

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.

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

The board shall determine the assessments prior to ~~March 1st~~ May 1st and shall assess each insurance company or association and self-insured employer its pro rata share for expenditures during the fiscal year beginning July 1st. Each insurance company or association and self-insured employer shall pay the assessment on or before June 1st.

Sec. 5. 39-A MRSA §154, sub-§§10 and 11 are enacted to read:

10. Deposit of funds in Workers' Compensation Board Administrative Fund. The Treasurer of State shall deposit in the Workers' Compensation Board Administrative Fund funds collected pursuant to section 152, subsection 14.

11. Assessment errors. The board may correct an error in the assessment levied pursuant to subsection 6 by means of a credit or debit to the assessment of the following year.

Sec. 6. 39-A MRSA §361 is enacted to read:

§361. Payment to the Workers' Compensation Board Administrative Fund

All penalties assessed under this Act are payable to the Workers' Compensation Board Administrative Fund, unless otherwise provided by law. Upon certification by the board that certain amounts in the Workers' Compensation Board Administrative Fund attributable to penalties assessed pursuant to this Act are not required to support the activities of the board, the Treasurer of State shall transfer funds in the amount certified by the board to the General Fund.

Sec. 7. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1993-94	1994-95
WORKERS' COMPENSATION BOARD		
Workers' Compensation Board		
Personal Services	\$160,216	\$370,173
Provides allocations of funds to meet salaries pursuant to section 1 of this Act to enable the board to set the salaries of the Executive Director and Hearing Officers positions.		
WORKERS' COMPENSATION BOARD TOTAL	<u>\$160,216</u>	<u>\$370,173</u>

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

Effective May 19, 1993.

CHAPTER 146

H.P. 194 - L.D. 257

An Act to Amend the Laws Governing the Task Force on Defense Realignment and the Economy

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

Whereas, the Task Force on Defense Realignment and the Economy was established to develop, implement and coordinate long-term strategies for economic growth in order to achieve and maintain economic prosperity into the 21st century; and

Whereas, this Act provides for additional time to ensure that the goals of the task force are met and allows for closer monitoring of federal funds; and

Whereas, in order to provide maximum benefit to the State's economy, these programs and activities need to be initiated before the expiration of the 90-day 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 enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §3307-E, sub-§4, as enacted by PL 1991, c. 854, Pt. B, §1, is amended to read:

4. Duties. The task force shall perform the following duties:

A. Prepare a statewide strategy and implementation plan to assist the State and its defense-dependent industries, workers and communities to reduce defense dependency by shifting from military to civilian enterprises while retaining a stable industrial and commercial base, high employment and wages and diverse state, regional and local economies. A strategic plan and recommendations for implementation must be submitted to the Governor and the joint standing committee of the Leg-

islature having jurisdiction over economic development matters by July 1, 1992 1993. The report must be updated annually and as otherwise requested by the joint standing committee. The strategic plan must include:

(1) Determination of how firms in the State will be affected by the reduction of output by prime contractors and bases, how defense realignment will affect local and state government services and the adequacy and effectiveness of existing federal, state and local dislocation response capacity;

(2) Assessment of the current capacity of at-risk businesses and workers to reduce their defense dependency;

(3) Identification of sources of assistance for local and regional planning efforts, including coordination of local and regional efforts;

(4) Development of a comprehensive strategy for reducing the State's defense capacity dependency, including identification of steps required to: encourage, assist and strengthen local development capacity in at-risk regions; help diversify the reemployment base; enhance reemployability of workers; broaden the markets of defense-dependent firms; and anticipate and mitigate impacts on communities associated with defense-spending reductions; and

(5) Identification of barriers to the effective implementation of the plan and recommendation of actions to remove these barriers;

B. Prepare and submit legislation by October 1, 1992 1993 and as necessary thereafter that:

(1) Identifies how state agencies will assist the regions in achieving their objectives;

(2) Provides for adequate incentives and resources to implement state, regional and industry strategic plans; and

(3) Provides for adjustment assistance for communities and workers while the economy adjusts to reductions in defense spending;

C. Coordinate funding, technical assistance and other support to defense-dependent regional and industry planning committees to help various regions of the State develop and implement economic conversion and diversification goals, objectives and strategies; ~~and~~

D. Coordinate state efforts toward the adoption of federal legislation and policies that support economic conversion and diversification planning, commercial industries, market opportunities and global competitiveness: and

E. Monitor federal funding sources for technical development, economic conversion and diversification planning and identify federal funds available and the steps necessary to apply for or receive those funds.

Sec. 2. Retroactivity. That part of this Act that amends the Maine Revised Statutes, Title 5, section 3307-E, subsection 4, paragraphs A and B takes effect retroactively to July 1, 1992.

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

Effective May 25, 1993.

CHAPTER 147

S.P. 176 - L.D. 590

An Act to Amend the Statutory Provisions Governing the Time and Method of Paying Restitution

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

Sec. 1. 17-A MRSA §1326, as amended by PL 1991, c. 816, §1, is further amended to read:

§1326. Time and method of restitution

When restitution is authorized, the time and method of payment or of the performance of the services must be specified. Except when the offender is placed on probation, monetary compensation may be ordered paid to the office of the prosecuting attorney who is prosecuting the case or to the clerk of the court. If the offender is placed on probation, the compensation may be ordered paid to the Department of Corrections, Division of Probation and Parole. The state agency receiving the restitution shall deposit any money received in the account maintained by the ~~State Treasurer~~ Treasurer of State for deposit of state agency funds, from which funds are daily transferred to an investment account and invested. Interest accrued on that money is the property of and accrues to the State for deposit in the General Fund. The agency receiving the restitution shall make the disbursement to the victim or other authorized claim-