

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
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1989

the superintendent shall issue a decision on whether the fee is reasonable, taking into account the rate adjustment approved. If the superintendent determines that the fee is not reasonable, the superintendent shall order an adjustment to the fee, as necessary, to ensure that the fee is reasonable.

See title page for effective date.

CHAPTER 468

S.P. 555 - L.D. 1558

An Act to Clarify the Provisional Payments Provision of the Workers' Compensation Law Regarding Disability and Medical Payments

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

39 MRSA §111-A, sub-§3 is enacted to read:

3. Rules. The Superintendent of Insurance shall adopt rules, subject to Title 5, chapter 375, to implement this section.

A. These rules shall impose any requirements on employers or health, disability or workers' compensation insurance carriers that the superintendent finds necessary or desirable to ease the financial burden on injured employees whose workers' compensation claims are controverted and who are awaiting commission determinations on their claims.

B. The Superintendent of Insurance shall consult with the chair of the Workers' Compensation Commission in formulating and adopting these rules.

C. The Superintendent of Insurance shall recommend for introduction to the Second Regular Session of the 114th Legislature any legislation necessary to achieve the purposes of this subsection.

See title page for effective date.

CHAPTER 469

H.P. 59 - L.D. 80

An Act Concerning Boating and Other Water-based Activities

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

Sec. 1. 12 MRSA §7791, sub-§11-A is enacted to read:

11-A. Personal watercraft. "Personal watercraft" means any motorized watercraft that is less than 13 feet in

hull length as manufactured, is capable of exceeding a speed of 20 miles per hour and has the capacity to carry not more than the operator and one other person while in operation. The term includes, but is not limited to, a jet ski, wet bike, surf jet, miniature speedboat and hovercraft. Personal watercraft also includes motorized watercraft whose operation is controlled by a water skier.

Sec. 2. 12 MRSA §7800, sub-§2, as enacted by PL 1979, c. 420, §1, is amended to read:

2. Fines and costs collected. Each county shall pay all fines, forfeitures and penalties collected for violations of this subchapter and all officers' costs collected for either coastal wardens or game wardens to the Treasurer of State, monthly, and all of them shall accrue to the department, except that all fines, forfeitures and penalties collected as a result of the efforts of municipal law enforcement officers or harbor masters enforcing the provisions of this subchapter in their respective jurisdictions shall be paid to that municipality for the local enforcement efforts of this subchapter.

Sec. 3. 12 MRSA §7801, sub-§16, ¶C is enacted to read:

C. Fails to wear a Coast-Guard approved Type I, Type II, or Type III personal flotation device while canoeing or kayaking on the Saco River between January 1st and June 1st.

Sec. 4. 12 MRSA §7801, sub-§§30 and 31 are enacted to read:

30. Failure to comply with additional safety requirements while operating a personal watercraft. A person is guilty of failure to comply with additional safety requirements while operating a personal watercraft if that person:

A. Or any passenger is not wearing Coast-Guard approved Type I or Type II personal flotation devices while operating or riding on the personal watercraft;

B. Operates the personal watercraft during the hours between sunset and sunrise; or

C. Operates a personal watercraft before attaining the age of 12 years.

31. Unlawfully permitting operation. A person is guilty of unlawfully permitting operation of a watercraft:

A. If that person owns a watercraft and negligently permits another person to operate the watercraft in violation of any section of this subchapter; or

B. If that person is the parent or guardian responsible for the care of a minor under 18 years of age and the minor operates a personal watercraft in violation of any section of this subchapter.