

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1985

Each appointment of a practical nurse shall be made from a list of 3 candidates, qualified as provided, and selected by the presidents or designees of Maine nursing organizations with national affiliation and submitted to the Governor by the President of the Maine Licensed Practical Nurses' Association, not less than 60 days before the time of appointment. Any practical nurse vacancy occurring on the board shall be filled for the unexpired term by appointment to be made by the Governor from like nominations submitted by the President of the Maine Licensed Practical Nurses' Association in the manner set out in this paragraph.

The President of the Maine State Nurses' Association shall call a meeting of the presidents or designees not less than 90 days prior to the expiration of the term of each professional nurse and practical nurse member of the board.

The Governor may remove any member from the board for cause.

Effective September 19, 1985.

CHAPTER 281

H.P. 661 - L.D. 944

AN ACT to Provide that Cost-of-Living Plans for Retired Persons under the Maine State Retirement System shall Apply to All Participating Local Districts that do not Provide Social Security Benefits for Employees.

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

Sec. 1. 5 MRSA §1128, sub-§2, as enacted by PL 1977, c. 573, §3, is repealed and the following enacted in its place:

2. Participating local districts. Notwithstanding section 1033, subsection 3, and section 1092, subsection 12, except as provided in this subsection, this section is applicable to all retired employees or their beneficiaries of all participating districts that do not provide coverage by the United States Social Security System for their employees.

A. Those participating local districts which have withdrawn pursuant to section 1034 by June 30, 1987, shall not be required by this section to provide cost-of-living adjustments for their retired employees or their beneficiaries. This section also does not apply to retired employees or their beneficiaries of participating local districts that do not provide coverage by the United States Social Security System for their employees and which, on or after September 19, 1985, engage in collective bargaining or have in force a collective bargaining agreement pursuant to Title 26, chapter 9-A, with some or all of the participating district's members. When such a participating local district subsequently agrees through the collective bargaining process to provide the cost-of-living adjustment set forth in this section, that adjustment shall be made applicable to all the district's retired employees or their beneficiaries receiving retirement allowances.

B. Other participating local districts may provide for adjustments in retirement allowances being paid to their retired employees or beneficiaries by application to the board of trustees supplying the necessary information. Upon acceptance of such a plan, the district shall supply a certified copy of its action and a statement of agreement of payment and costs.

Sec. 2. **Effective date.** This Act shall take effect June 30, 1987.

Effective June 30, 1987.

CHAPTER 282

S.P. 219 - L.D. 578

AN ACT to Make Certain Housekeeping Changes
to the Maine Criminal Code.

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

Sec. 1. 17-A MRSA §4, sub-§2, as repealed and replaced by PL 1981, c. 324, §3, is repealed.

Sec. 2. 17-A MRSA §4-A, sub-§4, as amended by PL 1981, c. 698, §91, is repealed.