lobster and Crab Landing Permit

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

Sec. 1. 12 MRSA §6402, first ¶, as amended by PL 1993, c. 543, §1, is further amended to read:

The commissioner shall suspend the lobster and crab fishing license of a license holder or the nonresident lobster and crab landing permit of a permit holder convicted in court of violating section 6434. This suspension is for 3 years from the date of conviction.