

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

CHAPTER 651

H.P. 1771 — L.D. 2424

AN ACT to Add a Hemophiliac to the Committee to Advise the Department of Human Services on AIDS.

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

5 MRSA §19202, first ¶, as repealed and replaced by PL 1987, c. 539, is amended to read:

The Committee to Advise the Department of Human Services on AIDS, as established by section 12004, subsection 10, shall consist of not less than 26 members nor more than 30 members to include representation of: One allopathic physician from nominees submitted by the Maine Medical Association; one osteopathic physician from nominees submitted by the Maine Osteopathic Association; one nursing home administrator from nominees submitted by the Maine Health Care Association; one funeral director from nominees submitted by the Maine Funeral Directors Association; one social worker from nominees submitted by the Maine Chapter of the National Association of Social Workers; one public school administrator from a local school district from nominees submitted by the Maine Superintendents Association; one nurse from nominees submitted by the Maine State Nurses Association; one representative from nominees submitted by the Maine Hospice Council; one teacher from nominees submitted by the Maine Teachers Association; 2 3 members of the high risk community one of whom must be a person afflicted with hemophilia; one insurance industry representative; one employee of a community mental health center; one dentist from nominees submitted by the Maine Dental Association; one state employee from nominees submitted by the Maine State Employees Association; 2 members of the public, including one parent of a school-age child; the Commissioner of Human Services or his designee who shall serve during the commissioners commissioner's term of office; one psychologist from nominees submitted by the Maine Psychological Association; one state employee from nominees submitted by the American Federation of State, County and Municipal Employees; one member representing hospitals from nominees submitted by the Maine Hospital Association; one member representing public health professionals from nominees submitted by the Maine Public Health Association; one representative of a nonprofit hospital or medical service organization; one substance abuse counselor; one member of the clergy; and 2 Legislators, one representative member of the House of Representatives appointed by the Speaker of the House and one Senator appointed by the President of the Senate. The members, except for those specifically designated in this paragraph, shall be appointed by the Governor for their competence and experience in connection with these fields.

Effective August 4, 1988.

CHAPTER 652

H.P. 1834 — L.D. 2511

AN ACT to Revise the Definition of Spouse Under the Maine State Retirement System.

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

Sec. 1. 5 MRSA §17852, sub-§4, ¶A, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

A. For persons qualifying under section 17851, subsection 4, paragraph A:

(1) The total amount of the service retirement benefit is:

(a) Except as provided in division (b), 1/2 of his average final compensation and an additional 2% of his average final compensation for each year of membership service not included in determining qualification under section 17851, subsection 4, paragraph A; or

(b) If his benefit would be greater, the part of his service retirement benefit based upon membership service before July 1, 1976, shall be determined, on a pro rata basis, on his current annual salary on the date of retirement and the part of his service retirement benefit based upon membership service after June 30, 1976, shall be determined in accordance with division (a); and

(2) Upon the death of a State Police Officer who is receiving a retirement benefit after qualifying under section 17851, subsection 4, paragraph A, without optional modification, or is retired under article 3, the surviving spouse is entitled to a retirement benefit which is 1/2 of the amount being paid at the time of the officer's death. The payment shall continue for the remainder of the surviving spouse's lifetime or until he becomes the dependent of another person.

For the purpose of this subparagraph, "surviving spouse" means the person the retired officer was married to at the time of retirement or, if the retired officer is divorced or widowed and remarried, the term means the person legally married to the officer at the time of the officer's death.

Sec. 2. 5 MRSA §17852, sub-§5, ¶B, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

B. Upon the death of a law enforcement officer of the Department of Inland Fisheries and Wildlife who is receiving a retirement benefit after qualifying under section 17851, subsection 5, without optional modification, or is retired under article 3, the surviving