

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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  
1993

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

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

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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**Whereas**, increased limitations on the release of tributyltin from antifouling marine paints took effect on September 1, 1992; and

**Whereas**, this stricter standard exceeds the requirements of federal law and places the State's boatyards at a competitive disadvantage as compared to yards in other states; and

**Whereas**, this situation has resulted in lost work for the State's boatyards and lost jobs for the State's workers; 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. 38 MRSA §419-A, sub-§1, ¶A-1**, as enacted by PL 1989, c. 763, §2, is amended to read:

A-1. "Acceptable release rate" means a measured release rate equal to or less than ~~3.0~~ 4.0 micrograms per square centimeter per day at steady state conditions determined in accordance with federal Environmental Protection Agency testing procedures on tributyltin in antifouling paints under the Federal Insecticide, Fungicide and Rodenticide Act. ~~This paragraph takes effect September 1, 1992.~~

**Sec. 2. Retroactivity clause.** This Act applies retroactively to September 1, 1992.

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

Effective March 29, 1993.

## CHAPTER 16

### S.P. 29 - L.D. 25

#### An Act to Clarify Insurance Eligibility

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

**Whereas**, in 1992 the changes in the workers' compensation laws inadvertently changed eligibility for state group accident and sickness or health insurance from workers' compensation commissioners to workers' compensation board members; and

**Whereas**, it is desirable that former workers' compensation commissioners eligible for that insurance retain their eligibility; and

**Whereas**, the present workers' compensation board members are not full-time employees of the State and should not be eligible for that insurance; and

**Whereas**, correction of the law is required promptly to clarify the insurance eligibility of former workers' compensation commissioners and present workers' compensation board members; 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. 5 MRSA §285, sub-§1, ¶B**, as amended by PL 1991, c. 885, Pt. D, §2, is further amended to read:

B. Any member of the judiciary ~~or workers' compensation board~~;

**Sec. 2. 5 MRSA §285, sub-§1, ¶B-1** is enacted to read:

B-1. Any member of the former Workers' Compensation Commission as follows:

(1) A member who retired prior to January 1, 1993; and

(2) For the period of employment, a member who is an employee of the Workers' Compensation Board between January 1, 1993 and December 31, 1993;

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

Effective March 29, 1993.

## CHAPTER 17

### H.P. 78 - L.D. 108

#### An Act Concerning Employees of the Maine Technical College System

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