

# 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**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TENTH LEGISLATURE

1981

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## CHAPTER 286

### H. P. 950 — L. D. 1126

#### AN ACT Relating to the Clarification, Consistency and Improved Administration of the Employment Security Law.

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

**Sec. 1.** 26 MRSA § 1081, sub-§ 1, 2nd ¶, as repealed and replaced by PL 1977, c. 675, § 3, is repealed.

**Sec. 2.** 26 MRSA § 1194, sub-§ 10, first sentence, is amended to read:

The ~~commissioner~~ **deputy** may reconsider a determination with respect to the weekly benefit amount and maximum total amount of benefits for a claimant for any given benefit year, if ~~it~~ **he** finds that an error in computation or identity has occurred in connection therewith, or that wages have been erroneously reported, but no such redetermination shall be made after one year from the date of the original determination.

**Sec. 3.** 26 MRSA § 1194, sub-§ 10, 2nd ¶, first sentence is amended to read:

The ~~commissioner~~ **deputy** may reconsider a benefit payment for any particular week or weeks whenever ~~it~~ **he** finds that an error in computation or identity has occurred in connection therewith or that earnings were erroneously reported, but no such redetermination may be made after one year from the date of payment for such week or weeks.

**Sec. 4.** 26 MRSA § 1221, sub-§ 15, last sentence, as last amended by PL 1977, c. 675, § 28, is further amended to read:

The ~~commissioner~~ **commission** shall prescribe such regulations as ~~he~~ **it** deems necessary with respect to applications for establishment, maintenance and termination of group accounts that are authorized by this subsection, for addition of new members to, and withdrawal of active members from, such accounts, and for the determination of the amounts that are payable under this subsection by members of the group and the time and manner of such payments.

**Sec. 5.** 26 MRSA § 1226, sub-§ 1, ¶ B, first sentence, as last amended by PL 1979, c. 651, § 40, is further amended to read:

Upon appeal from an assessment, the commission shall, after affording the appellant and the commissioner's designated representative a reasonable opportunity for a fair hearing, make finding of facts and render its decision, which may affirm, modify or reverse the action of ~~its~~ **the** designated representative.

Sec. 6. 26 MRSA § 1226, sub-§ 1, ¶ B, as last amended by PL 1979, c. 651, § 40, is further amended by adding at the end a new sentence to read:

**The commissioner shall have the right to appeal a final decision of the Maine Employment Security Commission to the Superior Court.**

Effective September 18, 1981

## CHAPTER 287

S. P. 43 — L. D. 44

### **AN ACT to Abolish the Position of Elected County Treasurer in Penobscot County and Replace it with an Appointed Treasurer.**

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

Sec. 1. 30 MRSA § 2, sub-§ 1, ¶ J, Penobscot County, sub-¶ (2), as last amended by PL 1977, c. 657, § 10, is repealed as follows:

~~(2) Treasurer~~

6,452

Sec. 2. 30 MRSA § 601, first sentence, is amended to read:

A treasurer shall be elected for each county, **except Penobscot County**, by the legally qualified voters thereof.

Sec. 3. 30 MRSA § 601-A is enacted to read:

#### **§ 601-A. Penobscot County; treasurer**

**The county commissioners of Penobscot County shall appoint a treasurer to serve at their pleasure and with the compensation they set. The treasurer must be qualified in matters of business administration and finance. The Penobscot County treasurer shall have all the authority granted to treasurers under this subchapter and be subject to all requirements of this subchapter.**

Sec. 4. **Referendum; effective date.** This Act shall be submitted to the legal voters of Penobscot County. The submission shall be at the discretion of the Penobscot County Board of Commissioners, at a statewide election following the effective date of this Act. Penobscot County commissioners are authorized to expend funds that are necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they state the subject matter of the Act in the following question: