

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

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  
1992

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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A. Is a grower licensed under section 6863, an employee of a licensed grower or an agent of a licensed grower; or

B. Is in the possession of a bill of sale or a bill of lading that includes the license number of the grower.

**Sec. 2. 12 MRSA §6863** is enacted to read:

**§6863. Cultchless American oyster growers license**

A person may not grow cultchless American oysters in the State unless licensed under this section.

**1. Definitions.** For the purposes of this Part, the term "cultchless" means the absence, at the shell hinge, of foreign material or a scar and the term "American oyster" means the genus and species Crassostrea virginica.

**2. License.** The commissioner shall establish by rule the criteria for a cultchless American oyster growers license.

**3. Fee.** The annual fee for a cultchless American oyster growers license is \$10.

**Sec. 3. Costs not funded.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this Act that result in additional costs to local or county government are not state mandates subject to that section and the State is not required to fund those costs.

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

Effective April 9, 1992.

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**CHAPTER 877**

**H.P. 1417 - L.D. 2029**

**An Act to Amend the Maine High-Risk Insurance Organization Laws**

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

**Sec. 1. 24-A MRSA §6058-A** is enacted to read:

**§6058-A. Employer responsibilities**

**1. Employer contribution.** An employer shall make the same contribution toward coverage for a benefit plan on behalf of an enrolled employee that the employer contributes for benefit plans for employees who are not enrolled.

**2. Payroll deduction.** An employer may make a payroll deduction from the compensation of an employee for the portion of the benefit plan that the employee is responsible for contributing.

**3. Dependent coverage.** An employer shall offer dependent family members of an enrolled employee the same group plan that the employer provides to the dependents of employees who are not enrolled.

The employer may charge an enrolled employee's dependent family member a premium equal to that amount charged to employees who are not enrolled and shall contribute the difference between the amount the employer would pay for the employee under its group family coverage and the amount the employer has paid on behalf of the employee pursuant to subsection 1. An employer is not required to pay more for the dependents of an enrolled employee than for dependents of an employee in the employer's group plan.

**Sec. 2. Costs not funded.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this Act that result in additional costs to local or county government are not state mandates subject to that section and the State is not required to fund those costs.

See title page for effective date.

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**CHAPTER 878**

**S.P. 809 - L.D. 2008**

**An Act Related to the Maine State Retirement System**

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

**Sec. 1. 5 MRSA §17751, sub-§3,** as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**3. Board determination.** The board shall determine by appropriate rules how much service in any year qualifies for one year's service credit. Service rendered for the full normal working time in any year qualifies for one year's service credit. The board shall provide in its rule related to the determination of creditable service for state employees that any part-time or seasonal state employee who was employed during the period beginning January 1, 1989 and ending June 30, 1991 is credited with a full year of creditable service for each year in which that employee is employed for 1,000 or more hours, for as long as that employee is employed by the State. The board's rule must also treat in the same manner any employee first employed before July 1, 1991 who is employed in a position that is in a career ladder in which the employee is required to move from full-time status