

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

7. Reports to the Superintendent of Insurance. Every insurer subject to this section shall report its experience for each calendar year beginning with 1984 to the superintendent not later than April 30th of the following year. The report shall be in a form prescribed by the superintendent and shall include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for group health care contracts, both separated between those paid for inpatient, day treatment and outpatient services. The superintendent shall compile this data for all insurers in an annual report.

8. Application; expiration. The requirements of this section shall apply to all policies executed, delivered, issued for delivery or renewed in this State on or after January 1, 1984. The requirements of this section shall expire on January 1, 1988.

Sec. 7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1984-85

FINANCE AND ADMINISTRATION,
DEPARTMENT OF

Employee Group Health
Insurance Program

All Other \$268,800

Sec. 8. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1984-85

FINANCE AND ADMINISTRATION,
DEPARTMENT OF

Employee Group Health
Insurance Program

All Other \$102,000

Effective September 23, 1983.

CHAPTER 516

H.P. 1266 - L.D. 1677

AN ACT to Assure Public Awareness of
Nuclear Civil Protection Plans for Maine.

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

Sec. 1. 37-A MRSa §56-A is enacted to read:

§56-A. Citizens' Civil Emergency Commission

1. Commission. The Citizens' Civil Emergency Commission is established.

A. The commission shall consist of 9 members who shall serve 2-year terms. Seven members shall be appointed by the Governor. One member shall be appointed by the President of the Senate and one member shall be appointed by the Speaker of the House of Representatives. The member appointed by the President of the Senate shall be a member of the Senate. The member appointed by the Speaker of the House of Representatives shall be a member of the House of Representatives. Each member shall be a Maine resident. Members of the commission shall select a chairman from among themselves by a majority vote.

B. Commission members shall be compensated for travel expenses to and from all commission meetings and hearings at the same rate as state employees.

C. The commission shall review civil protection plans designated to deal with nuclear weapons hazards, hold public hearings as required by subsection 2, monitor the development and implementation of nuclear civil protection plans, encourage public discussion of the plans and report its findings and recommendations to the Governor, the Legislature, appropriate counties and municipalities and other interested parties.

2. Civil protection planning review; nuclear civil protection plans. A nuclear civil protection plan covering any of the designated risk areas listed in this subsection and which is designed to protect the civilian population of the areas from the effects of nuclear weapons attack shall be subject to this subsection.

A. Prior to March 1, 1984, the commission shall conduct a public hearing in 4 of the following 8 designated risk areas in the State:

(1) Category I (areas associated with counterforce military installations): Lime-stone (Loring Air Force Base) Risk Area; York (Kittery-Portsmouth Naval Shipyard) Risk Area;

(2) Category II (location of installations of high military value): Cutler; Brunswick-Bath;

(3) Category III (urban-industrial areas): Portland; Bangor; Lewiston-Auburn; and

(4) Category IV (center of government): Augusta.

B. Each public hearing shall be divided into 2 parts. The first part shall be designed to provide information on: The nuclear civil protection plan for that risk area including both the crisis-relocation plan and the in-place shelter plan or the proposed approach to nuclear civil protection planning; the rationale for the plan; alternatives to the plan; the process of accepting, implementing and funding the plan; and the immediate and long range effects, including social, economic, medical and psychological effects, of a nuclear attack on the target area and on the State. Written informational materials shall be available at the hearing. The 2nd part shall be designed to hear the views of citizens on the nuclear civil protection plan or the proposed approach to nuclear civil protection planning. Oral and written testimony shall be taken. At the end of the public hearing a nonbinding poll shall be taken of the citizens present as to whether they agree or disagree with the proposed nuclear civil protection plan.

C. The hearings shall be held in a convenient, central location in each designated risk area at a convenient time in the evening. Reasonable notice shall be given, including, but not limited to, publication in local and general circulation newspapers in target and host communities at least 20 but not more than 30 days prior to each hearing.

D. The commission shall approve the informational materials required for the hearings to assure all points of view are represented; publicize the hearings; review the material presented at the hearings, including public comments and the survey results; and report its findings and recommendations to the Governor, the Legislature and each community within the target zones. Reports shall be completed prior to adjournment of the Second Regular Session of the 11th Legislature. The final report to the Governor and the Legislature shall include an evaluation of the commission's work and a recommendation whether the commission ought to be continued to study

other risk areas and to review other civil emergency planning efforts. If the recommendation is to continue, the report shall include appropriate implementing legislation and recommended sources and levels of funding.

E. A nuclear civil protection plan for any of the designated risk areas for which a public hearing is held, which has not been approved, prior to January 1, 1983, shall not be approved until after the public hearing and the report of the commission on that area. Any nuclear civil protection plan, which has been approved prior to January 1, 1983, may be reconsidered and modified, or approval may be withdrawn, based on the hearing and report.

Sec. 2. 37-A MRSa §62, 3rd ¶, as amended by PL 1977, c. 694, §743, is further amended to read:

The state director, for purposes of civil emergency preparedness, and subject to the approval of the Governor, may convey equipment, supplies, materials or funds by way of sale, lease or grant to any political subdivision of the State, such that conveyance to be subject to the terms of the offer and the applicable state rules and federal regulations, if any, imposed by the State. These rules and regulations are not rules within the meaning of the Maine Administrative Procedure Act, Title 5, section 8002, subsection 9. The state director shall not require any political subdivision to participate in any program of nuclear civil protection planning.

Sec. 3. Finding. The Legislature finds that plans are being developed to prepare for response to a nuclear attack on the State; that many Maine residents are not aware of the plans and have not had adequate opportunity to question and comment on the plans; and that those plans may be ineffective and inappropriate.

Sec. 4. Staffing. Staffing assistance to the commission for conducting the public hearings, reviewing the materials presented and preparing the reports required by this Act shall be provided by the Office of Legislative Assistants.

Sec. 5. Sunset provisions. Unless continued or modified by law the Citizens' Civil Emergency Commission shall terminate no later than June 30, 1985.

Sec. 6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1983-84

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All Other \$6,995

In the event that federal funds become available through the United States Energy Management Act to carry out the requirements of this Act, those funds shall be used before state funds. It is the intent of the Legislature that the funds appropriated by this section be used only to carry out the purposes of this Act.

Effective September 23, 1983.

CHAPTER 517

S.P. 573 - L.D. 1651

AN ACT to Establish a Special Acquisitions Fund at the State Library.

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

Sec. 1. 27 MRSA §4-B is enacted to read:

§4-B. Carrying account

The State Librarian may purchase documents, maps, journals or any other printed material of significance to the historical heritage of Maine. Notification of these purchases shall be made to the State Archivist and State Museum Director. Any funds appropriated for the acquisitions of materials shall not lapse but shall be carried forward from year to year.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.