

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**SECOND SPECIAL SESSION**

November 18, 1983

AND AT THE

**SECOND REGULAR SESSION**

January 4, 1984 to April 25, 1984

AND AT THE

**THIRD SPECIAL SESSION**

September 4, 1984 to September 11, 1984

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
JANUARY 4, 1984 TO APRIL 25, 1984

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## CHAPTER 730

H.P. 1713 - L.D. 2259

### AN ACT to Update the Job Opportunities Act of 1981.

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

Sec. 1. 10 MRSA §974, sub-§1, ¶¶E and F, as enacted by PL 1983, c. 519, §6, are amended to read:

E. Recommendations as to further actions which may be suitable for achieving the purposes of this chapter; and

F. A statement of the defaults, if any, of persons, firms, corporations and other organizations receiving assistance under this chapter. This information shall also be cumulative and shall include an annual default rate as a percentage of the total amount of moneys provided in this chapter; and

Sec. 2. 10 MRSA §974, sub-§1, ¶G is enacted to read:

G. A description of the actual and potential employment opportunities that have been and are being developed for recipients of Aid to Families with Dependent Children pursuant to section 979.

Sec. 3. 10 MRSA §979 is enacted to read:

§979. Employment plan for recipients of Aid to Families with Dependent Children

1. Employment Plan. The Finance Authority of Maine and its chief executive officer shall ensure that each applicant for assistance from the various programs administered by the authority submits an employment plan describing potential opportunities for recipients of Aid to Families with Dependent Children, including types of jobs, skills and training necessary for placement, and training the applicant could provide. This provision shall apply only to those applicants with more than 10 employees.

2. Rules. The Finance Authority of Maine shall promulgate rules for the implementation of this section.

Sec. 4. 22 MRSA §3772, sub-§4, as amended by PL 1981, c. 617, §2, is further amended to read:

4. Registrant. "Registrant" means ~~an applicant or~~ a recipient of Aid to Families with Dependent Children under the United States Social Security Act, Title IV (A) who has registered with the Welfare, Employment, Education and Training Program of the Department of Human Services or its successors for manpower services, education, training, supportive services and employment under the Work Incentive Program or the Work Incentive Demonstration Program pursuant to the United States Social Security Act, Title IV (C) or its successors.

Sec. 5. 22 MRSA §3773, as enacted by PL 1981, c. 512, §16, is repealed and the following enacted in its place:

§3773. Maine Aid to Families with Dependent Children Coordinating Committee

1. Committee established. There is established the Maine Aid to Families with Dependent Children Coordinating Committee, consisting of the Commissioner of Human Services, Commissioner of Labor and Commissioner of Educational and Cultural Services, or their designees.

2. Committee purpose. The purpose of this committee is to carry out state policy and legislative intent to provide educational, training and job opportunities for Aid to Families with Dependent Children recipients pursuant to this chapter.

3. Duties and responsibilities. The duties and responsibilities of the committee shall include:

A. Reviewing the plans of the Welfare Employment, Education and Training Program;

B. Reviewing priorities and allocations of funds under the Welfare Employment, Education and Training Program;

C. Establishment of an advisory council pursuant to section 3774;

D. Facilitation of the development of training, educational and placement opportunities pursuant to section 3775;

E. Provision of information to staff of the Welfare Employment, Education and Training Program

about the availability of education and training opportunities within the State;

F. Ensuring that there is substantial coordination between the Welfare Employment, Education and Training Program and the Federal Job Training Partnership Act or its successors; and

G. Implementation of any other responsibilities and duties, in accordance with any pertinent federal and state law, any additions thereto and any regulations promulgated under that law.

