

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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1979

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Anyone who has surrendered his license pursuant to this section and who applies for reinstatement of his license to active status shall be subject to all the provisions of this chapter applicable to an original applicant for a license except written examination and fee. The licensee shall demonstrate to the commission that he has within the previous biennium attended 12 clock hours of courses designated in section 4115-B.

Effective September 14, 1979

CHAPTER 197

H. P. 817 — L. D. 1019

AN ACT to Define Employer under the Occupational Safety and Health Law.

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

Sec. 1. 26 MRSA § 45-A, as last amended by PL 1975, c. 519, § 7, is repealed.

Sec. 2. 26 MRSA § 563, sub-§ 7, is enacted to read:

7. **Employer.** "Employer" shall mean the State, state agency, county, municipal corporation, school district or other political corporation or political subdivisions having employees.

Effective September 14, 1979

CHAPTER 198

H. P. 269 — L. D. 355

AN ACT to Permit the Advisory Council to the Commissioner of Inland Fisheries and Wildlife to Give Advice on the Approval of Rules.

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

Sec. 1. 12 MRSA § 1955, 5th sentence, as repealed and replaced by PL 1977, c. 78, § 50, is amended to read:

The council shall render to the commissioner information and advice concerning the administration of the department and carry out other duties specifically delegated by inland fish and game laws.

Sec. 2. 12 MRSA § 1960, first sentence, as repealed and replaced by PL 1977, c. 694, § 250, is amended to read:

The commissioner may, **with the advice and consent of the advisory council and** in conformity with the Administrative Procedure Act, Title 5, Part 18, and except as otherwise ~~provide~~ **provided**, adopt, amend and repeal reasonable rules, including emergency rules necessary for the proper administration, enforcement, implementation and interpretation of any provision of law that he is charged with the duty of administering.

Effective September 14, 1979

CHAPTER 199

H. P. 216 — L. D. 264

AN ACT to Clarify Unit Clarification Procedures under the Municipal Labor Relations Act.

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

26 MRSA § 967, next to last ¶, as last amended by PL 1969, c. 578, § 5, is further amended by adding at the end the following new sentence:

The not more than 90-day nor less than 60-day period prior to the expiration date of an agreement regarding unit determination and representation shall not apply to matters of unit clarification.

Effective September 14, 1979

CHAPTER 200

S. P. 355 — L. D. 1103

AN ACT to Revise the Method of Accounting for the Restriction on Additional Compensation for Retirees under the Maine State Retirement System.

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

5 MRSA § 1123, 3rd sentence, as amended by PL 1971, c. 595, § 1, is repealed and the following enacted in its place: