

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

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Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

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labor needs cannot be met solely through their own resources or by other conventional resources in the community; and employers whose investments in expansion or location in the State might depend on services available under this subchapter.

Such employers may include, but are not limited to:

1. Job openings. Employers with bona fide job openings;

2. Lack of resources. Employers who do not have appropriate resources to train new or existing employees;

3. Expanding industries. Employers with jobs in expanding industries or occupations where availability of skilled labor is problematical; or

4. Desirable occupations. Other employers with occupations that are durable or that have high transferability of skills.

§2017. Annual report

1. Legislative review. The joint standing committee of the Legislature having jurisdiction over economic development matters shall review and make recommendations to the Commissioner of Labor and the Governor with respect to the program defined in this subchapter. The committee:

A. Shall be notified of any hearing held pursuant to section 2012;

B. Shall be provided with copies of any draft plans and actual plans developed pursuant to this subchapter;

C. Shall be provided with any reports, research findings, evaluations and any other materials requested by the committee or any member of the committee to undertake its review; and

D. May make recommendations to the appropriate joint standing committee of the Legislature or any agency or organization concerned with the program established pursuant to this subchapter.

2. Content of report. At a minimum, these reports shall contain information relating to:

A. Expenditures, including payments made for dependent care, transportation costs and other support services made to enable individuals to participate in training activities;

B. Enrollments, including the number of individuals participating who are eligible for services under Titles II and III of the United States Job Training Partnership Act, Public Law 97-300, and Displaced Homemakers, as defined in section 1601;

C. The degree to which intended outcomes were achieved, including the average wage received by individuals placed in employment and, to the extent feasible, information on health insurance for participants entering employment; and

D. The number of persons who applied and were not enrolled, including the primary reasons that they were not enrolled.

Effective September 29, 1987.

CHAPTER 467

H.P. 728 — L.D. 980

AN ACT to Provide a Sales Tax Trade-in Credit for Loaders used to Harvest Lumber.

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

Sec. 1. 36 MRSA §1765, sub-§5, as enacted by PL 1985, c. 519, is amended to read:

5. Lumber harvesting vehicles or loaders. Self-propelled vehicles or loaders used to harvest lumber; or

Sec. 2. Effective date. This Act shall take effect on July 1, 1989.

Effective July 1, 1989.

CHAPTER 468

H.P. 61 — L.D. 64

AN ACT to Increase the Compensation of Mediators under the Municipal Public Employees Labor Relations Act.

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

Sec. 1. 5 MRSA §12004, sub-§3, ¶A, sub-¶(2), as amended by PL 1985, c. 785, Pt. B, §39, is further amended to read:

(2)	Panel of Mediators	\$75125/Day	26 MRSA §892
			26 MRSA §965,
			sub-§2, ¶C

Sec. 2. 26 MRSA §965, sub-§2, ¶C, as amended by PL 1975, c. 623, §37-E, is further amended to read:

C. A panel of mediators, to consist of not less than 5 nor more than 10 impartial members, shall be appointed by the Governor from time to time upon the expiration of the terms of the several members, for terms of 3 years. They shall be chosen by the Gover-

nor from a list, containing at least 5 times as many names as the number of persons to be chosen, supplied at least once a year by the Maine Labor Relations Board. Vacancies occurring during a term shall be filled for the unexpired term. Members of the panel shall each receive \$75 \$100 a day beginning July 1, 1988, for their services for the time actually employed in the discharge of their official duties and shall also receive their traveling and all other necessary expenses. The costs for services rendered and expenses incurred by members of the panel of mediators shall be paid by the State for those mediation cases not exceeding 3 days in length from an appropriation for ~~said~~ the panel which shall be included in the budget of the Public Employees Labor Relations Board. Any costs for services rendered and expenses incurred by the panel of mediators beyond the 3rd mediation day per case shall be shared equally by the parties to the proceedings, except that on a showing by either party that ~~such~~ the payment would impose undue financial hardship, the executive director may waive all or part of ~~such~~ the obligation. ~~Such~~ The amount waived shall be paid from the above-mentioned appropriation. Authorization for services rendered and expenditures incurred by members of the panel shall be the responsibility of the Executive Director of the Maine Labor Relations Board.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

LABOR, DEPARTMENT OF

Maine Labor Relations Board

Personal Services 45,000

Sec. 4. Effective date. This Act shall take effect January 1, 1988.

Effective January 1, 1988.

CHAPTER 469

H.P. 498 — L.D. 668

AN ACT to Revise the Percent for Art Act in Public Buildings.

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

Sec. 1. 27 MRSA §451, as enacted by PL 1979, c. 525, is amended to read:

§451. Purpose

Recognizing the need to enhance culture and the arts and to encourage the development of artists, it is the intent of the Legislature to establish a program to provide

funds for and authorize the acquisition of works of art for certain public buildings and ~~other~~ public facilities.

Sec. 2. 27 MRSA §452, sub-§3-A is enacted to read:

3-A. Construction. "Construction" means the construction or renovation of a public building or public facility, the cost of which is at least \$100,000, but does not include repairs or minor alterations. In their rulemaking and decisions regarding construction projects governed by this Act, the commission shall be guided by the determinations of the Director of the Bureau of Public Improvements.

Sec. 3. 27 MRSA §452, sub-§4, ¶A, as enacted by PL 1979, c. 525, is amended to read:

A. "Contracting agency" means the agency of State Government to which funds have been appropriated or allocated by the Legislature for the construction of any public building or other public facility. In the case of school construction projects, the contracting agency shall be the governance body of the ~~local~~ school administrative unit.

Sec. 4. 27 MRSA §452, sub-§5, as enacted by PL 1979, c. 525, is repealed and the following enacted in its place:

5. Public building or public facility. "Public building" or "public facility" means any building or facility which is to be constructed in part or totally with funds from any source appropriated or allocated by the Legislature, including any school construction project approved for state funding by the State Board of Education, and which is intended for the use of the general public.

A. If only part or parts of the building or facility are for the use of the public, "public building" or "public facility" includes only that part or those parts designed for the use of the public. The method of cost allocation to the identifiable part or parts shall be determined by a generally accepted method of cost allocation, provided that the allocated cost for that part or those parts shall exceed \$100,000.

B. "Public building" or "public facility" does not include highways, sheds, warehouses, buildings of a temporary nature.

C. A school construction project or any building or facility which is part of the project is subject to this Act only upon the affirmative vote of the school board of the school administrative unit.

Sec. 5. 27 MRSA §452, sub-§5-A is enacted to read:

5-A. School construction project. "School construction project" means a project as defined in Title 20-A, section 15901, subsection 4.

Sec. 6. 27 MRSA §452, sub-§6, as enacted by PL