

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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

J.S. McCarthy Company
Augusta, Maine
1995

5. Parenterally administered oncologic drug products administered at medical office sites. This subchapter does not apply to parenterally administered oncologic drug products administered at medical office sites.

See title page for effective date.

CHAPTER 549

S.P. 608 - L.D. 1612

An Act to Repeal the Requirement that Disbursement Warrants Receive an Affirmative Vote by Municipal Officers

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

Whereas, current law requires that municipal disbursement warrants be approved by a majority of the municipal officers at public meetings; and

Whereas, for some municipalities, the law has created a hardship by requiring more frequent meetings and by the loss of early payment discounts on municipal bills; and

Whereas, this legislation provides a measure of relief for municipalities by authorizing municipalities through charter or ordinance to establish an alternative method of approving disbursement of municipal funds; and

Whereas, to provide maximum benefit to municipalities, this legislation must be enacted immediately; 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. 30-A MRSA §5603, sub-§2, ¶A, as amended by PL 1995, c. 83, §1, is further amended to read:

A. Except as provided in subparagraphs (1) and (2), and except as otherwise provided by charter or ordinance, disburse money only on the authority of a warrant drawn for the purpose, affirmatively voted and signed by a majority of the municipal officers.

(1) The municipal officers may adopt a written policy to permit the disbursement of employees' wages and benefits when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers.

(2) The municipal officers may adopt a written policy to permit the disbursement of payments for municipal education costs when a disbursement warrant has been signed by the school superintendent and approved by a majority of the school board or by a finance committee appointed or duly elected by the school board. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers;

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

Effective March 20, 1996.

CHAPTER 550

H.P. 1196 - L.D. 1646

An Act to Establish the Freeport Towne Square Mental Retardation Facility

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

Sec. 1. 34-B MRSA §1001, sub-§8, ¶¶E and F, as enacted by PL 1983, c. 459, §7, are amended to read:

E. The Aroostook Residential Center; ~~or~~

F. The ~~Military and Naval Bath~~ Bath Children's Home; ~~or~~

Sec. 2. 34-B MRSA §1001, sub-§8, ¶G is enacted to read:

G. Freeport Towne Square.

Sec. 3. 34-B MRSA §5401, as amended by PL 1995, c. 395, Pt. G, §14 and affected by §20, is further amended to read:

§5401. Maintenance of facilities

The department shall maintain the following residential ~~facility~~ facilities for the care and treatment of mentally retarded persons:

2. Aroostook Residential Center; and

4. Freeport Towne Square.

Sec. 4. 34-B MRSA §5405 is enacted to read:

§5405. Freeport Towne Square

1. Establishment. Freeport Towne Square is established in the Town of Freeport as a facility to care for persons with mental retardation.

2. Manager. The administrative head of Freeport Towne Square is the manager. The manager reports directly to the commissioner or the commissioner's designee.

3. Duties of the manager. The manager:

A. Is responsible for the training, education, treatment and care of all persons received into or receiving services from Freeport Towne Square;

B. Is responsible for the discharge of all persons received into Freeport Towne Square; and

C. Has direct supervision, management and control of the grounds, buildings, property, officers and employees of Freeport Towne Square, subject to the approval of the commissioner.

See title page for effective date.

CHAPTER 551

H.P. 1200 - L.D. 1650

**An Act Enabling the Maine
Employers' Mutual Insurance
Company to Better Serve the Needs
of Small Business**

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

Sec. 1. 24-A MRSA §2385-A, sub-§2, as enacted by PL 1991, c. 885, Pt. B, §12 and affected by §13, is amended to read:

2. Optional deductible of \$250 or \$500. To employers whose premium is between 100% and 500% of the premium qualifying for experience rating and to all employers in the logging and lumbering industries, including employers of drivers, and sawmill industries who are experience-rated, insurers shall offer a deductible of \$250 or \$500 per occurrence.

Sec. 2. 24-A MRSA §2385-A, sub-§3, as enacted by PL 1991, c. 885, Pt. B, §12 and affected by §13, is repealed.

Sec. 3. 24-A MRSA §3702, sub-§3-A is enacted to read:

3-A. Maine-based employer. "Maine-based employer" means an employer with a principal place of business located in this State.

Sec. 4. 24-A MRSA §3703, sub-§1, as amended by PL 1991, c. 885, Pt. C, §3, is further amended to read:

1. Workers' compensation. The company shall provide workers' compensation insurance and employers' liability insurance incidental to and written in connection with workers' compensation coverage to employees employers in this State. The company may not write other lines of insurance. The company may not write reinsurance or excess insurance. For the purpose of providing insurance to Maine-based employers operating in other states, the company may apply to appropriate regulatory authorities in those states for authority to write workers' compensation and employers' liability insurance for Maine-based employers' operations in those states. Until the company has obtained the surplus otherwise required under this Title for casualty insurance companies, the company must receive approval from the superintendent before actually writing policies in each other state.

Sec. 5. 24-A MRSA §3710, sub-§2, ¶¶A and B, as enacted by PL 1991, c. 885, Pt. C, §8, are amended to read:

A. Shall collect from each applicant an advance premium of 25% of the estimated annual premium and shall bill subsequent premiums with advance notice to insureds to ensure that, if periodic premiums are not paid by insureds in a timely manner, ~~that~~ adequate time is available to give proper notice of cancellation prior to a previously collected premium being fully earned; ~~and~~

B. May assess its policyholders for additional funds to meet operating needs or as required by law; and

Sec. 6. 24-A MRSA §3710, sub-§2, ¶C is enacted to read:

C. May provide premium payment plans and premium financing programs providing payment terms other than those specified in paragraph A. Until the company has obtained the surplus otherwise required under this Title for casualty insurance companies, the company must receive