

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 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

ble the amount of that portion of the payment, down payment or other consideration wrongfully withheld from the purchaser, together with reasonable attorney's fees and court costs.

C. In any court action brought by a purchaser under this section, the broker shall bear the burden of proving that his withholding of the payment, down payment or other consideration, or any portion of it, was not wrongful.

§589-C. Violation

1. Any violation of this chapter is a violation of Title 5, chapter 10.

2. Any intentional violation of this subchapter is a Class E crime.

3. Any violation of this subchapter constitutes a civil violation for which a forfeiture not to exceed \$100 may be adjudged in the case of a first violation and a forfeiture not to exceed \$500 may be adjudged in the case of 2nd and subsequent violations.

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

Effective June 21, 1985.

CHAPTER 391

H.P. 212 - L.D. 246

AN ACT to Prevent Discrimination
Against Retired Maine Residents who
have Previously been Members
of the Maine State Retirement System.

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

Sec. 1. 5 MRSA §285, sub-§1, ¶G, as enacted by PL 1983, c. 692, §1, is amended to read:

G. Subject to subsection 1-A, employees in any of the categories denominated in paragraphs A to F who:

(1) On April 26, 1968, have retired and who were covered under plans of insurance which by virtue of Public Law 1967, chapter 543 were terminated; ~~or~~

(2) After April 26, 1968, retire and who on the date of their retirement are currently enrolled in this group accident and sickness or health insurance plan; or

(3) After December 2, 1986, and after reaching normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section 1001, subsection 25. This paragraph shall also apply to former members who were members on December 2, 1986.

Sec. 2. 5 MRSA §285, sub-§1-A, ¶¶A and B, as enacted by PL 1983, c. 692, §2, are amended to read:

A. If retiring on a disability retirement, have participated in the group accident and sickness or health insurance plan immediately prior to retirement; ~~or~~

B. If not retiring on a disability retirement, have participated in the group accident and sickness or health insurance plan for at least one year immediately prior to retirement; or

Sec. 3. 5 MRSA §285, sub-§1-A, ¶C is enacted to read:

C. If eligibility is based upon subsection 1, paragraph G, subparagraph (3), have participated in the group accident and sickness or health plan for at least one year immediately prior to ceasing to be a member of the Legislature.

Sec. 4. 5 MRSA §285, sub-§8 is enacted to read:

8. Payment by Maine State Retirement System. The Maine State Retirement System shall pay 100% of only the retiree's share of the premiums for this insurance for persons who were previously eligible for this insurance pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G.

Sec. 5. 5 MRSA §1062, sub-§1, as amended by PL 1965, c. 337, §1, is further amended to read:

1. Funds. All of the assets of the retirement system shall be credited, according to the purpose for which they are held, among 5 funds, namely, the Members' Contribution Fund, the Retirement Allowance Fund, the Expense Fund, the Survivors' Benefit Fund and the Retirement Allowance Adjustment Fund and the State Employees Health Insurance Fund.

Sec. 6. 5 MRSA §1062, sub-§7-A is enacted to read:

7-A. State Retiree Health Insurance Fund. The State Retiree Health Insurance Fund shall be the fund to which shall be credited all money provided by the State to pay premiums for group accident and sickness or health insurance for persons eligible for these payments pursuant to section 285, subsection 8. All such premiums paid by the retirement system shall be paid from this fund. Biennially, the board of trustees shall estimate the amount of money which shall be deemed necessary to be paid into the State Retiree Health Insurance Fund during the ensuing biennium to provide for the payment of state retirees health insurance premiums and that amount shall be paid by the State to the State Retiree Health Insurance Fund for this purpose. Any unexpended balance shall not lapse but shall constitute a continuous carrying account.

Sec. 7. Effective date. This Act shall take effect on December 3, 1986.

Effective December 3, 1986.

CHAPTER 392

S.P. 592 - L.D. 1555

AN ACT to Establish a Medicaid Report.

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

22 MRSA §3174-B is enacted to read:

§3174-B. Medicaid report

1. Special report. The commissioner shall prepare an annual report detailing all receipts and expenditures in the Medicaid program for the prior year and proposals for the coming year.