

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

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Sec. 4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature, and those reclassifications and range changes which have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 5. Exclusion. Exclusive of the provisions of sections 1 and 2, up to \$750,000 for Capital Expenditures may be expended in each fiscal year of the biennium, exclusive of capital items obtained through lease-purchases or other similar agreements consistent with the Maine Revised Statutes, Title 5, section 1587, and other applicable laws. It is the intent of the Legislature that no capital items purchased through the Intergovernmental Telecommunications Fund may be given, transferred, sold or otherwise conveyed to any other department, agency or account, unless the transaction has received specific prior legislative authorization through the budgetary process.

Sec. 6. Encumbered balance at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once.

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

Effective June 12, 1987.

CHAPTER 283

H.P. 1128 — L.D. 1538

AN ACT Allowing Restricted Disclosure of HTLV III Test Results within a Federally-mandated Military Testing Program.

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

5 MRSA §17003, as enacted by PL 1985, c. 711, §2, is amended by adding at the end a new paragraph to read:

This section does not prohibit limited administrative disclosure in conjunction with a mandatory testing program of a military organization subject to Title 37-B.

Effective September 29, 1987.

CHAPTER 284

H.P. 1130 — L.D. 1540

AN ACT Amending the Assumed Payroll of Partnerships and Sole Proprietors in a Self-insured Group.

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

39 MRSA §23, sub-§4, ¶G, as amended by PL 1977, c. 696, §402, is further amended to read:

G. If an employer is a partnership, or a sole proprietorship, and is a member of a self-insurance group associated pursuant to this section, such employer may elect to include as an "employee" any member of such partnership, or owner of such sole proprietorship, for purposes of obtaining workers' compensation coverage under this Act. In the event of such election, the electing employer shall serve upon the group self-insurance association written notice naming the partner or sole proprietor to be covered, and no election shall be deemed to have been made within this Act until such notice has been given. By making such an election, the partnership member or sole proprietor shall be deemed to have stipulated that for premium payment purposes the weekly annual salary or wage of such electing partnership member or sole proprietor is \$200 per week the average weekly wage in the State as computed by the Bureau of Employment Security multiplied by 52 and rounded to the nearest \$100. The assumed average annual wage shall be adjusted as of July 1st using the average weekly wage from the prior calendar year.

Effective September 29, 1987.

CHAPTER 285

H.P. 1136 — L.D. 1546

AN ACT to Make Consistent the Federal Veterans' Reemployment Law.

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

Sec. 1. 26 MRSA §811 is repealed and the following enacted in its place:

§811. Preservation of status

1. Intent. The intent of this Act is to ensure that members of the state military forces, including the Maine Army and Air National Guards, and the Reserves of the United States Armed Forces will not suffer harm as the result of their military obligations and that an employee returning from military leave from his civilian job shall be treated no differently than any other employee with an approved leave of absence.

2. Military leave of absence. Any member of the military forces, including the Maine Army and Maine Air National Guards and the Reserves of the United States Armed Forces, who, in response to federal or state orders, takes a military leave of absence from a position other than a temporary position in the employ of any