

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
1989

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A. Prior to the first meeting of the commission, the staff shall obtain necessary background information and materials for the commission.

**Sec. 11. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
<b>LEGISLATURE</b>		
<b>Commission on Codification of Rules</b>		
Personal Services	\$1,375	
All Other	4,300	
Provides funds for the per diem, travel and related expenses of the Commission on Codification of Rules		
<b>LEGISLATURE TOTAL</b>		
	<u>\$5,675</u>	
<b>SECRETARY OF STATE, DEPARTMENT OF Administration - Secretary of State</b>		
Positions	(.5)	(.5)
Personal Services	\$7,340	\$10,112
All Other	563	750
Capital Expenditures	590	
Provides funds for a part-time Clerk Typist II position and related expenses associated with rule-making activities.		
<b>DEPARTMENT OF THE SECRETARY OF STATE TOTAL</b>		
	<u>\$8,493</u>	<u>\$10,862</u>
<b>APPROPRIATION TOTAL</b>		
	<u>\$14,168</u>	<u>\$10,862</u>

See title page for effective date.

**CHAPTER 575**

**H.P. 675 - L.D. 924**

**An Act to Clarify the Method of Obtaining Incapacity Benefits Under the Workers' Compensation Act**

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

**39 MRSA §55-B**, as enacted by PL 1987, c. 559, Pt. B, §30, is amended by inserting at the end a new paragraph to read:

For purposes of determining an injured employee's degree of incapacity under this section, the commission shall consider the availability of work that the employee is able to perform in and around the employee's community and the employee's ability to obtain such work considering the ef-

fects of the employee's work-related injury. If no such work is available in and around the employee's community or if the employee is unable to obtain such work in and around the employee's community due to the effects of a work-related injury, the employee's degree of incapacity under this section is 100%.

See title page for effective date.

**CHAPTER 576**

**H.P. 1185 - L.D. 1640**

**An Act to Provide Funding for and to Amend Laws Governing the Maine Human Services Council**

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

**Whereas**, proposed amendments affecting the Maine Human Services Council will affect its current administration and operations; and

**Whereas**, these amendments will improve the effectiveness and efficiency of the Maine Human Services Council; 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. 5 MRSA c. 19** is enacted to read:

**CHAPTER 19**

**MAINE HUMAN DEVELOPMENT COMMISSION**

**§461. Commission established**

The Maine Human Development Commission shall be within State Government as established by section 12004-J, subsection 3. It shall conduct activities to encourage, enhance and support the human development of adults, children and families. The commission shall be an independent commission, separate and distinct from any other organizational unit of State Government.

**§462. Membership**

**1. Membership; qualifications.** The commission shall consist of no more than 17 members, who, excepting members representing the Legislature, shall be appointed by the Governor. To be qualified to serve, members shall have education, training, experience, knowledge, expertise and interest in human development. Members shall be residents of different geographical areas of the State, who reflect