

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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CHAPTER 493

S. P. 338 — L. D. 999

AN ACT to Clarify the Liability of Employers Under the Workers' Compensation Act.

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

39 MRSA § 4, as last amended by PL 1973, c. 746, § 4, is further amended by adding after the 5th sentence a new sentence to read:

This exemption from liability shall also extend to all employees, supervisors, officers and directors of the employer for any personal injury or occupational disease arising out of and in the course of employment.

Effective September 14, 1979

CHAPTER 494

S. P. 318 — L. D. 948

AN ACT to Provide for Outside Audit of County Budgets.

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

Whereas, certain county governments are facing impending financial difficulties which necessitate the immediate borrowing of funds; and

Whereas, the State Auditor is not able to provide audits necessary within the time frame acceptable to the county governments; 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:

30 MRSA § 401, first ¶, as repealed and replaced by PL 1967, c. 541, § 2, is amended to read:

Every county shall have an audit made of its accounts annually covering the last

complete fiscal year by the State Department of Audit or by a certified public accountant selected by the county commissioners. The audit shall be performed in accordance with generally accepted auditing standards and procedures pertaining to governmental accounting and shall include a management letter covering the audit of the operational aspects of the county as well as suggestions which the auditor may deem advisable for the proper administration of the county. The auditor shall produce at least those reports on those forms required in section 411. When an audit is conducted by a certified public accountant, the audit shall, upon completion, be forwarded to the Department of Audit. The audit, including the management letter, shall be treated as a public document.

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

Effective June 20, 1979

CHAPTER 495

S. P. 337 — L. D. 998

AN ACT to Reclassify Certain Surface Waters and Revise Water Quality Standards.

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

Sec. 1. 38 MRSA § 363-A, 2nd ¶, first sentence, as enacted by PL 1977, c. 373, § 6, is amended to read:

Class GP-A shall be the highest classification and shall be of such quality that it can be used for recreational purposes, including bathing, fish and wildlife habitat and for public water supplies after disinfection.

Sec. 2. 38 MRSA § 363-A, 4th ¶, as enacted by PL 1977, c. 373, § 6, is repealed and the following enacted in its place:

There shall be no direct or indirect discharge of sewage, pollutants or other substances harmful to water quality or aquatic life into waters of this classification except as provided in sections 371-A and 413. No materials shall be placed on the shores or banks thereof in such a manner that the same may fall or be washed into the waters or in such a manner that the drainage therefrom may flow or leach into those waters.

Sec. 3. 38 MRSA § 367, 2nd ¶, as repealed and replaced by PL 1971, c. 622, § 135, is amended to read: