

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

OF THE

STATE OF MAINE

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

Whereas, the increased caseload and informal conferences of the Workers' Compensation Commission necessitates adding additional staff to the Office of Employee Assistants immediately so that the commission may carry out its purposes; 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Sec. 1. 39 MRSA §92, sub-§6, as repealed and replaced by PL 1985, c. 601, §5, is amended to read:

6. Office of Employee Assistants. The chairman shall provide adequate funding for an Office of Employee Assistants and shall, subject to the Personnel Law, appoint the assistants to staff the Augusta office and district offices. Assistants are not attorneys, but should demonstrate a level of expertise roughly equivalent to that of insurance claims' analysts. The purpose of employee assistants is to provide advice and assistance to employees under this Act and particularly to assist employees in preparing for and assisting at informal conferences under section 94-B. In addition, if an employer appeals a decision of the commission or institutes any proceeding against an employee under this Act, the Office of Employee Assistants shall, upon request, advise an employee how to best prepare for and proceed with his case.

No employee of the Office of Employee Assistants may represent before the commission any insurer, self-insurer, group self-insurer, adjusting company or self-insurance company for a period of 2 years after terminating employment with the office.

The chairman shall appoint 6 employee assistants and a supervisor of employee assistants. After January 1, 1984, the chairman may appoint up to 4 5 additional assistants if, in the chairman's judgment, the additional assistants are necessary to effectuate the purposes of this subsection.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88

WORKERS' COMPENSATION COMMISSION

Positions	(2)
Personal Services	\$56,861
All Other	10,070
Capital Expenditures	1,200
Total	<u>\$68,131</u>

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

Effective June 26, 1987.

CHAPTER 455

H.P. 1261 — L.D. 1721

AN ACT to Give the Aroostook County Budget Committee Final Approval Authority Over the County Budget.

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

Sec. 1. 30 MRSA §1421, as enacted by PL 1985, c. 737, Pt. A, §85-B, is amended to read:

§1421. Purpose

The purpose of this chapter is to establish in Aroostook County a method of appropriating money for county expenditures, including expenditures for municipal services in the unorganized territory, according to a budget, which shall first be adopted by a budget committee and shall then be approved by the Legislature. This chapter amends the present statutory method in sections 252 and 253 by creating a committee elected by Aroostook County municipal officers with authority to ~~adopt or amend~~ advise on the budget. The Legislature shall continue to have authority to approve, ~~but not to amend,~~ the budget. This chapter applies only to Aroostook County.

Sec. 2. 30 MRSA §1423, sub-§1, ¶H is enacted to read:

H. Two out of the 3 members from each commissioner's district shall be municipal officers.

Sec. 3. 30 MRSA §1425, sub-§5, as enacted by PL 1985, c. 737, Pt. A, §85-B, is amended to read:

5. Final budget approval. Prior to January 15th of the fiscal year for which the budget is prepared, the budget committee shall submit the proposed budget to the Legislature. ~~The Legislature shall approve or disapprove the budget as submitted prior to April 1st of each year.~~

~~If the Legislature disapproves of the budget, the budget committee shall submit within 15 calendar days, new budget proposals in accordance with subsection 1 and the provisions of this section shall be followed until a budget is finally approved.~~

The budget as approved by the Legislature shall be the final authorization for the assessment of county taxes. The budget shall be transmitted to the county commissioners and the county tax authorized shall be approved.

tioned and collected in accordance with section 254. The budget for the unorganized territories will be transmitted to the State as provided by section 5903.

The county shall, until a budget is finally adopted, operate on an interim budget which shall not exceed the previous year's budget.

The county commissioners may transfer funds as provided in section 252.

Sec. 4. 30 MRSA §1426, as enacted by PL 1985, c. 737, Pt. A, §85-B, is amended to read:

§1426. Budget amendments

The approved budget shall govern the expenditures of the county during the fiscal year. No expenses may be incurred in excess of those shown in the approved budget, but the budget may be from time to time revised by the preparation and submission of a proposed amended budget by the county commissioners to the budget committee. The budget committee shall within 15 calendar days approve, disapprove or amend this revised budget. In the event that the proposed revised budget is approved or amended, the budget committee within this same time period shall forward the revised budget to the Legislature for final approval. ~~The Legislature shall have 15 calendar days to render a decision on the revised budget. Only after the Legislature has approved or amended the budget shall it become effective.~~ A report of approval of a revised budget shall be transmitted to the State Auditor within 15 days of an approval of a revised budget by the Legislature ~~on the revised budget.~~

Effective September 29, 1987.

CHAPTER 456

H.P. 1006 — L.D. 1353

AN ACT to Refund Fuel Taxes.

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

Sec. 1. 36 MRSA §2910-A, as amended by PL 1983, c. 438, §2, is further amended by adding at the end a new paragraph to read:

Notwithstanding this section, a county or a municipality may file a claim for refund of internal combustion engine fuel paid after January 1, 1984, but before April 1, 1986, for which no refund was previously claimed.

Sec. 2. 36 MRSA §3208-A, as enacted by PL 1983, c. 438, §5, is amended by adding at the end a new paragraph to read:

Notwithstanding this section, a county or a municipal-

ity may file a claim for refund of special fuel tax paid after January 1, 1984, but before April 1, 1986, for which no refund was previously claimed.

Effective September 29, 1987.

CHAPTER 457

H.P. 1323 — L.D. 1806

AN ACT to Amend the Maine Turnpike Authority Act.

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

Sec. 1. 23 MRSA §1961, 2nd ¶, as enacted by PL 1981, c. 595, §3, is amended to read:

It is the expectation of the Legislature that on or before July 1, 1982, all bonds outstanding on June 1, 1981, and the interest thereon will be paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon will be set aside in trust for the benefit of the bondholders and shall continue to be held for the purpose. It is the expectation of the Legislature that further bonds will have to be issued for the purposes provided in this section. It is expected that tolls on the turnpike will have to be increased to implement this chapter.

Sec. 2. 23 MRSA §1965, sub-§1, ¶D, as enacted by PL 1981, c. 595, §3, is amended to read:

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way shall not be widened or expanded beyond 3 lanes for each direction of travel from Exit 1 to and including Exit 6A and beyond 2 lanes for each direction of travel elsewhere on the turnpike without the express approval of the Legislature;

Sec. 3. 23 MRSA §1965, sub-§1, ¶R, as enacted by PL 1981, c. 595, §3, is amended to read:

R. Issue revenue bonds in accordance with this chapter for the purpose of payment to the Federal Government for any funds owed by the State as the result of maintaining tolls on the turnpike and issue additional revenue bonds for the construction and reconstruction of interchanges and related access roads and the reconstruction of the turnpike. The additional revenue bonds so issued shall not exceed \$20,000,000 ~~in aggregate principal amount outstanding at any one time, excluding bonds issued to refund outstanding bonds~~ the amount set forth in section 1968, subsection 1;

Sec. 4. 23 MRSA §1966, sub-§4 is enacted to read:

4. Semiannual report. The authority, on a semiannual basis, shall present its report to the Legislative