

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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1991

physician or other ~~health-care~~ health-care provider under section 5-708.

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

Effective May 28, 1991.

CHAPTER 192

H.P. 589 - L.D. 840

An Act to Provide Greater Public Input into Public Lands Management

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

Sec. 1. 12 MRSA §586, sub-§2, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Expenditures from fund. Expenditures from the fund are subject to legislative approval in the same manner as appropriations from the General Fund. No money may be expended without allocation by the Legislature. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs must approve the allocations. In addition, the joint standing committee of the Legislature having jurisdiction over natural resource matters must review allocations for the bureau's dedicated funds and any revenues of the bureau from permits, leases, fees and sales. The joint standing committee of the Legislature having jurisdiction over natural resource matters must submit a written report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on or before March 1st of each year.

Sec. 2. Review formation of advisory committee. The Director of the Bureau of Public Lands shall review and analyze the formation of an advisory committee for the Bureau of Public Lands. The director shall submit recommendations and any necessary implementing legislation to the Joint Standing Committee on Energy and Natural Resources by March 1, 1992.

See title page for effective date.

CHAPTER 193

H.P. 866 - L.D. 1246

An Act to Promote Volunteer Emergency Medical Services through Changes to the Unemployment Laws

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

Sec. 1. 26 MRSA §1043, sub-§11, ¶F, as amended by PL 1987, c. 769, Pt. A, §106, is further amended by amending subparagraph (21), division (i) to read:

(i) Prior to January 1, 1978, service performed in the employ of a school ~~which~~ that is not an institution of higher education; after December 31, 1977, service performed in the employ of a governmental entity referred to in paragraph A-1, subparagraph (1) if ~~such~~ that service is performed by an individual in the exercise of duties:

- (i) As an elected official;
- (ii) As a member of a legislative body, or a member of the judiciary, of a state or political subdivision ~~thereof~~ of a state;
- (iii) As a member of the State National Guard or Air National Guard;
- (iv) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency or medical emergency; or
- (v) In a position ~~which~~ that, under or pursuant to the laws of this State, is designated as a major nontenured policymaking or advisory position, or a policymaking or advisory position the performance of the duties of which ordinarily does not require more than 8 hours per week;

Sec. 2. 26 MRSA §1043, sub-§17, ¶A, as amended by PL 1979, c. 515, §5, is further amended to read:

A. An individual, including corporate officers, ~~shall be deemed is considered~~ "totally unemployed" in any week with respect to which ~~no~~ wages are not payable to ~~him~~ the individual and during which ~~he performs no the individual does not perform~~ services, except that remuneration payable or received as holiday pay ~~shall is not be deemed considered~~ wages for the purpose of this subsection and except that any amounts received from the Federal Government by members of the National Guard and organized reserve, including base pay and allowances, or any amounts received as a volunteer ~~fireman firefighter~~ or a volunteer emergency medical services person, ~~shall are not be deemed considered~~ wages for the purpose of this subsection.

Sec. 3. 26 MRSA §1191, sub-§3, as repealed and replaced by PL 1987, c. 636, §1, is amended to read:

3. Weekly benefit for partial unemployment. Each eligible individual who is partially unemployed in any week ~~shall must~~ be paid a partial benefit for that week. The partial benefit ~~shall be is~~ equal to the weekly benefit amount less the individual's weekly earnings in excess of