

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

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The Department of Health and Welfare, as heretofore established and hereinafter in this Title called the "department" shall consist of such bureaus and divisions as may be required to carry out the work of the department; it shall also include the Committee on Children and Youth, the Governor's Advisory Council on the Status of Women, the Committee on Aging and the Maine Commission on Drug Abuse.

Sec. 2. R. S., T. 22, § 1, amended. The first sentence of the 2nd paragraph of section 1 of Title 22 of the Revised Statutes is repealed and the following enacted in place thereof:

The department shall be under the control and supervision of the Commissioner of Health and Welfare, hereinafter in this Title called the "commissioner" who shall be appointed by the Governor with the advice and consent of the Council, for a term coterminous with the Governor, subject to removal for cause by the Governor and Council.

Sec. 3. R. S., T. 34, § 1, amended. The first sentence of the 2nd paragraph of section 1 of Title 34 of the Revised Statutes, is repealed and the following enacted in place thereof:

The department shall be under the control and supervision of a Commissioner of Mental Health and Corrections, hereinafter in this Title called the "commissioner," who shall be appointed by the Governor with the advice and consent of the Council, for a term coterminous with the Governor, subject to removal for cause by the Governor and Council.

Sec. 4. Terms. The terms of the present Commissioner of the Department of Health and Welfare and the Commissioner of the Department of Mental Health and Corrections shall continue but shall expire in any event on the expiration of the term of the present Governor.

Effective October 3, 1973

CHAPTER 554

AN ACT to Protect the Rights of Injured Persons under the Workmen's Compensation Law.

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

R. S., T. 39, § 112, additional. Title 39 of the Revised Statutes is amended by adding a new section 112 to read as follows:

§ 112. Protection

No statement, except made in proceedings before the Industrial Accident Commission, to any investigator or employer's representative, of any kind, oral or written, recorded or unrecorded, made by the injured employee shall be admissible in evidence or considered in any way in any proceeding under this Title unless:

1. It is in writing;

2. A true copy of said statement is delivered to the employee by certified mail;
3. The employee has been previously advised in writing:
 - A. That the statement may be used against him;
 - B. That the employer (insurance carrier) may have pecuniary interest adverse to the employee;
 - C. The employee may consult with counsel prior to making any statements;
 - D. The employee may decline to make any statement;
 - E. The employer may not discriminate against him in any manner for refusing to make such a statement or exercising in any way his rights under this Title.

This section shall not apply to agreements for the payment of compensation made pursuant to the Workmen's Compensation Act or to the admissibility of statements to show compliance with the notice requirements of sections 63 and 64.

Effective October 3, 1973

CHAPTER 555

AN ACT to Amend the Employment Security Law.

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

Sec. 1. R. S., T. 26, § 111, amended. Section 111 of Title 26 of the Revised Statutes, as repealed and replaced by section 2 of chapter 149 of the public laws of 1969 and as amended by section 13 of chapter 620 of the public laws of 1971, is further amended by adding at the end a new paragraph to read as follows:

Any individually owned business in this State manufacturing cushions as described in section 81, subsection 3 and whose gross income from the sale of these products is under \$1,500 per year, shall register with the bureau on forms provided by the bureau, that set forth those items covered in this section. A fee of \$5 shall accompany each registration. This registration shall be valid for a period of one year and the individuals will be subject to all other requirements of this chapter.

Sec. 2. R. S., T. 26, § 131, amended. Section 131 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965 and as amended, is further amended by adding at the end a new paragraph to read as follows: