

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

the need for clarification of current licensee definitions and record of transaction requirements and the need for additional licensing classifications and requirements. The department shall report the results of this review not later than January 1, 1984, to the Joint Standing Committee on Agriculture.

Effective September 23, 1983.

CHAPTER 466

H.P. 1301 - L.D. 1725

AN ACT to Authorize the Department of
Human Services to Operate a Grant Diversion
Program for Recipients of Aid to Families
with Dependent Children.

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

Whereas, legislative authorization is required for the Department of Human Services to operate a grant diversion program; and

Whereas, a grant diversion program will result in more employment and training opportunities for recipients of Aid to Families with Dependent Children; and

Whereas, it is in the interests of recipients to begin a grant diversion program as soon as possible; and

Whereas, the Department of Human Services would like to begin a grant diversion program by late spring 1983; 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:

22 MRSA §3758, sub-§5 is enacted to read:

5. Grant diversion. Notwithstanding any other provision of law, the Department of Human Services may operate a grant diversion program for recipients of Aid to Families with Dependent Children. To the fullest extent permitted by federal law and regulations, no recipient of Aid to Families with Dependent Children may be required to participate in a grant diversion program.

The department may establish a special revenue account for grant diversion funds that shall not lapse but shall carry forward from year to year and shall be used to assist recipients of Aid to Families with Dependent Children to acquire employment.

All contracts between the Department of Human Services and employers established pursuant to this section shall be subject to the following requirements and conditions.

A. They shall not result in the displacement or partial displacement of currently employed workers. Partial displacement shall include employer actions such as reduction in hours, wages or employment benefits.

B. No recipient of Aid to Families with Dependent Children participating in a grant diversion program may be hired into or remain working in any position when any other worker not subsidized through a grant diversion is on layoff from the same or substantially equivalent job or has been bumped or has recall or bumping right to that position.

C. No person may be referred to or placed in an on-the-job training position affected by a labor dispute involving a work stoppage. No payments may be made to employers for the training and employment of participants in on-the-job training during the periods of work stoppage.

D. Upon the completion of the grant diversion subsidy, the employer, except for good cause, shall offer the participant unsubsidized employment with at least equivalent wages, hours and working conditions.

E. No Aid to Families with Dependent Children grant diversion program participant may be placed

in a job for which the wages and working conditions are substantially less favorable than those prevailing for similar work in the locality.

F. Each grant diversion program participant shall receive the same wages and benefits and shall be subject to the same working conditions as employees with the same seniority performing a substantially equivalent job in the same organizational unit.

G. This subsection is repealed on June 30, 1985.

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

Effective June 17, 1983.

CHAPTER 467

H.P. 1302 - L.D. 1726

AN ACT to Amend the Authority of the
Department of Environmental Protection
to Identify Hazardous Waste.

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

Sec. 1. 38 MRSA §1303-A, sub-§1, as repealed and replaced by PL 1981, c. 430, §6, is repealed and the following enacted in its place:

1. Identification of hazardous waste. The board may adopt and amend rules identifying hazardous waste. It is the intent of the Legislature that the board shall identify as hazardous waste those substances which are so identified by the United States Environmental Protection Agency in proposed or final regulations. The Legislature also intends that the board may identify as hazardous waste, in accordance with paragraph B, other substances in addition to those identified by the United States Environmental Protection Agency. Further, the Legislature intends that a substance which has been identified as a hazardous waste by the board shall be removed from identification only by further rulemaking by the board.

Hazardous waste may be identified as follows.

A. The board may identify any substance as a hazardous waste if that substance is identified