

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

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
of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE
1989

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

Effective June 30, 1989.

CHAPTER 509

H.P. 842 - L.D. 1174

An Act to Provide Disabled Veterans with Free Drivers' Licenses and to Clarify the Law Providing Free Registration Plates to Disabled Veterans

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

Sec. 1. 29 MRSA §251, as amended by PL 1985, c. 539, §3, is further amended to read:

§251. Amputee or blind veterans

On application to the Secretary of State for registration of any motor vehicle of any amputee or blind veteran who has been the recipient of an automobile from the United States Government under authority of P.L. 663, 79th Congress, as amended, or P.L. 187, 82nd Congress, as amended, or of any amputee or blind veteran receiving compensation from the Veterans Administration or any branch of the United States Armed Forces for service connected disability who shall have a specially designed motor vehicle, such veteran shall be entitled to have said automobile duly registered and a registration certificate delivered to him the veteran without the requirement of the payment of any fee.

Any veteran who has lost both legs or the use of both legs and who has registered ~~his~~ a motor vehicle without the payment of a fee as provided in this section upon certification by the Veterans Administration or appropriate branch of the United States Armed Forces shall be issued special designating plates. Those designating plates shall be issued by the Secretary of State and shall bear the words "Disabled Veteran".

Sec. 2. 29 MRSA §252-A, first ¶, as amended by PL 1987, c. 769, Pt. A, §115, is further amended to read:

The Secretary of State on application and upon evidence of payment of the excise tax required by Title 36, section 1482, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any 100% disabled veteran when that application is accompanied by certification from the United States Veterans Administration or any branch of the United States Armed Forces as to the veteran's disability and receipt of 100% service-connected benefits and that the veteran is permanently confined to a wheelchair or restricted to the use of crutches or braces or otherwise handicapped in such a way that mobility is seriously restricted.

Sec. 3. 29 MRSA §536 is amended to read:

§536. Amputee veterans

On application to the Secretary of State of ~~a~~ any amputee veteran who has been the recipient of an automobile from the United States Government under authority of P.L. 663, 79th Congress, as amended, or P.L. 187, 82nd Congress, as amended, ~~or~~ any amputee veteran receiving compensation from the Veterans Administration or any branch of the United States Armed Forces for service connected disability who shall have a specially designed motor vehicle or any veteran with 100% service connected disability, and who is otherwise qualified to operate a motor vehicle in this State, ~~such veteran~~ shall receive a license to operate ~~such an~~ automobile without the requirement of the payment of any fee.

See title page for effective date.

CHAPTER 510

H.P. 898 - L.D. 1255

An Act to Create a Full-time Motor Vehicle Office in the Town of Sanford

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

Sec. 1. 29 MRSA §51-A, as amended by PL 1987, c. 348, §1, is further amended to read:

§51-A. Offices

The Secretary of State shall maintain ~~12~~ 13 full-time offices at convenient places in the State as ~~he~~ the Secretary of State deems necessary to carry out ~~his~~ duties relating to applications for registration of and licenses for the operation of motor vehicles.

Sec. 2. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1989-90	1990-91
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Positions	(4)	(4)
Personal Services	\$69,168	\$96,837
All Other	40,487	53,982
Capital Expenditures	17,800	

Provides funds for the establishment and operation of a facility in the Town of Sanford for processing applications for registrations and licenses for the operation of motor vehicles. Also provides funds for a branch manager, 3 window clerks and

general operating expenses to
administer the proposed facility.

DEPARTMENT OF THE SECRETARY OF STATE		
TOTAL	\$127,455	\$150,819

See title page for effective date.

CHAPTER 511

S.P. 550 - L.D. 1521

An Act to Clarify the Definition of Seasonal Workers under the Workers' Compensation Law

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

39 MRSA §2, sub-§2, ¶B-1, as enacted by PL 1987, c. 559, Pt. B, §14, is amended to read:

B-1. Notwithstanding paragraphs A and B, the average weekly wage of a seasonal worker shall be determined by dividing the employee's total wages, earnings or salary for the prior calendar year by 52.

(1) For the purposes of this paragraph, the term "seasonal worker" does not include any employee who is customarily employed, full time or part time, for more than 26 weeks in a calendar year. The employee need not be employed by the same employer during this period to fall within this exclusion.

(2) Notwithstanding subparagraph (1), the term "seasonal worker" includes, but is not limited to, any employee who is employed directly in agriculture or in the harvesting or initial hauling of forest products.

See title page for effective date.

CHAPTER 512

H.P. 481 - L.D. 661

An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals

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

26 MRSA c. 5, sub-c. II-A is enacted to read:

SUBCHAPTER II-A

VIDEO DISPLAY TERMINAL OPERATORS

§251. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Bureau. "Bureau" means the Department of Labor, Bureau of Labor Standards.

2. Employ. "Employ" means to employ or permit to work.

3. Employee. "Employee" means any person engaged to work on a steady or regular basis as an operator by an employer located or doing business in the State.

4. Employer. "Employer" means any person, partnership, firm, association or corporation, public or private, which uses 25 or more terminals at one location within the State. The term "employer" includes, but is not limited to:

A. Any person, partnership, firm, association or corporation acting in the interest of any employer, directly or indirectly; and

B. The State, in its capacity as an employer.

5. Operator. "Operator" means any employee whose primary task is to operate a terminal for more than 4 consecutive hours, exclusive of breaks, on a daily basis.

6. Terminal. "Terminal" means any electronic video screen data presentation machine, commonly called video display terminals, VDTs or cathode-ray tubes, CRTs. The term does not apply to television or oscilloscope screens, cash registers or memory typewriters.

§252. Education and training

Every employer shall establish an education and training program for all operators as provided in this section.

1. Requirements. An employer's education and training program shall be provided both orally and in writing and shall include, at a minimum:

A. Notification of the rights and duties created under this subchapter by posting in a prominent location in the workplace a copy of this subchapter and a written notice that explains these rights and duties in plain language;

B. An explanation or description of the proper use of terminals and the protective measures that the operator may take to avoid or minimize symptoms or conditions that may result from extended or improper use of terminals; and

C. Instruction related to the importance of maintaining proper posture during terminal operation and a description of methods to achieve and maintain this posture, including the use of any adjustable work station equipment used by the operator.