

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

E. A person having the legal responsibility or authorization to care for, evaluate, treat or supervise an incapacitated or dependent adult; and

F. Any person engaged in bona fide research, provided that no personally identifying information is made available, unless it is essential to the research and the commissioner or his designee gives prior approval. If the researcher desires to contact a subject of a record, the subject's consent shall be obtained by the department prior to the contact; and

Sec. 4. 22 MRSA §3474, sub-§2, ¶G is enacted to read:

G. Persons and organizations pursuant to Title 5, section 9057, subsection 6, and pursuant to chapter 857.

Sec. 5. 22 MRSA §4008, sub-§2, ¶F, as amended by PL 1983, c. 354, §1, is further amended to read:

F. Any person engaged in bona fide research, provided that no personally identifying information is made available, unless it is essential to the research and the commissioner or his designee gives prior approval. If the researcher desires to contact a subject of a record, the subject's consent shall be obtained by the department prior to the contact; and

Sec. 6. 22 MRSA §4008, sub-§2, ¶G, as enacted by PL 1987, c. 354, §2, is amended to read:

G. Any agency involved in approving homes for the placement of children, with protection for identity of reporters and other persons when appropriate; and

Sec. 7. 22 MRSA §4008, sub-§2, ¶H is enacted to read:

H. Persons and organizations pursuant to Title 5, section 9057, subsection 6, and pursuant to chapter 857.

Sec. 8. 22 MRSA §7703, sub-§3, ¶¶G and H, as enacted by PL 1983, c. 691, §2, are amended to read:

G. An individual seeking to place a child or adult in a particular facility with protection for the identity of any reference, complainant, reporter of suspected abuse or neglect or other person, when appropriate; or

H. An owner or operator of a facility which is the subject of a record, provided that the identity of any reference, complainant, reporter of suspected abuse or neglect or other person is protected, when appropriate; or

Sec. 9. 22 MRSA §7703, sub-§3, ¶I is enacted to read:

I. Persons and organizations pursuant to Title 5, section 9057, subsection 6, and pursuant to chapter 857.

Sec. 10. 34-A MRSA §3003, sub-§3 is enacted to read:

3. Disclosure of confidential information. The disclosure of confidential information as provided by this section shall also be governed by Title 5, section 9057, subsection 6.

Effective August 4, 1988.

CHAPTER 715

H.P. 1764 — L.D. 2417

AN ACT to Make Changes in the Administration of the Maine State Retirement System.

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

Sec. 1. 2 MRSA §6, sub-§3, as amended by PL 1985, c. 785, Pt. B, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees shall be within salary range 89:

Director of Public Improvements;

State Budget Officer;

State Controller;

Director of the Bureau of Forestry;

Chief of the State Police;

Director, State Planning Office;

Director, Energy Resources Office;

Public Advocate;

Commissioner of Defense and Veterans' Services; and

Director of Human Resources; and

Executive Director, Retirement System.

Sec. 2. 2 MRSA §6, sub-§4, as repealed and replaced by PL 1987, c. 402, Pt. A, §3, is amended to read:

4. Range 88. The salaries of the following state officials and employees shall be within salary range 88:

State Purchasing Agent;

Director, Arts and Humanities Bureau;

Director, State Museum Bureau;

Director of the Bureau of Parks and Recreation;

State Director of Alcoholic Beverages;

~~Executive Director, Retirement System;~~

Director of Public Lands;

State Librarian;

Director of Employee Relations;

Director, Bureau of Air Quality Control;

Director, Bureau of Land Quality Control;

Director, Bureau of Water Quality Control; and

Director, Bureau of Oil and Hazardous Materials Control.

Sec. 3. 2 MRSA §6, sub-§5, as amended by PL 1987, c. 511, Pt. A, §1, is further amended to read:

5. Range 86. The salaries of the following state officials and employees shall be within salary range 86:

Director of Labor Standards;

Deputy Chief of the State Police;

Director of State Lotteries;

State Archivist;

Director of Maine Geological Survey;

Executive Director, Maine Land Use Regulation Commission;

Director of the Risk Management Division;

Chairman, Maine Unemployment Insurance Commission;

Director of the Bureau of State Employee Health; ~~and~~

Child Welfare Services Ombudsman; and

Deputy Director, Retirement System.

Sec. 4. 5 MRSA §17102, sub-§1, ¶¶D and E, as enacted by PL 1985, c. 801, §§5 and 7, are amended to read:

D. ~~Three~~ Four persons appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over aging, veterans and retirement and to confirmation by the Legislature:

(1) At least 2 of whom shall be qualified through training or experience in the field of investments, accounting, banking, insurance or law; ~~and~~

(2) One of whom shall be selected from a list of 3 nominees submitted by the Maine Retired Teachers' Association; and

(3) One of whom shall be the recipient of a retirement allowance through the retirement system and who shall be selected from a list or lists of nominees submitted by retired state employees, retired participating local district employees or a committee comprised of representatives of these groups; and

E. A person who is a member of the retirement system through a participating local district and who shall be appointed by the governing body of the Maine Municipal Association; ~~and.~~

Sec. 5. 5 MRSA §17102, sub-§1, ¶F, as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

Sec. 6. **Transition provision.** Members of the Board of Trustees of the Maine State Retirement System who have been appointed to terms extending beyond the effective date of this Act shall continue to serve for their appointed terms of office and shall serve until their successors are appointed and qualified.

Sec. 7. **Allocation.** The following funds are allocated from the Expense Fund of the Maine State Retirement System to carry out the purposes of this Act.

1988-89

MAINE STATE RETIREMENT
SYSTEM, BOARD OF TRUSTEES OF
THE

Retirement System — Administration

Positions	(1)
Personal Services	\$0

Authorizes a new deputy director position.

Effective August 4, 1988.

CHAPTER 716

S.P. 964 — L.D. 2556

AN ACT to Authorize the Maine Self-Insurance Guaranty Association to Act as a Statistical Advisory Organization.

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

Whereas, it is vitally important for self-insurers to be able to report data to the Superintendent of Insurance in accordance with the Maine Revised Statutes, Title 24-A, section 2371; and

Whereas, the statistical gathering function needed to be able to report data to the superintendent must commence immediately in order to meet the reporting deadlines; and