

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

K. J. Printing
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
January 4, 1978 to April 6, 1978

Sec. 1. 22 MRSA § 7907 is enacted to read:

§ 7907. Boarding care payments

Except as otherwise provided in section 7906, the department shall reimburse all boarding care facilities at a rate of at least \$275 per month, and shall reimburse all approved adult foster homes at a rate of at least \$225 per month.

Sec. 2. PL 1977, c. 527, § 3, is repealed.

Sec. 3. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

1978-79

HUMAN SERVICES,
DEPARTMENT OF

Supplemental Security Income
All Other

\$1,236,000

Sec. 4. Effective date. This Act shall take effect July 1, 1978.

Effective July 1, 1978

CHAPTER 709

AN ACT to Improve the Administration of the Industrial Accident Commission.

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

Sec. 1. 2 MRSA § 7, sub-§ 2, as enacted by P&SL 1975, c. 147, Part C, § 4, is amended to read:

2. **Regulatory boards.** Notwithstanding section 6 or any other provision of law, the salaries of the listed chairmen and of members of the following regulatory boards shall be:

Employment Security Commission

Members other than Chairman..... \$20,475;

Industrial Accident Commission

Chairman	20,475 22,995
Members other than Chairman with more than 4 years' experience	18,000 21,420
All other Commissioners	18,900

Public Utilities Commission

Chairman	22,050;
Members other than Chairman.....	18,900:

Sec. 2. 39 MRSA § 91, first ¶, first sentence, as last amended by PL 1977, c. 612, § 9, is further amended to read:

The Workers' Compensation Commission, as heretofore established, shall consist of ~~8~~ members, ~~4~~ 6 of whom shall be ~~men~~ persons learned in the law and members in good standing of the bar of this State.

Sec. 3. 39 MRSA § 94, 1st ¶, 2nd sentence, as amended by PL 1973, c. 537, § 47, is further amended to read:

If the ~~Director of the Bureau of Labor~~ commission finds that such agreement is in conformity with the Act, ~~he~~ it shall approve the same.

Sec. 4. 39 MRSA §101, 1st sentence, as last amended by PL 1975, c. 59, § 3, is further amended to read:

If after any petition, except for lump sum settlement under section 71, has been filed the parties themselves reach an agreement as to payment of compensation, the memorandum of which is approved by the ~~Director of the Bureau of Labor~~ commission, or as to payment of medical benefits under section 52, the pending petition shall thereupon be dismissed by the commission.

Sec. 5. 39 MRSA § 102, 1st sentence, as last amended by PL 1975, c. 59, § 3, is further amended to read:

Upon the petition of either party at any time the commission may annul any agreement which has been approved by the ~~Director of the Bureau of Labor~~ commission provided it finds that such agreement was entered into through mistake of fact by said petitioner or through fraud.

Sec. 6. 39 MRSA § 103, 1st ¶, 1st and 3rd sentences, as last amended by PL 1975, c. 59, § 3, are further amended to read:

Any party in interest may present copies, certified by the clerk of the commission, of any order or decision of the commission or of any commissioner,

or of any memorandum of agreement approved by the ~~Director of the Bureau of Labor~~ **commission**, together with all papers in connection therewith, to the clerk of courts for the county in which the injury occurred; or if the injury occurred without the State, to the clerk of courts for the County of Kennebec.

Such decree shall have the same effect and all proceedings in relation thereto shall thereafter be the same as though rendered in an action in which equitable relief is sought, duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact found by said commission or by any commissioner, or where the decree is based upon a memorandum of agreement approved by the ~~Director of the Bureau of Labor~~ **commission**.

Sec. 7. 39 MRSA § 104, 2nd sentence, as last amended by PL 1975, c. 59, § 3, is further amended to read:

Upon the presentation to it of a certified copy of any subsequent order or decision of the commission or of any commissioner increasing, diminishing, terminating or commuting to a lump sum any payments of compensation on account of said injury, or of any agreement for modification of such compensation approved by the ~~Director of the Bureau of Labor~~ **commission**, the court shall revoke or modify any such pro forma decree based upon such prior order or decision of the commission or of any commissioner, or upon any agreement so approved, to conform to such subsequent order or decision or such approved agreement.

Sec. 8. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

1978-79

INDEPENDENT AGENCIES — REGULATORY

Industrial Accident Commission

Personal Services	(8)	\$117,187
All Other		\$ 9,816
Capital Expenditures		4,650
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Total		\$131,653

MANPOWER AFFAIRS, DEPARTMENT OF

Personal Services	(-1)	(\$ 9,945)
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