

# 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.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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**AN ACT to Authorize Hospitals to Use Magnetic  
Resonance Imaging Devices Located in  
Private Physicians' Facilities.**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a certificate of need waiver for use of existing magnetic resonance imaging machines by inpatients is necessary immediately for the health and safety of patients; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** 22 MRSA §304-A, sub-§2, as enacted by PL 1981, c. 705, Pt. V, §16, is amended to read:

2. Acquisitions of major medical equipment. The following acquisitions:

A. The acquisition by any person of major medical equipment that will be owned by or located in a health care facility; or

B. The acquisition by any person of major medical equipment not owned by or located in a health care facility if:

(1) The equipment will not be used to provide services for inpatients of a hospital, but the person fails to file a written notice of intent to acquire the equipment at least 60 days prior to entering into a contract to acquire the equipment; or

(2) The department finds, within 30 business days after the date it receives a written notice of intent to acquire the equipment, that the equipment will be used to provide services for inpatients of a hospital.

There shall be a waiver for the use of major medical equipment on a temporary basis as provided in section 308, subsection 4. Magnetic resonance imaging machines acquired on or before June 1, 1987, shall not be subject to review regardless of any other provisions of this Act and shall be authorized to provide inpatient services;

**Sec. 2. Effective date.** This Act is repealed on July 1, 1988.

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

Effective June 19, 1987.

## CHAPTER 364

H.P. 1254 — L.D. 1712

**AN ACT Concerning the Receiving,  
Witnessing or Accepting of Absentee  
Ballots.**

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

21-A MRSA §791, sub-§2, as enacted by PL 1985, c. 161, §6, is amended to read:

2. Class D crime. The commission of any act described as follows in this subsection is a Class D crime:

A. A person who forges the name of another on an absentee ballot, return envelope or the application for an absentee ballot; ;

B. Notwithstanding this subchapter, a candidate who delivers, receives, accepts, notarizes or witnesses an absentee ballot, other than his own absentee ballot, furnished by the clerk of a municipality in this State; or

C. A person who delivers, receives, accepts, notarizes or witnesses an absentee ballot, other than his own absentee ballot, for compensation other than reasonable reimbursement for actual meals and mileage. This paragraph does not apply to a governmental employee handling ballots in the course of his official duties or any person who handles absentee ballots before the unvoted ballots are delivered to the municipality or after the voted ballots are returned to the clerk.

Effective September 29, 1987.

## CHAPTER 365

H.P. 1267 — L.D. 1730

**AN ACT Relating to Determination of Benefit  
Claims under the Unemployment Compensation Law.**

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

**Sec. 1.** 26 MRSA §1193, sub-§1, ¶A, as amended by PL 1979, c. 651, §46, is further amended to read:

A. For the week in which he left his regular employment voluntarily without good cause attributable to such that employment, or to a claimant who has voluntarily removed himself from the labor market where presently employed to an area where employment opportunity is less frequent, if so found by the deputy, and disqualification shall continue until claimant has earned 4 times his weekly benefit amount in employment by an employer; provided no disqualification shall