

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

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bound by such findings or conclusions when acting upon such record, but shall take such action, issue such orders and make such decisions as if it had held and conducted the hearing itself.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 7, 1971

## Chapter 415

### AN ACT Increasing Minimum Wages.

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

R. S., T. 26, § 664, amended. The first 2 sentences of section 664 of Title 26 of the Revised Statutes, as last repealed and replaced by chapter 356 of the public laws of 1969, are amended to read as follows:

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee except as otherwise provided in this subchapter at the rate of less than ~~\$1.60~~ \$1.80 per hour ~~starting October 15, 1969~~; nor work more than 48 hours in ~~any~~ one week, unless 1½ times the regular hourly rate is paid for all work done over 48 hours in any one week; and whenever the highest federal minimum wage is increased in excess of \$1.80 per hour, the minimum wage established under this section shall be increased to the same amount, effective either on the same date as the increase in the highest federal minimum wage or the effective date of this Act, whichever occurs later, but in no case shall the minimum wage exceed \$2 per hour. Except that on October 15, ~~1969~~ 1971 to October 15, ~~1970~~ 1972, those employees in a nursing home or employees in a hospital shall be paid at a rate of no less than ~~\$1.50~~ \$1.60 per hour and thereafter ~~\$1.60~~ \$1.80 per hour.

Effective September 23, 1971

## Chapter 416

### AN ACT Relating to Aid to Municipalities for Outdoor Recreational Facilities.

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

R. S., T. 12, § 602, sub-§ 14, additional. Section 602 of Title 12 of the Revised Statutes, as amended, is further amended by adding a new subsection 14 to read as follows:

14. **Municipal Recreation Fund.** To administer a state grant-in-aid fund known as the Municipal Recreation Fund. On municipal projects which are

approved to receive federal financial assistance under the Land and Water Conservation Fund Act of 1965, P. L. 88-578, as amended, the commission may make a supplemental grant from the Municipal Recreation Fund to said municipality of up to 40% of the approved project costs. The commission shall be responsible for administering any and all moneys made available to the fund.

Effective September 23, 1971

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## Chapter 417

### AN ACT Relating to Transfer to Suitable Work During Rehabilitation or Treatment Under Workmen's Compensation Law.

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

R. S., T. 39, § 66-A, additional. Title 39 of the Revised Statutes is amended by adding a new section 66-A to read as follows:

§ 66-A. Transfer to suitable work during period of treatment or rehabilitation.

Where an employee has suffered a compensable injury which disables him from performing his customary or most recent work, his employer at the time of such injury shall transfer him to work suitable to his physical condition where such work is available, during the time that the employee is subjected to medical treatment or rehabilitation, or both, and until such treatment is discontinued on the advice of the physician conducting the same or of the therapist in charge of the rehabilitation program or until the employee has reached the maximum level of rehabilitation for such worker in the judgment of the commission under all of the circumstances, whichever period is the longest. The commission shall, after making due inquiry, upon the request of an employee claiming to be unable to perform his customary or most recent work because of physical incapacity resulting from an injury or disease, require that the injured workman be removed from work detrimental to his health and be assigned to other work in the employer's establishment, if available. The exercise of this authority shall not conflict with any provision of a collective bargaining agreement between such employer and a labor organization which is the collective bargaining representative of the unit of which the injured workman is a part, if such agreement grants the injured employee greater rights than are provided in this section.

Effective September 23, 1971

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## Chapter 418

### AN ACT Relating to Claims for Benefits under the Employment Security Law.

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

R. S., T. 26, § 1194, sub-§ 3, amended. The 2nd sentence of subsection 3 of section 1194 of Title 26 of the Revised Statutes is amended to read as follows: