

# 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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resources permit. Nothing in this chapter requires the department to fully fund the activities of any child abuse and neglect council.

**3. Consultation with Maine Association of Child Abuse and Neglect Councils.** The Maine Association of Child Abuse and Neglect Councils shall advise the department regarding the distribution of grants before any grants are awarded. The Maine Association of Child Abuse and Neglect Councils, in conjunction with the department, shall develop a plan establishing a state-wide strategy for child abuse and neglect prevention in local counties and communities. This plan must be implemented at least one month before January 1, 1994 and updated annually. Grants must be awarded in accordance with the goals and strategies set out in the plan.

#### §3874. Fiscal agents

A fiscal agent receiving grants under this chapter shall act only in an administrative capacity to receive and distribute grant money to the community coordinating committee child abuse and neglect councils, as described in the rules promulgated adopted by the department for regulating the local administration of these programs.

**Sec. 5. 22 MRSA §3875**, as enacted by PL 1985, c. 483, is repealed.

**Sec. 6. 22 MRSA §3875-A** is enacted to read:

#### §3875-A. Child abuse and neglect councils; membership

The child abuse and neglect councils are responsible for governing the community programs under this chapter. Each council shall establish a governing board of directors. The board must be diverse with broad-based participation in each county. Terms of the directors and methods of appointment or election of members must be determined by the child abuse and neglect council's by-laws.

**Sec. 7. 22 MRSA §3876**, as enacted by PL 1985, c. 483, is repealed.

See title page for effective date.

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## CHAPTER 143

H.P. 557 - L.D. 754

### An Act Concerning Property Tax Payment by Owners of Mobile Homes

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

**Sec. 1. 30-A MRSA §4103, sub-§3, ¶C** is enacted to read:

C. The licensing authority may not issue a permit for installation of a mobile home previously installed in another municipality until the mobile home owner provides proof of payment of all property taxes on that mobile home in the municipality where the home was formerly located.

See title page for effective date.

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## CHAPTER 144

H.P. 339 - L.D. 442

### An Act to Require Removal of Ice-fishing Shacks from Private and Public Property

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

**Sec. 1. 12 MRSA §7001, sub-§16-A** is enacted to read:

16-A. Ice-fishing shack. "Ice-fishing shack" means a temporary structure used for ice fishing on frozen inland waters.

**Sec. 2. 12 MRSA §7627-B** is enacted to read:

#### §7627-B. Removal of abandoned ice-fishing shacks

Notwithstanding the provisions of Title 33, chapter 37, a landowner on whose property an ice-fishing shack is left in violation of Title 17, section 2264 may remove or destroy the shack. The landowner may recover any costs of removing or destroying the shack from the owner of the shack in a civil action.

**Sec. 3. 17 MRSA §2263, sub-§1-D** is enacted to read:

1-D. Abandoned ice-fishing shack. "Abandoned ice-fishing shack" means a temporary structure used for ice fishing and left on property not owned by the person owning the structure without permission of the landowner for more than 15 days after the inland waters on which the shack or structure was located are closed to ice fishing.

**Sec. 4. 17 MRSA §2263, sub-§2**, as amended by PL 1973, c. 194, is further amended to read:

**2. Litter.** "Litter" means all waste materials including, but not limited to, any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, offal, feathers, except feathers from live birds while being transported, abandoned ice-fishing shacks, old automobiles or parts thereof, of automobiles or similar refuse, or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of

the primary processes of mining, logging, sawmilling, farming or manufacturing.

See title page for effective date.

## CHAPTER 145

H.P. 1034 - L.D. 1386

### An Act to Clarify the Financial Authority of the Workers' Compensation Board

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

**Whereas,** the need for reform of the state workers' compensation system is widely recognized; and

**Whereas,** the new Workers' Compensation Board has been appointed and is implementing the Maine Workers' Compensation Act of 1992, effective on January 1, 1993; and

**Whereas,** the board is proposing certain technical and administrative changes to the Act that are necessary to effectively implement the intent of the new laws; and

**Whereas,** immediate implementation of workers' compensation reform legislation is necessary to protect the interests of injured workers, businesses and insurers; 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. 2 MRSA §6-E** is enacted to read:

#### §6-E. Salaries of certain employees of the Workers' Compensation Board

Notwithstanding any other provision of law, the salaries of the following employees of the Workers' Compensation Board are established by the Workers' Compensation Board and must be within the salary ranges indicated in this section.

1. **Executive director.** The salary of the executive director is within salary range 91.

2. **General counsel.** The salary of the general counsel is within salary range 86.

3. **Deputy general counsel.** The salary of the deputy general counsel is within salary range 85.

4. **Assistants to the general counsel.** The salary of the assistants to the general counsel is within salary range 82.

5. **Deputy directors.** The salary of the deputy directors is within the following salary ranges:

A. **Deputy director of medical and rehabilitation,** salary range 82;

B. **Deputy director of business services,** salary range 82;

C. **Deputy director of benefits administration,** salary range 82; and

D. **Deputy director of dispute resolution,** salary range 82.

6. **Hearing officers.** The salary of the hearing officers is within salary range 90.

7. **Mediators.** The salary of the mediators is within salary range 80.

**Sec. 2. 5 MRSA §958** is enacted to read:

#### §958. Workers' Compensation Board

1. **Major policy-influencing positions.** The following positions are major policy-influencing positions within the Workers' Compensation Board. Notwithstanding any other provision of law, these positions and their successor positions are subject to this chapter:

A. **Executive director;**

B. **General counsel; and**

C. **Deputy directors.**

**Sec. 3. 39-A MRSA §152, sub-§14** is enacted to read:

14. **Reimbursement.** The board shall impose reasonable charges for reimbursement for the provision of services, facilities and materials, including, but not limited to, reproduction and distribution of forms, reports and publications, photocopying and the use of facilities.

**Sec. 4. 39-A MRSA §154, sub-§§5 and 6,** as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, are amended to read:

**5. Amounts of premiums and losses.** The Bureau of Insurance shall provide to the board the amounts of gross direct workers' compensation premiums written by each insurance carrier and the amounts of aggregate benefits paid by each self-insurer and group self-insurer on or before ~~August 1st~~ April 1st of each year.

**6. Assessment levied.** The assessments levied under this section may not produce more than \$6,000,000