

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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

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1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
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ONE HUNDRED AND EIGHTH LEGISLATURE
January 4, 1978 to April 6, 1978

theretofore of outstanding bonds has been or will be waived, discharged or otherwise become inoperative or of no effect.

Sec. 9. P&SL 1941, c. 69, § 16, as amended by P&SL 163, c. 76, § 2, is repealed and the following enacted in its place:

Sec. 16. Termination of the authority. When all bonds and the interest thereon have been paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon shall have been set aside in trust for the benefit of the bondholders and shall continue to be held for that purpose, and when sufficient funds have been paid to the Maine State Retirement System to finance in full the accrued benefits for all employees of the authority, the authority shall become dissolved and the turnpike, its leases, rights, easements, franchises, lands and properties shall become the property of the State of Maine and all revenue therefrom become payable to the Treasurer of State for the turnpike fund of this State, and the turnpike shall thereafter be maintained and operated as a toll highway by the Department of Transportation, and all machinery, equipment and other property belonging to the authority appertaining to the maintenance and operation of the turnpike shall be vested in the Department of Transportation for use as provided by the Revised Statutes, Title 23, chapter 8.

Sec. 10. Effective date. Sections 2, 3, 4 and 5 of this Act shall become effective upon the date of repayment of all bonds and interest, as provided in section 8.

Effective July 6, 1978 Unless otherwise indicated

CHAPTER 659

AN ACT Concerning Filing of Claims for Occupational Deafness under the Workmen's Compensation Statutes.

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

Sec. 1. 39 MRSA § 193, sub-§ 8, as enacted by PL 1967, c. 374, § 6, is repealed and the following enacted in its place:

8. Filing of claims. No claim for compensation for occupational deafness may be filed until after the employee has been separated from the occupational noise for a period of at least 30 days. The last day of this period shall be the date of disability. "Separation from the occupational noise" shall mean the use of hearing protective devices or equipment, including noise attenuators and ear plugs.

Sec. 2. 39 MRSA § 193, sub-§ 9, first ¶, as enacted by PL 1967, c. 374, § 6, is amended to read:

9. **Employers limit of liability.** An employer shall become liable for the entire occupational deafness to which his employment has contributed, but if previous deafness is established by a hearing test or by other competent evidence, whether or not the employee was exposed to noise within ~~6 months~~ 30 days preceding such test, the employer shall not be liable for previous loss so established, nor shall he be liable for any loss for which compensation has previously been paid or awarded.

Effective July 6, 1978

CHAPTER 660

AN ACT to Require Contracts for the Installation of Insulation.

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

10 MRSA c. 219 is enacted to read:

CHAPTER 219

INSULATION CONTRACTORS

§ 1481. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. **Insulation.** "Insulation" means any material, including, but not limited to, mineral wool, cellulose fibre, vermiculite and perlite, and foams to reduce airflow between the interior and exterior surfaces of a building.

2. **Person.** "Person" means an individual, a copartnership, corporation or any other legal entity.

3. **Residence or residential.** "Residence" or "residential" shall mean any existing dwelling structure with 3 or less living units whether leased or owner occupied. Except as provided in this subsection, buildings used for commercial or business purposes shall not be subject to the provisions of this chapter.

4. **Resistance factor.** "Resistance factor" shall have the same meaning as "thermal resistance," as defined in the ASHRAE Handbook of Fundamentals.