

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
January 2, 1980 to April 3, 1980

the Speaker of the House and to serve a term of 4 years; one member of the Senate to be appointed by the President of the Senate and to serve a term of 4 years; and one representative of the Public Utilities Commission and with those Legislators to serve ex officio; and 6 members to be appointed by the Governor, the members to be selected on the basis of their interest, education and experience in the areas of energy planning, research and development. The members appointed by the Governor shall serve 4-year terms except those first appointed who shall serve terms as follows: One representative of industry to serve a term of 2 years; one representative of labor to serve a term of 3 years; one representative of the academic community to serve a term of 3 years; one representative of the business community to serve a term of 4 years; and 2 representatives of the general public, one to serve a term of 2 years, the other to serve a term of 4 years.

Effective July 3, 1980

CHAPTER 653

H. P. 1766 — L. D. 1889

AN ACT Relating to the Reorganization of the Board of Trustees of the State Employees Group Accident and Sickness or Health Insurance Plan.

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

5 MRSA § 285, sub-§ 2, 2nd sentence, as amended by PL 1975, c. 771, § 52, is further amended to read:

The provisions of such group insurance policy or policies shall be determined, insofar as such provisions are not inconsistent with terms and conditions contained in collective bargaining agreements negotiated pursuant to Title 26, chapter 9-B, by a board of trustees consisting of 5 members, 2 of whom shall be appointed by the ~~Maine State Employees Association~~ **employee organization certified to represent the majority of employees**; one of whom shall be a retired state employee selected by a majority vote of the Presidents of the Chapters of the Retired State Employees Association; and 2 state employees who shall be appointed by the Governor.

Effective July 3, 1980

CHAPTER 654

S. P. 801 — L. D. 2005

AN ACT to Amend the Maine Sunset Law.

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

Sec. 1. 3 MRSA § 504, sub-§ 3, as enacted by PL 1977, c. 554, § 1, is repealed and the following enacted in its place:

3. Submittal of justification reports. Departments and independent agencies designated in section 507 shall submit their justification reports to the Legislature, through the Legislative Administrative Director, according to the following schedule:

Group A-1 no later than October 31, 1978;

Group A-2 no later than October 31, 1979;

Group B-1 no later than October 31, 1980;

Group B-2 no later than October 31, 1981;

Group C-1 no later than October 31, 1982;

Group C-2 no later than October 31, 1983;

Group D-1 no later than October 31, 1984;

Group D-2 no later than October 31, 1985;

Group E-1 no later than October 31, 1986; and

Group E-2 no later than October 31, 1987.

Sec. 2. 3 MRSA § 505, sub-§ 2, as last amended by PL 1979, c. 338, § 1, is repealed and the following enacted in its place:

2. Submittal of analyses. The Joint Standing Committee on Audit and Program Review shall submit to the Legislature the evaluations and analyses prepared pursuant to this section of the departments and independent agencies listed in section 507 and its recommendations and any legislation required to implement them according to the following schedule:

Group A-1 no later than December 31, 1979;

Group A-2 no later than December 31, 1980;

Group B-1 no later than December 31, 1981;

Group B-2 no later than December 31, 1982;

Group C-1 no later than December 31, 1983;

Group C-2 no later than December 31, 1984;

Group D-1 no later than December 31, 1985;

Group D-2 no later than December 31, 1986;

Group E-1 no later than December 31, 1987; and

Group E-2 no later than December 31, 1988.

The Joint Standing Committee on Audit and Program Review shall submit to the Legislature its evaluations and analyses of justification reports submitted pursuant to section 507-A no later than 14 months after those reports are submitted to the Legislature.

Sec. 3. 3 MRSA § 507, sub-§§ 3-10, as last repealed and replaced by PL 1977, c. 683, § 2, are repealed and the following enacted in its place:

3. Group B-1 and B-2 departments.

A. The evaluations and analyses of the justification reports for the programs of the following Group B-1 departments shall be reviewed by the Legislature no later than June 30, 1982:

- (1) Department of Human Services.

B. The evaluations and analyses of the justification reports for the programs of the following Group B-2 departments shall be reviewed by the Legislature no later than June 30, 1983:

- (1) Department of Mental Health and Corrections; and
- (2) Department of Indian Affairs.

