

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

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

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

(4) The estimated cost of the program; and

D. Funding. The funds that the municipality will obligate, as approved by its legislative body, as matching funds to the amounts obligated to that municipality's program by the commissioner according to subsection 7. In lieu of obligating funds, the municipality may, with the approval of the commissioner, provide in-kind contributions including, but not limited to, labor, equipment, materials, supervision, maintenance and monitoring the effectiveness of the program by record keeping.

5. Completed application. The commissioner shall notify the municipality that he has received a completed application or, if the application is incomplete or has insufficient information, what additional information is necessary.

6. Notification of inclusion in the program. The commissioner shall notify the municipality within 30 days of receiving a completed application that it will be included in the program or that it will not be included in the program and the reasons for this decision.

7. Funding. The commissioner shall disburse to a municipality funds, materials or services to provide 50% of the total expenditures necessary to carry out the program in that municipality. He shall obligate annually from the Shellfish Fund, as established according to section 4311, an amount not to exceed \$25,000 to be used to carry out the purposes of this section.

8. Report to commissioner. Any municipality, which has established a fencing program as provided in this section, shall annually by February 1st report to the commissioner giving a complete evaluation of the program in that municipality. Forms for these reports shall be provided by the commissioner.

9. Report to Legislature. The Commissioner of Marine Resources shall annually, by March 1st, report to the Legislature giving a complete evaluation of the program established by this section and whether the program should be continued.

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

Effective March 30, 1976

CHAPTER 693

AN ACT to Charge Supplemental Weekly Benefits for Dependents to the General Fund Account of the State Unemployment Trust Fund.

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

Whereas, payments made under the recently enacted dependents' allowance are charged to the experience rating of employers, rather than to the general fund of the State Unemployment Trust Fund; and

Whereas, the current charging practice provides unnecessary and discriminatory incentives to employers to discriminate in hiring and laying off employees with dependents; 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:

26 MRSA § 1221, sub-§ 3, ¶ A-1 is enacted to read:

A-1. No charge shall be made to an individual employer for supplemental weekly benefits for dependents paid in accordance with section 1191, subsection 6; charges for such benefits shall be made to the General Fund.

Emergency clause. In view of the emergency cited in the preamble, this Act shall be retroactive to January 1, 1976.

Effective March 30, 1976 and retroactive to January 1, 1976

CHAPTER 694

AN ACT to Permit an Employee to Review His Personnel File.

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

Sec. 1. 5 MRSA § 638 is enacted to read:

§ 638. Employee right to review personnel file

The director shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file. Such reviews shall take place in the Department of Personnel and during its normal office hours. Time spent by an employee in reviewing his personnel file shall not be considered as time worked. For the purposes of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the director has in his possession.

Sec. 2. 26 MRSA § 631 is enacted to read:

§ 631. Employee right to review personnel file

The employer shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file if the employer has a personnel file for that employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office