

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

C. A space where the employer shall write in the name of the individual or department to which employees may report violations, unsafe conditions or practices as required by section 833.

Sec. 9. 26 MRSA §840, as reallocated by PL 1983, c. 583, §15, is repealed and the following enacted in its place:

§840. Common-law rights

Nothing in this section may be construed to derogate any common-law rights of an employee.

Sec. 10. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1988-89
<u>LABOR, DEPARTMENT OF</u>	
Regulation and Enforcement	
All Other	\$8,300
<u>MAINE HUMAN RIGHTS COMMISSION</u>	
Positions	(1)
Personal Services	\$25,975
All Other	2,393
Capital Expenditures	368
Provides funds for one investigator to handle additional caseload.	
Total	<u>\$28,736</u>
TOTAL APPROPRIATIONS	<u>\$37,036</u>

Effective August 4, 1988.

CHAPTER 783

S.P. 924 — L.D. 2435

AN ACT to Provide Funds for Teenage Suicide Prevention.

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

Sec. 1. 34-B MRSA §3007 is enacted to read:

§3007. Teenage Suicide Prevention Program

The bureau shall, in cooperation with the Department of Educational and Cultural Services, the Department of Human Services and the "local action councils" funded in Public Law 1987, chapter 349, Part A under the heading "Human Services, Department of," develop a teenage suicide prevention strategy and a model suicide prevention program to be presented in the secondary

schools of the State. Development of such a program shall include preparation of relevant educational materials which shall be distributed in the schools.

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

	1988-89
<u>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</u>	
Bureau of Children with Special Needs	
All Other	\$20,000
Provides funds to develop and implement a model suicide prevention program for secondary schools in the State.	

Effective August 4, 1988.

CHAPTER 784

H.P. 1766 — L.D. 2419

AN ACT Relating to Conflict of Interest for Certain Governmental Officials and Employees.

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

Sec. 1. 5 MRSA §18, sub-§1, ¶B, as amended by PL 1985, c. 779, §7, is further amended to read:

B. "Executive employee" means the constitutional officers, the State Auditor, members of the state boards and commissions as defined in chapter 379 and compensated members of the classified or unclassified service employed by the Executive Branch, but it shall not include:

- (1) The Governor;
- (2) Employees of and members serving with the National Guard;
- (3) Employees of the University of Maine System, the Maine Maritime Academy and State state vocational-technical institutes; ~~and~~
- (4) Employees who are employees solely by their appointment to an advisory body;:
- (5) Members of boards listed in chapter 379, who are required by law to represent a specific interest, except as otherwise provided by law; and
- (6) Members of advisory boards as listed in chapter 379.

Sec 2. 5 MRSA §18, sub-§3, as enacted by PL 1979, c. 734, §2, is repealed and the following enacted in its place:

3. Former executive employee. Former executive employees shall be subject to the provisions in this subsection with respect to proceedings in which the State is a party or has a direct and substantial interest.

A. No former executive employee may knowingly act as an agent or attorney for, or appear personally before, a state or quasi-state agency for anyone other than the State for a one-year period following termination of the employee's employment with the agency or quasi-state agency in connection with a proceeding in which the specific issue was pending before the executive employee's agency and was directly within the responsibilities of the employee during a period terminating at least 12 months prior to the termination of that employee's employment.

B. No former executive employee may knowingly act as an agent or attorney for, or appear personally before, a state or quasi-state agency for anyone other than the State at any time following termination of the employee's employment with the agency or quasi-state agency in connection with a proceeding in which the specific issue was pending before the executive employee's agency and was directly within the responsibilities of the executive employee during the 12-month period immediately preceding the termination of the employee's employment.

Sec. 3. 5 MRSA §18, sub-§§6 and 7 are enacted to read:

6. Application of more stringent statutory provisions. If other statutory conflict of interest provisions pertaining to any state agency, quasi-state agency or state board are more stringent than the provisions in this section, the more stringent provisions shall apply.

7. Avoidance of appearance of conflict of interest. Every executive employee shall endeavor to avoid the appearance of a conflict of interest by disclosure or by abstention.

Sec. 4. 5 MRSA §19, sub-§1, ¶A, as enacted by PL 1979, c. 734, §2, is amended to read:

A. "Appointed executive employee" means a compensated member of the classified or unclassified service employed by the Executive Branch, who is appointed by the Governor and confirmed by the Legislature, or who serves in a major policy-influencing position, except assistant attorneys general, as set forth in chapter 71.

Sec. 5. 30 MRSA §2251, sub-§§5 and 6 are enacted to read:

5. Former municipal and county officials. Former municipal and county officials shall be subject to the provisions of this subsection.

A. No former municipal or county official may know-

ingly act as an agent or attorney for, or participate in a proceeding before, a municipal or county government body for anyone other than the municipality or county for a one-year period following termination of the municipal or county official's employment or term of office with that government body in connection with a proceeding in which the specific issue was pending before the municipal or county official and was directly within the responsibilities of the municipal or county official during a period terminating at least 12 months prior to the termination of that official's employment or term of office.

B. No former municipal or county official may knowingly act as an agent or attorney for, or participate in a proceeding before, a municipal or county government body for anyone other than the municipality or county at any time following termination of the official's employment or term of office with that government body in connection with a proceeding in which the specific issue was pending before the municipal or county official and was directly within the responsibilities of the municipal or county official during the 12-month period immediately preceding the termination of the municipal or county official's employment or term of office.

C. This subsection may not be construed to prohibit former municipal or county officials from doing personal business with the municipality or county. This subsection shall not limit the application of any provisions of Title 17-A, chapter 25.

For the purpose of this subsection, a municipal or county government body shall include an agency, board, commission authority, committee, legislative body, department or other governmental entity of a municipality or county.

6. Avoidance of appearance of conflict of interest. Every municipal and county official shall endeavor to avoid the appearance of a conflict of interest by disclosure or by abstention.

Effective August 4, 1988.

CHAPTER 785

H.P. 1693 — L.D. 2322

AN ACT to Preserve Existing Rental Units which have been Constructed with Federal Assistance and Tax Benefits for Moderate-Income and Low-Income People.

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

Sec. 1. 9-B MRSA §434, sub-§7 is enacted to read:

7. Federally subsidized low-income rental housing.