

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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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  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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to this chapter, the executive director shall propose a gross patient service revenue limit and the apportionment thereof for approval by the commission. If no notice of contest is filed within the period of time specified by the commission by an affected hospital, affiliated interest, 3rd-party payor or group of purchasers, and if the commission does not disapprove or modify the proposed limit or apportionment, the limit and apportionment shall take effect on the first day of the applicable payment year; otherwise, the commission shall, after opportunity for hearing before the commission, an individual member of the commission or a duly appointed and sworn hearing examiner, issue a final order no later than the first day of the applicable payment year, except that, if the proposed limit or apportionment ~~for a hospital's first payment year~~ is timely contested, and the commission, after due diligence, is unable to issue a final order by the first day of the payment year, it shall issue a provisional order by that date which shall be superseded by a final order no later than 90 150 days after the start of the payment year.

Sec. 3. Transition. Notwithstanding any other provision of law, any cases or proceedings pending before the Maine Health Care Finance Commission pursuant to the Revised Statutes, Title 22, section 398, subsection 1, on the effective date of this Act shall be governed by the amendments set forth in section 2.

Effective September 19, 1985.

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## CHAPTER 110

H.P. 156 - L.D. 190

AN ACT to Clarify the Use of Vocational-  
technical Institutes' Facilities by  
Others.

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

Sec. 1. 20-A MRSA §10104, sub-§2, ¶D, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

D. Charge tuition and other reasonable fees, including fees for the reasonable use of the institutes' facilities by others;

Sec. 2. 20-A MRSA §10104, sub-§2, ¶F, as amended by PL 1983, c. 422, §19, is further amended to read:

F. Accept and expend all funds for post-secondary vocational education received by the department from:

- (1) The General Fund;
- (2) Gifts and donations either from public or private sources which are offered unconditionally or under conditions approved by the state board; or
- (3) Fees charged pursuant to paragraph D.

Effective September 19, 1985.

## CHAPTER 111

H.P. 835 - L.D. 1179

### AN ACT Relating to the Protection of Underground Facilities under the Public Utility Law.

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

Sec. 1. 23 MRSA §3360-A, sub-§1, ¶C, as enacted by PL 1979, c. 362, §2, is amended to read:

C. "Excavation" means any operation in which earth, rock or other material on or below the ground is moved or otherwise displaced, by means of power tools, power equipment or explosives and including grading, trenching, digging, ditching, drilling, augering, tunneling, scraping and cable or pipe driving, except tilling of soil and gardening or agricultural purposes, and except installation and maintenance of signs performed by the Department of Transportation.

Sec. 2. 23 MRSA §3360-A, sub-§9, ¶B, as enacted by PL 1979, c. 362, §2, is repealed.

Effective September 19, 1985.