

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.

J.S. McCarthy Company
Augusta, Maine
1992

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

ected to serve for 3-year terms. Vacancies are filled pursuant to subsection 4.

Sec. 2. Validity. Notwithstanding the Maine Revised Statutes, Title 30-A, chapter 120, the charter revisions in section 1 of this Act do not require further action, approval, acceptance or vote by the voters of the Rangeley Water District or any other entity or persons to become effective.

Sec. 3. Retroactivity. This Act applies retroactively to March 11, 1992.

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

Effective April 6, 1992.

CHAPTER 107

H.P. 1781 - L.D. 2463

An Act to Create Job Opportunities for Unemployed Maine People

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for unemployed persons enrolled in skills training programs offered by the Maine Technical College System.

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

Sec. 1. Authorization of bonds to fund tuition for unemployed persons enrolled in training programs offered by Maine Technical College System. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$9,985,000 to raise funds for tuition for unemployed persons enrolled in training programs offered by Maine's technical colleges as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature. The bonds must be issued from time to time so as to meet the needs of the Maine Technical College System to provide training to unemployed Maine citizens. The bonds, when paid at maturity or otherwise retired, may not be reissued, but may be refunded on terms more favorable to the State than those in the original issue.

Sec. 2. Records of bonds issued to be kept by State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Maine Technical College System.

Sec. 6. Allocations from General Fund bond issue; tuition for unemployed Maine citizens enrolled in Maine Technical College System programs. The proceeds of the sale of bonds must be expended as designated in the following schedule.

MAINE TECHNICAL COLLEGE SYSTEM

All Other	\$9,985,000
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Provides funds for tuition for 3,000 unemployed Maine citizens enrolled as full-time students in Maine's technical colleges. The Maine Technical College System shall adopt rules that govern the application and selection process. These rules must include eligibility criteria, training programs for which tuition funding as provided in this section applies and criteria that define ineligibility for funding tuition of applicants.

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 8. Appropriation balances at year end.

At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. 9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. 10. Referendum for ratification; submission at general election; form of question; effective date. This Act must be submitted to the legal voters of the State of Maine at the next general election in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$9,985,000 bond issue to fund the payment of tuition for unemployed Maine citizens enrolled as full-time students in eligible programs at Maine’s technical colleges?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Effective pending referendum.

CHAPTER 108

H.P. 1775 - L.D. 2457

An Act to Delay the Workers’ Compensation Rate Increase

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

Whereas, there is currently pending before the Superintendent of Insurance a filing seeking increases in workers’ compensation rates and surcharges on which a decision is required to be issued under applicable laws by June 1st; and

Whereas, the Legislature has passed a resolve creating the Blue Ribbon Commission to Examine Alternatives to the Workers’ Compensation System to make recommendations concerning replacement of the present system; and

Whereas, the Legislature may take action that will cause substantial changes to the Workers’ Compensation Act, Maine Revised Statutes, Title 39 that will have a direct and immediate effect on the appropriate amounts for the rates and surcharges, but these effects can not be taken into account under current applicable law in the pending rate case and can not be taken into account in approved rates before 1993; 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. Workers’ Compensation Act changes; rate effect. For purposes of the proceeding pending before the Superintendent of Insurance on the effective date of this section to establish rate increases and surcharges for workers’ compensation premiums making the determinations required under the Maine Revised Statutes, Title 24-A, section 2363, subsection 11 and section 2367, the date for the decision is extended to November 15, 1992. The date is extended in order to allow the Superintendent of Insurance to conduct a proceeding for the limited purpose of determining the effect of amendments enacted by the Second Regular Session or a subsequent special session of the 115th Legislature to Title 39 on workers’ compensation insurance rates and to take those findings into account in establishing surcharges, if any, in connection with the pending rate filing. The Superintendent of Insurance may not issue a decision regarding rates and surcharges under Title 24-A, section 2363, subsection 11 and section 2367 in the pending proceeding until the Superintendent of Insurance has evaluated the effect of these changes on the workers’ compensation rates and incorporated those findings in the superintendent’s decision.

The Superintendent of Insurance shall order the filing of information necessary to determine the effect