4. Group B-1 and B-2 independent agencies.

A. Unless continued or modified by law, the following Group B-1 independent agencies shall terminate, not including the grace period, no later than June 30, 1982:

- (1) Plumbers' Examining Board;
- (2) State Board of Funeral Services;
- (3) Board of Hearing Aid Dealers and Fitters; and
- (4) Maine Human Services Council.

B. Unless continued or modified by law, the following Group B-2 independent agencies shall terminate, not including the grace period, no later than June 30, 1983. The Maine Health Facilities Authority, the Maine State Housing

Authority, the Penobscot Indian Housing Authority, the Pleasant Point Passamaquoddy Indian Housing Authority and the Indian Township Passamaquoddy Indian Housing Authority shall not terminate, but shall be reviewed by the Legislature no later than June 30, 1987:

- (1) Board of Chiropractic Examination and Registration;**
 - (2) Board of Dental Examiners;**
 - (3) State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals;**
 - (4) Board of Registration in Medicine;**
 - (5) State Board of Nursing;**
 - (6) State Board of Optometry;**
 - (7) Board of Osteopathic Examination and Registration;**
 - (8) Board of Commissioners of the Profession of Pharmacy;**
 - (9) Examiners of Podiatrists;**
 - (10) Maine Health Facilities Cost Review Board;**
 - (11) Maine Medical Laboratory Commission;**
 - (12) State Planning and Advisory Council on Developmental Disabilities;**
 - (13) Maine Committee on Problems of the Mentally Retarded;**
 - (14) Governor's Committee on Employment of the Handicapped;**
 - (15) Division of Community Services;**
 - (16) Maine State Housing Authority;**
 - (17) Penobscot Indian Housing Authority;**
 - (18) Pleasant Point Passamaquoddy Indian Housing Authority;**
 - (19) Indian Township Passamaquoddy Indian Housing Authority; and**
 - (20) Maine Health Facilities Authority.**
- 5. Group C-1 and C-2 departments.**

A. The evaluations and analyses of the justification reports for the programs of the following Group C-1 departments shall be reviewed by the Legislature no later than June 30, 1984:

- (1) Department of Conservation; and**
- (2) Department of Inland Fisheries and Wildlife.**

B. The evaluations and analyses of justification reports for the programs of the following Group C-2 departments shall be reviewed by the Legislature no later than June 30, 1985:

- (1) Department of Environmental Protection; and**
- (2) Department of Marine Resources.**

6. Group C-1 and C-2 independent agencies.

A. Unless continued or modified by law, the following Group C-1 independent agencies shall terminate, not including the grace period, no later than June 30, 1984. The Baxter State Park Authority shall not terminate, but shall be reviewed by the Legislature no later than June 30, 1984:

- (1) Baxter State Park Authority;**
- (2) Coastal Island Trust Commission;**
- (3) Saco River Corridor Commission;**
- (4) Soil and Water Conservation Commission;**
- (5) Inspector of Dams and Reservoirs;**
- (6) Board of Certification of Water Treatment Plant Operators; and**
- (7) Keep Maine Scenic Committee.**

B. Unless continued or modified by law, the following Group C-2 independent agencies shall terminate, not including the grace period, no later than June 30, 1985:

- (1) Maine Sardine Council;**
- (2) Atlantic Sea Run Salmon Commission;**
- (3) Public Utilities Commission;**
- (4) State Development Office;**

- (5) Office of Energy Resources;
- (6) Atlantic States Marine Fisheries Commission; and
- (7) Maine Development Foundation.

7. Group D-1 and D-2 departments.

A. The evaluations and analyses of the justification reports for the programs of the following Group D-1 departments shall be reviewed by the Legislature no later than June 30, 1986:

- (1) Department of the Attorney General; and
- (2) Department of Business Regulation.

B. The evaluations and analyses of the justification reports for the programs of the following Group D-2 departments shall be reviewed by the Legislature no later than June 30, 1987:

- (1) Department of Manpower Affairs; and
- (2) Department of Personnel.

