

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 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
1989

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
THIRD SPECIAL SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

dance with section 3 of this Act. These funds shall not lapse, but shall be carried forward to be used for the same purpose until June 30, 1990.

Low-Income Tax Relief Supplement Program

All Other 8,000,000

Provides funds to expand the benefit portion of the Low-Income Tax Relief Program for the next biennium in accordance with section 5 of this Act. The additional cost is estimated to be \$4,000,000 in fiscal year 1990 and \$4,000,000 in fiscal year 1991. These funds shall not lapse, but shall be carried forward to be used for the same purpose until June 30, 1991.

Individual Income Tax Surplus Return Fund Program

All Other 41,800,000

Provides funds for return of individual income tax surplus in accordance with section 7 of this Act.

Corporate Income Tax Surplus Return Fund Program

All Other 1,395,000

Provides funds for corporate income tax surplus return in accordance with section 8 of this Act.

Bureau of Taxation

All Other 175,000

Provides funds to meet administrative costs related to issuing checks in accordance with section 7 and section 8 of this Act.

Court Facilities Payment Fund Program

All Other 1,528,000

Provides funds to offset the loss of General Fund revenue in accordance with section 1 of this Act. These funds are to be transferred to the General Fund in the amount of \$764,000 in fiscal year 1990 and \$764,000 in fiscal year 1991. These funds shall not lapse, but shall be carried forward to be used for the same purpose until June 30, 1991.

DEPARTMENT OF FINANCE
TOTAL

\$58,598,000

HUMAN SERVICES, DEPARTMENT OF

Free Drugs to Maine's Elderly Supplement Program

All Other \$ 1,400,000

Provides funds to allow for an increased number of eligible participants in this program in accordance with section 4 of this Act. A total of \$700,000

is provided for fiscal year 1990 and \$700,000 is provided for fiscal year 1991. These funds shall not lapse, but shall be carried forward to be used for the same purposes.

DEPARTMENT OF HUMAN SERVICES
TOTAL

\$ 1,400,000

TREASURER OF STATE, OFFICE OF

Administration — Treasury

All Other \$ 30,000

Provides funds to meet the administrative expenses associated with issuing checks in accordance with section 7 and section 8 of this Act.

TREASURER OF STATE, OFFICE OF
TOTAL

\$ 30,000

TOTAL APPROPRIATIONS

\$60,028,000

Sec. 10. Effective date. Sections 1, 4 and 5 of this Act are effective July 1, 1989.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective September 23, 1988, unless otherwise indicated.

CHAPTER 877

H.P. 1965 — L.D. 2662

AN ACT Making Appropriations for Additional Staff to the Office of Employee Assistants for the Workers' Compensation Commission.

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

Whereas, the increased case load and informal conferences of the Workers' Compensation Commission necessitates immediate additional staff to the Office of Employee Assistants so that the commission may carry out its purposes; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 39 MRS §92, sub-§6, as amended by PL 1987, c. 454, §1, is further amended to read:

6. Office of Employee Assistants. The chairman shall provide adequate funding for an Office of Employee

Assistants and shall, subject to the Personnel Law, appoint the assistants to staff the Augusta office and district offices. Assistants are not attorneys, but should demonstrate a level of expertise roughly equivalent to that of insurance claims' analysts. The purpose of employee assistants is to provide advice and assistance to employees under this Act and particularly to assist employees in preparing for and assisting at informal conferences under section 94-B. In addition, if an employer appeals a decision of the commission or institutes any proceeding against an employee under this Act, the Office of Employee Assistants shall, upon request, advise an employee how to best prepare for and proceed with his case.

No employee of the Office of Employee Assistants may represent before the commission any insurer, self-insurer, group self-insurer, adjusting company or self-insurance company for a period of 2 years after terminating employment with the office.

The chairman shall appoint 6 employee assistants and ~~a supervisor supervisors~~ of employee assistants. ~~After January 1, 1984, the chairman may appoint up to 5 additional assistants if, in the chairman's judgment, the additional assistants are as necessary to effectuate the purposes of this subsection.~~

Sec. 2. Supplemental appropriations from the General Fund. There is appropriated from the General Fund to the Workers' Compensation Commission the following sum to carry out the purposes of this Act.

1988-89

WORKERS' COMPENSATION COMMISSION

Workers' Compensation Commission

Positions	(3)
Personal Services	\$ 68,696
All Other	20,665
Capital Expenditures	11,940
Total	\$101,300

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective September 23, 1988.

CHAPTER 878

H.P. 1987 — L.D. 2691

AN ACT to Correct a Technical Error in the Air Quality Law.

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

Whereas, existing air quality laws refer to special sessions in a context which became inappropriate following the revisions to the Constitution of Maine in 1975; and

Whereas, these references will have the effect of voiding recent crucial revisions to the air quality regulations before the Legislature is able to review these regulations in a considered manner; and

Whereas, the premature voiding of these regulations will create great confusion in the regulated community and may potentially jeopardize the State's standing with the federal air quality program; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 38 MRSa §584, 4th ¶, as amended by PL 1983, c. 566, §36, is further amended to read:

The board shall by order establish or may amend reasonable ambient air quality standards for the region, regulating and limiting the amount and type of air contaminants which may exist in the ambient air of that region, which standards shall be designed to achieve the purposes set forth in this section. The order shall state the date upon which the standards, or any of them, become effective, and such regions and standards shall thereafter be in effect until 90 days after the date of adjournment of the next regular or special session of the Legislature unless the next regular or special session shall adopt by legislative enactment the air quality regions and standards.

Sec. 2. 38 MRSa §585, 4th ¶, as amended by PL 1971, c. 462, §2, is further amended to read:

Any emission standard or amendment thereto established by the board shall thereafter be in effect until 90 days after the date of adjournment of the next regular or special session of the Legislature unless such next regular or special session shall adopt by legislative enactment such emission standard or amendment thereto.

Sec. 3. 38 MRSa §585-A, 3rd ¶, as amended by PL 1983, c. 566, §40, is further amended to read:

The board shall by order establish or amend reasonable standards and rules which shall be designed to achieve the purposes set forth in this section. The order shall state the date upon which the standards and rules or any of them, become effective, and the standards shall thereafter be in effect until 90 days after the date of adjournment of the next regular or special session of the Legislature unless the next regular or special session shall adopt by legislative enactment the standards.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective September 23, 1988.