Sec. 6. 22 MRSA §3774, sub-§§1 and 2, as enacted by PL 1981, c. 512, §16, is amended to read:

1. Members. The advisory council established pursuant to section 3773, subsection 3, paragraph 6 C shall include at least the following members:

A. Two recipients of benefits under the Aid to Families with Dependent Children Program;

B. One representative of employers within the State;

C. One representative of organized labor;

D. One member of the Maine Commission for Women; and

E. One or more representatives of organizations or agencies which have experience in addressing the training, education and job needs of low-income women.

2. Purpose. The purpose of the advisory council shall be to advise the ~~Commissioners~~ Commissioner of Human Services, ~~Manpower Affairs~~ Commissioner of Labor and Commissioner of Educational and Cultural Services as they carry out the purposes of this chapter.

Sec. 7. 22 MRSA §3776, as amended by PL 1981, c. 617, §§3 to 5, is further amended to read:

§3776. Welfare Employment, Education and Training Program

1. Authorization. The Department of Human Services is authorized to administer and operate, ~~jointly~~ jointly in cooperation with the Department of Labor and ~~in consultation with~~ the Department of Educational and Cultural Services, ~~a Work Incentive~~ the Wel-

fare Employment, Education and Training Program, in accordance with federal law, any amendments and additions thereto, and any regulations promulgated under those laws.

2. Purpose. The purpose of the Work Incentive Welfare Employment, Education and Training Program shall be to use available educational, vocational, supportive and employment services within the State, in order to help recipients find and keep employment and, to the extent possible, to eliminate their dependency on public assistance.

3. Assessment. The assessment for a registrant shall be as follows.

A. The assessment procedure for each registrant shall be accomplished through direct personal contact with staff of the Work Incentive Program or the Work Incentive Demonstration Welfare Employment, Education and Training Program. The staff shall be advised by the Department of Educational and Cultural Services of all available education and training opportunities, and shall make that information available to each registrant during the assessment process.

B. The registrant shall participate fully in the assessment process.

C. If the registrant is dissatisfied with the employability plan established through the assessment process, he may appeal this determination through the Work Incentive Welfare Employment, Education and Training Program adjudication system.

4. Employability plan. There shall be an employability plan that sets forth the registrant's occupational goal, and the manpower and supportive services necessary to reach that goal. The plan shall be designed to lead to employment and ultimately to self support. The registrant shall participate fully in the development of the plan. Resources of the Department of Human Services, Department of Labor and the Department of Educational and Cultural Services shall be utilized in the development and goals of the plan.

5. Supportive services. Each registrant shall receive the supportive and manpower services necessary to participate successfully in any education, training and employment program in accordance with the registrant's employability plan.

6. Education and training opportunities. In the development of the employability plan, all available education and training opportunities, including, but not limited to, opportunities available through the use of funds other than those available under the Work Incentive Welfare Employment, Education and Training Program shall be considered. Consistent with federal law and regulation, a waiver of any federal time limitation on training shall be requested from the appropriate federal authority when such a waiver is necessary to allow the registrant to complete the education or training program set forth in the employability plan. Work Incentive Program benefits shall continue to be provided to any person for whom such a waiver is granted for the duration of their participation in the training for which the waiver was granted.

Sec. 8. 22 MRSA §3778, ¶¶2 and 3, as enacted by PL 1981, c. 617, §6, are repealed.

Effective July 25, 1984.

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## CHAPTER 731

H.P. 1516 - L.D. 1991

AN ACT to Provide Limitations on Fishing by Weirs, Purse and Stop Seines and to Provide Notice for the Location of Weirs and their Maintenance.

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

Sec. 1. 12 MRSA §6525, as enacted by PL 1977, c. 661, §5, is repealed.

Sec. 2. 12 MRSA §6525-A is enacted to read:

§6525-A. Setting near weirs or stop seines

1. Setting nets or seines near weirs. It is unlawful for any person, other than the weir owner or his crew members, to set or assist in setting any net or seine within 2,000 feet of the mouth of a weir in operating condition whose operator is validly licensed under section 6501 and when the weir is licensed under Title 38, chapter 9.