

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

D. Activities and developments related to timber harvesting, mining or extraction of sand and gravel; and

E. Any recreational management activity conducted or approved by the State.

3. New hydroelectric dams. No person may develop new hydroelectric dams on the St. Croix River from Grand Falls to the north end of Wingdam Island without first:

A. Having performed a feasibility study, by a qualified consultant, approved by the Governor to examine the alternative potentials for hydropower development downstream from Grand Falls and having made the findings available to the State for review;

B. Having consulted with the office of the Governor or other agency of the State, designated by the Governor, regarding the feasibility of this downstream development;

C. Having determined that there exists no economically feasible site downstream from Grand Falls; and

D. Having consulted with the St. Croix International Waterway Commission.

If the State disagrees with any of the assumptions, findings or conclusions of the economic feasibility study, the comments of the State shall be considered and responded to by the consultant. These comments and the responses of the consultant shall be noted in the final report of the economic feasibility study.

4. Review. The State Planning Office shall review the status of hydropower development on the St. Croix River and shall report to the joint standing committee of the Legislature having jurisdiction over energy and natural resources by January 1, 1993 and every 5 years thereafter. The report shall include any recommendations for changes in the provisions of this section together with the justification for the changes. If the St. Croix River is included in any legislative Act or regulation which directly or indirectly has as its effect the essential prohibition of construction of new dams or development or redevelopment of existing dams on the St. Croix River, this section shall be repealed on the effective date of that Act or regulation.

Effective August 4, 1988.

CHAPTER 636

H.P. 1839 — L.D. 2517

AN ACT to Increase Work Incentive in the Unemployment Insurance Partial Benefit Structure.

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

Sec. 1. 26 MRSA §1191, sub-§3, as repealed and replaced by PL 1985, c. 737, Pt. A, §71, is repealed and the following enacted in its place:

3. Weekly benefit for partial unemployment. Each eligible individual who is partially unemployed in any week shall be paid a partial benefit for that week. The partial benefit shall be equal to the weekly benefit amount less the individual's weekly earnings in excess of \$25. Any amount received from the Federal Government by members of the National Guard and organized reserve, including base pay and allowances or any amounts received as a volunteer fireman or as elected members of the Legislature, shall not be considered wages for the purpose of this subsection.

Sec. 2. Report. The Department of Labor shall report to the joint standing committee of the Legislature having jurisdiction over labor on the effects of increasing the dollar exemption for partial unemployment benefits. This report shall be due by March 15, 1990. It shall include, but not be limited to:

1. The following data for 1987 to 1989:

A. The total number of unemployment insurance recipients;

B. The total number of partial claim recipients identified as job-attached and nonjob-attached to the extent possible; and

C. The unemployment rate;

2. Average earnings of partial benefit recipients;

3. A comparison by state of partial benefit provisions;

4. The over-all annual cost of a \$25-earnings versus a \$10-earnings deduction for partial benefits; and

5. An analysis of the distribution of partial payments by total unemployment weekly benefit amount.

Effective August 4, 1988.

CHAPTER 637

H.P. 1840 — L.D. 2518

AN ACT to Amend the Law Concerning Alternate Voting Procedures for School Budget Approval.

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

Whereas, the current language prescribed by law for a School Administrative District to either establish or reconsider an alternative school budget approval voting procedure is ambiguous in that it does not describe the alternatives; and