

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

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SECOND REGULAR SESSION
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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
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

sioners shall use all impact and incentive payments for the benefit of the unorganized territory within the county in which the facility is located. Impact payments and incentive payments must be funded by the user fees established in section 1536, subsection 1. The authority shall establish, by rule, any requirements for the use of impact payments and incentive payments, including the establishment of a perpetual reserve fund to cover post-closure costs.

2. Criteria. The measurable criteria on which the authority must base its impact payments include, without limitation:

A. Improvement, maintenance and repair of local roads directly affected by traffic to and from the disposal or storage facility;

B. Development and maintenance of adequate local emergency response capacity; and

C. Financial support for on-site, locally employed personnel or other services necessary to enable the municipality or unorganized territory to monitor compliance with state and federal requirements by the disposal or storage facility.

3. Property value offset. Owners of property which value has been affected by a low-level radioactive waste disposal or storage facility are eligible for reimbursement for loss in property value directly attributable to the construction and operation of the facility. The authority shall adopt rules to establish the formula and procedure for reimbursement, including, without limitation, definition of the impact area, a process for establishing baseline real estate values, a time frame within which the property value offset program will be in effect and an accounting of real estate trends in the area.

4. Legislative approval. After an affirmative vote under section 1527, subsection 3, the authority must submit legislation authorizing the proposed impact and incentive payments and property value offset to the joint standing committee of the Legislature having jurisdiction over low-level radioactive waste disposal matters.

See title page for effective date.

CHAPTER 880

H.P. 1618 - L.D. 2279

An Act to Strengthen Maine's Governmental Ethics Laws

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

Whereas, the public is best served by a balanced and just commission to oversee election practices of candidates; and

Whereas, the public is also best served by the full disclosure of personal financial information of all candidates in legislative campaigns; and

Whereas, it is in the best interest of all Maine citizens to implement disclosure and election commission reforms as soon as possible; 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. 1 MRSA §1002, sub-§1, as amended by PL 1989, c. 503, Pt. B, §1, is further amended to read:

1. Membership. The Commission on Governmental Ethics and Election Practices, established by Title 5, section 12004-G, subsection 33, called the "commission," ~~shall consist~~ consists of ~~7~~ 9 members to be appointed as follows:

A. The President of the Senate ~~and~~, the floor leaders of the 2 major parties ~~and~~ the assistant minority leader in the Senate shall each appoint one member, with the concurrence of 2/3 vote of the Senate. Each ~~such~~ member ~~shall~~ must be appointed in January of ~~each even-numbered year as provided in this subsection;~~ and shall serve a term of 2 years from the date of appointment or until a successor is appointed and qualified;

B. The Speaker of the House ~~and~~, the floor leaders of the 2 major parties ~~and~~ the assistant minority leader in the House of Representatives shall each appoint one member, with the concurrence of 2/3 vote of the House of Representatives. Each ~~such~~ member ~~shall~~ must be appointed in January of ~~each even-numbered year as provided in this subsection;~~ and shall serve a term of 2 years from the date of appointment or until a successor is appointed and qualified; ~~and~~

C. The ~~6~~ 8 members so appointed shall, by an affirmative vote of at least ~~5~~ 6 members, elect a ~~7th~~ 9th member, who shall act as chairman, and who shall serve a term of 2 years, or until a successor is appointed and qualified; ~~and~~

D. The terms of the members of the commission must be staggered. With respect only to the Senate appointments that are made in 1992, the

appointments shall serve until January 1995. Thereafter, Senate appointments must be made in January of each odd-numbered year. House appointments must be made in January of each even-numbered year.

The appropriate appointing authority shall appoint members to vacancies on the commission as they ~~shall~~ occur or upon expiration of terms. Any vacancy ~~shall~~ must be filled for the unexpired portion of the term in which such vacancy occurs.

Sec. 2. 1 MRSA §1016-C is enacted to read:

§1016-C. Reports by legislative candidates

A candidate, as defined in Title 21-A, section 1, subsection 5, for the Legislature who is not required to file a report under section 1016-A or 1016-B shall file a report containing the same information required of Legislators under sections 1016-A and 1016-B no later than 5 p.m. on the first Monday in August preceding the general election unless the candidate withdraws from the election in accordance with Title 21-A, section 374-A by that date.

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

Effective April 9, 1992.

CHAPTER 881

H.P. 1064 - L.D. 1553

An Act to Provide Equitable Insurance Coverage for Mental Illness

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

Sec. 1. 24 MRSA §2325-A, sub-§5-B is enacted to read:

5-B. Coverage for certain mental illness treatment. Coverage for medical treatment for mental illnesses listed in paragraph A is subject to this subsection. Nothing in this subsection requires benefit levels or maximum lifetime or annual benefits for medical treatment for mental illness that exceed the benefit levels or maximum lifetime or annual benefits for other illnesses and diseases.

A. All group contracts must provide at a minimum benefits according to paragraph B, subparagraphs (1) to (3) for the usual, customary and reasonable charges for a person receiving medical treatment for:

- (1) Schizophrenia;
- (2) Bipolar disorder;
- (3) Pervasive developmental disorder, or autism;
- (4) Childhood schizophrenia;
- (5) Psychotic depression, or involuntional melancholia;
- (6) Paranoia;
- (7) Panic disorder;
- (8) Obsessive-compulsive disorder; or
- (9) Major depressive disorder.

B. All policies and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after July 1, 1993 must provide benefits that meet the requirements of this paragraph. For purposes of this paragraph, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

(1) The contracts must provide inpatient care benefits of at least 60 days per calendar year.

(2) The contracts must provide outpatient care benefits of at least \$2,000 for any combination of outpatient and day treatment care. The minimum level of benefits provided must be at least 60% of the usual, customary and reasonable charge.

(3) The contracts may not contain a maximum lifetime benefit for any mental illness listed in paragraph A.

C. All policies and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after July 1, 1994 must provide benefits that meet the requirements of this paragraph. For purposes of this paragraph, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

(1) The contracts must provide inpatient care benefits of at least 90 days per calendar year.

(2) The contracts must provide outpatient care benefits of at least \$3,000 for any combination of outpatient and day treatment care. The minimum level of benefits provided must be at least 70% of the usual, customary and reasonable charge.