

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
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STATE OF MAINE

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Lights used on ambulances, fire department vehicles, vehicles operated by city and town fire inspectors, forestry department vehicles used for forest fire control purposes and by vehicles operated by chiefs and chief officers, such as assistant chiefs, deputy chiefs and district chiefs of fire departments shall emit a red beam of light or a combination of red and white lights.

Effective September 18, 1981

CHAPTER 15

H. P. 69 — L. D. 118

AN ACT Relating to Safety and Health Regulation of Compressed Air Work, Public Sector Farm Workers and Variance Procedures.

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

Sec. 1. 26 MRSA c. 5, sub-c. III, as amended is repealed.

Sec. 2. 26 MRSA § 571 is enacted to read:

§ 571. Variance

Any affected employer may apply to the director for order for a variance from a standard promulgated under this chapter. Affected employees shall be given notice of each application and an opportunity to participate in a hearing. The director shall issue the order if he determines on the record, after a hearing and, where appropriate, an inspection, that the proponent of a variance has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations or processes used or proposed to be used by an employer will provide employment and places of his employment to his employees which are as safe and healthful as those which would prevail if he complied with the standard. Such an order may be summarily revoked by the director on his own motion or modified or revoked by the director upon application by an employer or employee in the manner prescribed for its issuance.

Any person aggrieved by an order of the director may appeal, at any time, from the order to the board under the process established in section 568.

Sec. 3. 26 MRSA § 581 as amended by PL 1977, c. 694, § 464, is repealed and the following enacted in its place:

§ 581. Administration and enforcement

To implement section 580 in workplaces provided by the State, state agency, county, municipal corporation, school district or other public corporation or political subdivision, the Occupational Safety Rules and Regulations Board shall formulate and adopt pursuant to Title 5, section 8051 et seq., reasonable rules and regulations pursuant to this chapter and the bureau shall inspect and enforce the rules and regulations. The Commissioner of Agriculture, Food and Rural Resources shall have the authority to adopt, pursuant to Title 5, section 8051 et seq., administer and enforce standards, rules and regulations to implement section 580 in all other workplaces.

Effective September 18, 1981

CHAPTER 16

S. P. 61 — L. D. 87

AN ACT Relating to the Period for Establishing Employer Contribution Rates under the Employment Security Law.

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

Sec. 1. 26 MRSA § 1221, sub-§ 4, ¶ B, first ¶, as last repealed and replaced by PL 1973, c. 563, § 2, is amended to read:

Subject to paragraph A, each employer's contribution rate for the 12-month period commencing ~~July 1st~~ **January 1st** of each year shall be based upon his experience rating record and determined from his reserve ratio, which is the percent obtained by dividing the amount by which, if any, his contributions credited from the time he first or most recently became an employer, whichever date is later, and up to and including ~~December 31st~~ **June 30th** of the preceding year, including any part of his contributions due for that year payable on or before ~~January 31st~~ **July 31st** of the ~~current~~ **preceding** year, exceed his benefits charged during the same period, by his average annual payroll for the 36-consecutive-month period ending ~~December 31st~~ **June 30th** of the preceding year. His contribution rate is the percent shown on the line of the following table on which in column A there is indicated his reserve ratio and under the schedule within which the reserve multiple falls as of ~~May 31st~~ **September 30th** of each year. The following table will apply for each 12-month period commencing ~~July 1st~~ **January 1st** of each year as determined by paragraph C. **Notwithstanding any other provisions of this paragraph, each employer's contribution rate computed and effective as of July 1, 1981, shall be for the 6-month period ending December 31, 1981.**

Sec. 2. 26 MRSA § 1221, sub-§ 4, ¶ C, last sentence, as repealed and replaced by PL 1973, c. 563, § 2, is amended to read: