

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 259

H.P. 554 - L.D. 705

AN ACT to Provide Equity for Former Military Spouses.

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

19 MRSA §774-A is enacted to read:

§774-A. Garnishment of military retirement pay

Spouses and ex-spouses of retired military personnel may garnish by order of the court up to 50% of the disposable retired or retainer pay to satisfy child support orders and alimony orders. This section shall apply regardless of the date of the child support order or alimony order or the residence of the spouse or ex-spouse. For purposes of this section, "disposable retired or retainer pay" means the total monthly retired or retainer pay to which a retired military person is entitled, other than the retired pay of a member retired for disability under the United States Code, Title 10, Chapter 61, less any amounts excluded by the United States Code, Title 10, Chapter 71, Section 1408.

Effective September 23, 1983.

CHAPTER 260

H.P. 1125 - L.D. 1469

AN ACT to Promote Apprenticeship and Training Opportunities in State Government and to Assist Qualified Recipients of Aid to Families with Dependent Children to Compete for State Apprenticeships.

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

Sec. 1. 5 MRSA §636, as amended by PL 1975, c. 766, §4, is repealed and the following enacted in its place:

§636. Training and apprenticeship programs

The commissioner shall devise plans for and coop-

erate with appointing authorities and other supervising officials in the development and conduct of employee training and registered apprenticeship programs to recruit and develop well qualified employees, to aid in meeting affirmative action requirements and to otherwise carry out the state's role as a responsible and effective employer.

The Bureau of Labor Standards shall assist the commissioner in determining which classifications are apprenticeable and in encouraging and assisting state agencies to utilize the benefits of apprenticeship programs or other training programs.

Consistent with the Code of Fair Practices and other merit system and affirmative action requirements, the State, through the Department of Personnel, the Bureau of Labor Standards and its other departments and agencies, shall support the policies of the United States Job Opportunity Act of 1981. The State shall seek to meet a target of filling 10% of registered state apprenticeships established with qualified candidates who are recipients of Aid to Families with Dependent Children. By December 31, 1985, the State shall make a good faith effort to establish at least the first 15 of these apprenticeships.

1. Listing of apprenticeable classifications. With the assistance of the Bureau of Labor Standards and other state agencies, the commissioner shall develop a list of apprenticeable classifications. The first list shall be developed by December 31, 1983, and shall be revised annually thereafter.

2. Agency review. The Bureau of Labor Standards and each agency utilizing apprenticeable classifications shall determine where apprenticeships should be established, subject to the authorization of the Commissioner of Personnel and the requirements of the State Apprenticeship and Training Council.

3. Annual report. The commissioner shall include in the annual report of the Department of Personnel the following information:

A. A review of the development and operation of training and apprenticeship programs;

B. The list of apprenticeable classifications pursuant to subsection 1;

C. A summary of the agencies and types of positions involved;

D. A summary of registered apprenticeships;

E. The number of persons who applied for apprenticeship positions under this chapter;

F. The number of persons who were accepted into the apprenticeship program under this chapter;

G. The number of persons, under this chapter, who successfully completed and the number of persons who failed to complete the program established under this chapter;

H. The number of persons who, following the successful completion of the program, remain employed;

I. A summary of other training programs established; and

J. A breakdown of the total number of persons, defined in paragraphs E, F and G, by sex, race and any other characteristics deemed by the commissioner to be pertinent to the intent of this chapter.

4. Bargaining agreements. Nothing in this section may operate to invalidate or supersede the provisions of a collective bargaining agreement between an employee organization and the State.

Sec. 2. 26 MRSA §1012, as enacted by PL 1981, c. 512, §18, is repealed and the following enacted in its place:

§1012. Coordination

1. Procedures to be established. The State Apprenticeship and Training Council shall establish procedures for the coordination of programs developed under this subchapter with the Maine Aid to Families with Dependent Children Coordinating Committee established in Title 22, section 3773.

2. Bureau of Labor Standards to assist in development of apprenticeship programs and agreements. The Bureau of Labor Standards shall assist in the development of the apprenticeship program and in the development of apprenticeships established by state agencies. Under Title 5, section 636, the bureau shall assist the State and client support agencies in meeting the target of filling 10% of the apprenticeships established with qualified candidates who are recipients of Aid to Families with Dependent Children.

Sec. 3. Report to the 112th Legislature. The Bureau of Labor Standards and the Commissioner of

Personnel shall report on the development of apprenticeship programs in State Government in December, 1984, to the Maine Aid to Families with Dependent Children Coordinating Committee for inclusion in their report reviewing and evaluating the impact of the United States Job Opportunity Act of 1981. The committee's report shall be presented to the First Regular Session of the 112th Legislature.

Effective September 23, 1983.

CHAPTER 261

H.P. 1136 - L.D. 1495

AN ACT to Provide Legislative
Participation in the Allocation of Consumer
Settlements and for Allocation of Funds
for the Low Income Energy Assistance
Program.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State has received \$1,450,000 from settlements of oil overcharge cases and will receive considerably more money in the near future; and

Whereas, the Legislature is the branch of government whose members have been elected to allocate revenues and protect the public interest; and

Whereas, there is an urgent need to allocate consumer settlements in the best interest of the State consistent with applicable federal requirements; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §1671 is enacted to read:

§1671. Federal grants from settlements

1. Application. This section shall apply to federal grants that are the result of class action or