

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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1989

3. Time period; discrimination prohibited. The employer's obligation to reinstate the employee continues until one year, or 2 years if the employer has over 250 employees, after the employee has reached the stage of maximum medical improvement in the judgement of the commission. An employer who reinstates an employee under this section may not subsequently discriminate against that employee in any employment decision, including decisions related to tenure, promotion, transfer or reemployment following a layoff, because of the employee's assertion of a claim or right under this Act. Nothing in this subsection may be construed to limit any protection offered to an employee by section 111.

See title page for effective date.

CHAPTER 389

S.P. 274 - L.D. 720

An Act to Clarify the Immunity Provisions for Nonprofit Corporations

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

14 MRSA §158-A, sub-§1, ¶A, as enacted by PL 1987, c. 646, §2, is amended to read:

A. "Charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State:

(1) That is exempt from federal income taxation under the United States Internal Revenue Code, Section 501(a), because it is described in Section 501(c)(3), (4), (6) as it pertains to chambers of commerce only, (10), (13) or (14)(A), including all subsequent amendments to those paragraphs. An organization is included in this subparagraph if it would be exempt from taxation under Section 501(c)(3) but for its engaging in attempting to influence legislation to the extent that it is disqualified from tax exemption under Section 501(c)(3); or

(2) That is:

(a) Organized under the Maine Nonprofit Corporation Act for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A;

(b) Organized under the provisions set forth in Title 13-B, section 201, subsection 2, paragraph A; or

(c) Organized under the provisions of Title 13-B, section 201, subsection 3, paragraph D or E; or

(d) Organized in Maine as a non-profit corporation before January 1, 1978, for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A, and to which the Maine Nonprofit Corporation Act applies.

This subparagraph applies to all subsequent amendments to the statutes covered by divisions (a), (b) and (c) and (d).

See title page for effective date.

CHAPTER 390

S.P. 267 - L.D. 695

An Act Regarding the Exclusion of Family Members under a Motor Vehicle Liability Insurance Policy

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

Sec. 1. 24-A MRSA §2902-A, sub-§3 is enacted to read:

3. Disclosure of exclusion provision. Every insurance policy providing motor vehicle liability insurance shall clearly state on the face of the policy whether the policy excludes coverage for liability for injuries sustained by the insured's family members. The requirements of this subsection may be satisfied by language on the cover sheet of the policy or which is securely affixed to the front of the policy in a manner not to obscure other policy provisions. The bureau shall, by rule, specify the specific clear and concise language to be required to satisfy this requirement.

Sec. 2. Effective date. This Act shall take effect January 1, 1990.

Effective January 1, 1990.

CHAPTER 391

H.P. 434 - L.D. 599

An Act Regulating the Sale of Grave Markers by Funeral Establishments

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

32 MRSA §1406 is enacted to read:

§1406. Grave markers

Any funeral establishment or person licensed under this chapter, when selling a grave marker to a consumer before the completion of the funeral of the person whose grave is to be marked, shall adhere to the sale requirements