

# 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

**FIRST SPECIAL SESSION**  
July 11, 1991 to July 18, 1991

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**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.**

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**RESOLVES**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

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

**1991**

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**Whereas**, there is an immediate need to begin work in order to have the Town of Thomaston sewer system upgraded; and

**Whereas**, an agreement between the State, through the Department of Corrections, and the Town of Thomaston is necessary before work may begin; 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

**Resolved:** That the Commissioner of Corrections is authorized to enter into an agreement with the Town of Thomaston specifying the Maine State Prison's share of the cost of upgrading the Town of Thomaston sewer system and payment of user fees by the Maine State Prison.

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

Effective July 8, 1991.

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## CHAPTER 48

S.P. 288 - L.D. 770

### **Resolve, to Create the Commission to Study a Long-term Disability Program for the Maine State Retirement System Members**

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

**Whereas**, the Commission to Study a Long-term Disability Program for the Maine State Retirement System Members shall report its findings and recommendations, including any necessary implementing legislation, to the Second Regular Session of the 115th Legislature; and

**Whereas**, the Older Workers Protection Act, which was enacted by the United States Congress and signed by the President on October 16, 1990, mandates eligibility modifications for the Maine State Retirement System disability program 2 years after the effective date of the Act; and

**Whereas**, the Act allows legislative discretion in complying with these revisions within the 2-year period; 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

**Sec. 1. Commission established. Resolved:** That the Commission to Study a Long-term Disability Program for the Maine State Retirement System Members is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of the following members:

1. Four voting members who are members of organizations that represent employees and retirees, appointed by the Governor after being nominated by their respective organizations as follows:

A. One member nominated by the Maine Teachers Association;

B. One member nominated by the Maine Association of Retirees; and

C. Two members nominated by the Maine American Federation of Labor and Congress of Industrial Organizations, Public Sector Division;

2. Two voting members appointed by the Governor after being nominated as follows:

A. One member nominated by the Maine Municipal Association; and

B. One member nominated by the Maine School Management Association;

3. One member appointed by the Governor; and

4. The Executive Director of the Maine State Retirement System or the executive director's designee to serve as an ex officio nonvoting member; and be it further

**Sec. 3. Appointments; meetings. Resolved:** That all appointments be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities when the selections are made. The Chair of the Legislative Council shall call the first meeting of the commission. The commission shall select a chair from its membership; and be it further

**Sec. 4. Duties. Resolved:** That the commission shall undertake a study of the revisions mandated by the Older Workers Protection Act and the effect on the eligibility requirements of the present Maine State Retirement System disability programs. As part of the study the commission shall:

1. Identify specific disability requirements affected by the Older Workers Protection Act and the associated cost of implementation;

2. Develop an alternative program as provided by the transitional language in the Older Workers Protection Act that approximates the overall cost of the present Maine State Retirement System disability programs prior to revision;

3. Recommend modifications to present Maine State Retirement System disability programs as determined appropriate during the course of the commission's study; and

4. Study the issue of making the proposed changes in the disability system applicable to current recipients of benefits and identify the cost of that action; and be it further

**Sec. 5. Report. Resolved:** That the commission shall submit its findings with any recommended legislation pursuant to this resolve to the Second Regular Session of the 115th Legislature by November 1, 1991; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Maine State Retirement System staff provide any necessary staff assistance for the commission and the retirement system's actuaries shall furnish actuarial services to the commission under the actuaries contract with the retirement system up to a value of \$20,000; and be it further

**Sec. 7. Compensation. Resolved:** That the members of the commission are not entitled to per diem compensation, but may be reimbursed for their expenses. The cost of expenses must be covered by the retirement system.

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

Effective July 10, 1991.

## CHAPTER 49

### H.P. 174 - L.D. 259

#### **Resolve, to Assure that an Appropriate Number of Child Care Vouchers are Allocated to the Children of Substance Abusers**

**Child care vouchers for children of substance abusers. Resolved:** That the Department of Human Services shall allocate an appropriate number of child care vouchers to children of parents who are in treatment for substance abuse.

See title page for effective date.