

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

| | |
|-----------------------------|--------|
| (3) (4) Sheriff | 27,000 |
| (4) (5) Judge of Probate | 14,526 |
| (5) (6) Register of Probate | 16,000 |
| (6) (7) Register of Deeds | 16,000 |

1989-90

EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF

All Other \$5,000

Provides start-up funds for a central information system on disability resources to be developed with substantial participation by people with disabilities. The department shall determine how to stream-line the application process and develop a single entry point application process to enable any disabled person to apply for any available service or services from one location in that person's community. The department shall make recommendations regarding the application process and provide funds necessary to implement this obligation.

Sec. 2. General Fund expenditure authorized. The personal services funds set out in Resolve 1989, chapter 36, section 2, under the Appropriation Account Number 1025, under the caption County Treasurer shall be apportioned as follows: \$9,000 shall be the salary for the County Treasurer; and \$6,000 shall be the salary for the Deputy Treasurer.

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

Effective July 1, 1989.

CHAPTER 518

H.P. 1287 - L.D. 1780

An Act to Amend the Process by Which People with Disabilities Are Able to Acquire Information and Apply for Services

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

Whereas, there will be a potential loss of money unless this legislation is enacted as an emergency; 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:

PART A

Sec. 1. 20-A MRSA §256, sub-§6 is enacted to read:

6. Central information system. The department shall include in the department's annual budget funds necessary to initiate and maintain a central information system on resources for people with disabilities. The system should be community-based and developed with substantial participation by people with disabilities.

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

PART B

PL 1987, c. 845, §4 is amended to read:

Sec. 4. Personal care assistants; wages, benefits and overnight pay. The Bureau of Rehabilitation, in establishing and administering a program of personal care assistance services for severely disabled adults, ~~shall expand its present program to serve an additional 20 new consumers and shall provide through contract with providers of in-home personal care assistance for an average compensation a reimbursement rate of \$7 an hour for personal care assistants~~ shall provide through contract with providers of in-home personal care assistance a reimbursement rate of \$7 an hour for personal care assistants ~~and shall provide through contract with providers of in-home personal care assistance for an average compensation a reimbursement rate of \$7 an hour for personal care assistants~~ assistance services, payment of \$12 each night for each client to overnight attendants and the establishment of a pro rata group benefits package, not to exceed \$1,000 for each personal care attendant per consumer, to provide including health insurance, vacation and sick leave for personal care assistants. In overseeing the use of funds for increased wages of personal care assistance workers, the Bureau of Rehabilitation shall take into account regional variations in the cost of living and competitive, wage rates across the State.

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

Effective July 1, 1989.

CHAPTER 519

H.P. 1285 - L.D. 1777

An Act to Correct Certain Technical Errors in the Laws of Maine

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

Whereas, certain technical corrections to laws enacted by the 114th Legislature and signed by the Governor need to take effect prior to the expiration of the 90-day period; 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. 22 MRSA §7108, 3rd ¶, as amended by PL 1989, c. 330, §2, is further amended to read:

Membership shall include representatives of non-governmental organizations or groups and of public agencies concerned with prevention and treatment of alcoholism, alcohol abuse, drug abuse and drug dependence. At least 2 members of the council shall be current members of the Legislature, consisting of one member from the House of Representatives appointed by the Speaker of the House of Representatives to serve at the Speaker's pleasure and one member from the Senate appointed by the President of the Senate to serve at the President's pleasure. Two of the private citizen members shall be between the ages of 16 and 21. At least 2 members shall be officials of public or private nonprofit community level agencies who are actively engaged in drug abuse prevention or treatment in public or private nonprofit community agencies. One of the private citizen members shall be the President or the President's designee of the National Council on Alcoholism in Maine, Incorporated. Membership shall include the executive directors or the executive directors' designees of the 5 regional alcohol and drug abuse councils located throughout the State. Membership may also include, but not be limited to, representatives of professions such as law, law enforcement, medicine, pharmacy, the insurance industry, businesses with employee assistance programs and teaching. Membership shall also include at least 2 representatives of public education, 2 representatives from the field of mental health and mental retardation, 2 representatives from the field of corrections and criminal justice and 2 representatives from the field of social services. Appointments to the council shall be made so as to insure that at least 6 members shall be persons affected by or recovered from alcoholism, chronic intoxication, drug abuse or drug dependency, having evidenced a minimum of 3 years of sobriety or abstinence from drug abuse.

Sec. 2. PL 1989, c. 276 is amended by inserting at the end an emergency clause to read:

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

Sec. 3. Retroactivity. Section 2 of this Act shall take effect retroactively to June 13, 1989.

Sec. 4. Effective date. Section 1 of this Act shall take effect 90 days after adjournment.

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

Effective July 1, 1989, unless otherwise indicated.

CHAPTER 520

H.P. 293 - L.D. 405

An Act Regarding the Employment of 15-year-olds in Public Accommodations for Lodging

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

Sec. 1. 26 MRSA §773, as amended by PL 1987, c. 665, §1, is further amended by adding at the end a new paragraph to read:

Notwithstanding this section, minors who are 15 years of age or older may be employed in kitchens, dining rooms, lobbies and offices of public accommodations for lodging during the period from June 15th to Labor Day.

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

| | 1989-90 | 1990-91 |
|--|----------|---------|
| LABOR, DEPARTMENT OF | | |
| Regulation and Enforcement | | |
| Personal Services | \$2,150 | \$1,468 |
| All Other | 13,850 | 250 |
| Provides funds for a part-time clerical position and printing and mailing costs of a labor law poster. | | |
| DEPARTMENT OF LABOR | | |
| TOTAL | \$16,000 | \$1,718 |

See title page for effective date.

CHAPTER 521

S.P. 431 - L.D. 1142

An Act Concerning Law Enforcement Training

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