8. Group D-1 and D-2 independent agencies.

A. Unless continued or modified by law, the following Group D-1 independent agencies shall terminate, not including the grace period, no later than June 30, 1986:

- (1) Real Estate Commission;
- (2) Maine Athletic Commission;
- (3) Electricians' Examining Board;
- (4) Oil Burner Men's Licensing Board;
- (5) State Claims Board;
- (6) State Board of Examiners of Psychologists;
- (7) Board of Examiners on Speech Pathology and Audiology;
- (8) State Board of Social Worker Registration;
- (9) Board of Accountancy;
- (10) Arborist Examining Board;

- (11) Maine State Board for Registration of Architects and Landscape Architects;
- (12) Board of Examiners for the Examination of Applicants for Admission to the Bar;
- (13) State Board of Barbers;
- (14) State Board of Cosmetology;
- (15) Manufactured Housing Board;
- (16) State Running Horse Racing Commission;
- (17) Board of Registration of Substance Abuse Counselors;
- (18) State Board of Registration for Professional Foresters;
- (19) State Board of Certification for Geologists and Soil Scientists;
- (20) Board of Examiners in Physical Therapy; and
- (21) Maine Criminal Justice Planning and Assistance Agency.

B. Unless continued or modified by law, the following Group D-2 independent agencies shall terminate, not including the grace period, no later than June 30, 1987:

- (1) Office of CETA Planning and Coordination;
- (2) Maine Commission for Women;
- (3) Maine Human Rights Commission;
- (4) Maine Labor Relations Board;
- (5) Office of State Employees Relations;
- (6) State Employees Appeals Board;
- (7) Educational Leave Advisory Board; and
- (8) Workers' Compensation Commission.

9. Group E-1 and E-2 departments.

A. The evaluations and analyses of the justification reports for the programs of the following Group E-1 departments shall be reviewed by the Legislature no later than June 30, 1988:

- (1) Department of Finance and Administration;
- (2) Department of the Treasurer of State; and
- (3) Department of Audit.

B. The evaluations and analyses of the justification reports for the programs of the following Group E-2 departments shall be reviewed by the Legislature no later than June 30, 1989:

- (1) Maine State Retirement System;
- (2) Department of Educational and Cultural Services;
- (3) Board of Trustees of the University of Maine; and
- (4) Board of Trustees of the Maine Maritime Academy.

10. Group E-1 and E-2 independent agencies.

A. Unless continued or modified by law, the following Group E-1 independent agencies shall terminate, not including the grace period, no later than June 30, 1988. The Board of Emergency Municipal Finance, the Maine Guarantee Authority, the Maine Municipal Bond Bank and the Maine Small Business Loan Authority Board shall not terminate, but shall be reviewed by the Legislature no later than June 30, 1988:

- (1) Board of Emergency Municipal Finance;
- (2) Maine Guarantee Authority;
- (3) Maine Municipal Bond Bank;
- (4) Municipal Valuation Appeals Board;
- (5) Land Classification Appeals Board;
- (6) State Liquor Commission;
- (7) Capitol Planning Commission;
- (8) Maine Small Business Loan Authority Board; and
- (9) State Board of Assessment Review.

B. Unless continued or modified by law, the following Group E-2 independent agencies shall terminate, not including the grace period, no later than June 30, 1989:

- (1) Board of Trustees Group Accident and Sickness or Health Insurance;
- (2) Maine Vocational Development Commission;
- (3) Post-secondary Education Commission of Maine;
- (4) Advisory Committee on Maine Public Broadcasting;
- (5) State Government Internship Program Advisory Committee;
- (6) State Historian;
- (7) Historic Preservation Commission;
- (8) Maine State Commission on the Arts and the Humanities;
- (9) Maine Occupational Information Coordinating Committee; and
- (10) Maine Historical Society.

Effective July 3, 1980

CHAPTER 655

H. P. 1687 — L. D. 1795

AN ACT to Increase Interest Rates on Judgment Debts.

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

Sec. 1. 14 MRSA § 1602, as repealed and replaced by PL 1977, c. 147, is amended to read:

§ 1602. Interest on judgments

In all civil actions, except those actions involving a contract or note which contract or note contains a provision relating to interest, interest shall be assessed **at the rate of 8% per year** from the date on which the complaint is filed in court, provided that, if the prevailing party at any time requests and obtains a continuance for a period in excess of 30 days, interest will be suspended for the duration of the continuance. From and after the date of entry of an order for judgment, including the period of the pendency of an appeal, interest shall be allowed at the rate of ~~10%~~ **12%** per year.

Sec. 2. **Application.** The increases in interest rates in this Act shall apply to actions and awards in which the complaint or petition is filed on or after July 1,