

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

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PUBLIC LAWS
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shall receive them and dispose of them according to Title 33, chapter 27. These assets shall, for the purposes of Title 33, chapter 27, be presumed abandoned when the judge orders the public administrator to deposit them with the Treasurer of State.

Sec. 4. 18-A MRSA § 3-619, sub-§ (g) is enacted to read:

(g) Estates administered under this section having a value at the decedent's death not exceeding \$200 shall be exempt from all notice and filing costs and from giving bond. The cost of notice shall be paid by the court.

Sec. 5. 33 MRSA § 1315 is enacted to read:

§ 1315. Property held by public administrators

All assets held by a public administrator which are to be disposed of under Title 18-A, section 3-619, subsection (e) shall be presumed abandoned when the judge, pursuant to that section, orders the public administrator to deposit those assets with the Treasurer of State.

Effective September 18, 1981

CHAPTER 269

H. P. 1125 — L. D. 1342

AN ACT Concerning Qualifications of Law Enforcement Officials.

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

30 MRSA § 2365 is enacted to read:

§ 2365. Qualification of law enforcement officials

Prior to appointing any law enforcement official, the municipal officials shall conduct an investigation into the qualifications and background of any person being considered for appointment. This shall include investigation of the applicants abilities, reputation for truthfulness and respect for the law.

Effective September 18, 1981

CHAPTER 270

H. P. 1375 — L. D. 1556

AN ACT to Promote Greater Efficiency through Alternative Working Hours in State Government.

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

Sec. 1. 5 MRSA § 285, sub-§ 7, as repealed and replaced by P&SL 1975, c. 90, § T, § 2, is repealed and the following enacted in its place:

7. **Payment by State.** Except as otherwise provided in this subsection, the State, through the board of trustees, shall pay 100% of only the employee's share of this insurance. For any person appointed to a position after November 1, 1981, who is employed less than full time, the State shall pay a share of the employee's share reduced pro rata to reflect the reduced number of work hours.

Sec. 2. 5 MRSA § 631, sub-§ 1, ¶¶ O and P, as enacted by PL 1975, c. 686, § 4, are amended to read:

O. Service ratings; and

P. Certification of payrolls; and

Sec. 3. 5 MRSA § 631, sub-§ 1, ¶ Q is enacted to read:

Q. Alternative working hours, consistent with chapter 69;

Sec. 4. 5 MRSA c. 69 is enacted to read:

CHAPTER 69

ALTERNATIVE WORKING HOURS

§ 901. Legislative findings and purpose

The Legislature finds that alternative working hours, including part-time work, job sharing and more flexible work schedules will lead to greater efficiency by state employees. There are many qualified and talented Maine citizens of all ages whose personal responsibilities make it difficult to work full time or during the traditional hours of employment.

§ 902. Definitions

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

1. **Alternative working hours employment.** "Alternative working hours employment" means employment in the classified or unclassified service capable of being filled through flexible hours, job-sharing or part-time employment, as defined in subsections 2, 3 and 4.

2. **Flexible hours employment.** "Flexible hours employment" means

employment where the full-time employees of a specific work unit and shift are authorized to set different working hours around a basic core of hours during which all full-time unit employees are to be at work.

3. **Job-sharing employment.** "Job-sharing employment" means employment where 2 or more persons share one full-time position.

4. **Part-time employment.** "Part-time employment" means employment for less than the standard work week for the class and agency on regularly scheduled hours each week for the position.

§ 903. Authorization for alternative working hours employment

1. **Employees in collective bargaining units.** The Governor, or his designee who negotiates a collective bargaining agreement, may bargain and conclude agreements, pursuant to Title 26, chapter 9-B, which include provisions for alternative working hours employment. Notwithstanding any other state law, an agreement with any such provision shall provide for the proration of any benefits, including retirement benefits, made available to a person employed for job-sharing and part-time employment, provided that such proration is not prohibited by federal law.

2. **Employees not in collective bargaining units.** The Commissioner of Personnel shall adopt rules to implement alternative working hours employment for persons who are not in collective bargaining units. Notwithstanding any other state law, any such rules shall provide for the proration of any benefits, including retirement benefits, made available to a person employed for job-sharing and part-time employment, provided that such proration is not prohibited by federal law.

3. **Further authority.** Any appropriation for personal services, allocation or other resource made available to an account may be used during the biennium to carry out the intent of this section. For the purpose of complying with any appropriation or allocation, one full-time position shared by more than one person shall be considered one full-time position. Continued funding of these costs shall be requested as current services in accordance with chapter 149.

4. **Prohibition.** Positions listed in section 711, subsection 2, and in Title 2, section 6, may not be filled by persons employed under any job-sharing authority.

5. **Report.** The commissioner shall report to the Joint Standing Committee on State Government the state's progress in establishing alternative working hours. The report shall at a minimum contain a specific breakdown of the number of employees seeking and the number of employees working alternative working hours employment by each category of such employment, the increase or decrease in the number of employees from the preceding year by each category, the number of persons over the age of 60 by each category of alternative working hours employment, an estimate of savings achieved or costs imposed and a

narrative summary of the efforts taken by the State to encourage the development of alternative working hours employment.

Sec. 5. Application. Nothing in this Act shall affect the provisions of any collective bargaining agreement pursuant to the Revised Statutes, Title 26, chapter 9-B, that is in effect on the effective date of this Act.

Effective September 18, 1981

CHAPTER 271

S. P. 390 — L. D. 1148

AN ACT to Make Revenue Losses, Due to Tax Credits, Exemptions and Deductions, Part of the Budget Document.

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

5 MRSA § 1664, 2nd ¶, is amended by adding after the 2nd sentence a new sentence to read:

It shall specifically describe the estimated loss in revenue during the last completed fiscal year and the fiscal year in progress, and the anticipated loss in revenue for each fiscal year of the ensuing biennium, caused by any state tax credits, exemptions or deductions then in effect, showing the estimated loss due to each.

Effective September 18, 1981

CHAPTER 272

S. P. 411 — L. D. 1215

AN ACT Relating to Pharmaceutical Services Provided at Rural Health Centers.

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

32 MRSA c. 41, sub-c. V is enacted to read:

SUBCHAPTER V

SERVICES AT RURAL HEALTH CENTERS