

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

Sec. 1. 38 MRSA §1652, sub-§1, as enacted by PL 1987, c. 804, is amended to read:

1. Prohibition of polystyrene containers. A food service providing or serving individual portions of food or a beverage at a facility or function of the State or of a political subdivision ~~shall~~ may not provide or serve those portions in or on containers that are composed in whole or in part of polystyrene foam plastic, unless the food service recycles the containers following use.

See title page for effective date.

CHAPTER 324

S.P. 192 - L.D. 628

An Act Concerning School Construction

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

Sec. 1. 5 MRSA §1747, sub-§§1 and 2, as enacted by PL 1989, c. 483, Pt. A, §20, are amended to read:

1. Untimely completion. If, in the opinion of the director, the contractor has not completed in a timely manner a prior construction project or projects and the resulting noncompletion clearly reflects disregard for the completion date and has created a hardship for the owner;

2. Incomplete work. If, in the opinion of the director, that contractor has a history of inability to complete similar work;

Sec. 2. 20-A MRSA §15621, as amended by PL 1991, c. 268, §4, is further amended to read:

§15621. Rulemaking

The commissioner may adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375 to implement this chapter. On or before March 1, 1992, the commissioner shall adopt rules for approving the lease-purchase of bus garage and maintenance facilities as defined in section 15603, subsection 6-A and for determining the amount includable for subsidy purposes. On or before February 1, 1994 the commissioner shall adopt rules for approving lease costs for school buildings as defined in section 15603, subsection 8, paragraph B and for determining the amount includable for subsidy purposes.

Sec. 3. 20-A MRSA §15905, sub-§4, as amended by PL 1989, c. 911, §10, is further amended to read:

4. Rules. The state board may adopt or amend rules relating to the approval of school construction projects.

The state board is encouraged to review school construction rules regarding costs per square foot, consider other measures for containing building costs and report on these efforts to the joint standing committee of the Legislature having jurisdiction over education matters during the First Regular Session of the 115th Legislature. On or before February 1, 1994 the state board shall adopt rules for approving movable equipment costs for school construction.

See title page for effective date.

CHAPTER 325

H.P. 1092 - L.D. 1470

An Act to Establish a Risk-sharing Mechanism for Small Group Health Insurance Plans

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

Sec. 1. 24-A MRSA §2808-B, sub-§9 is enacted to read:

9. Reinsurance mechanism. Small group carriers, except nonprofit hospital and medical service organizations, may form a reinsurance pool for the purpose of reinsuring small group risks. This pool may not become operative until the superintendent has approved a plan of operation. The superintendent may approve a plan only after the superintendent determines that the plan is in the public interest and is consistent with this section. The participants in the plan of operation of the pool shall guarantee, without limitation, the solvency of the pool. That guarantee constitutes a permanent financial obligation of each participant on a pro rata basis.

See title page for effective date.

CHAPTER 326

H.P. 955 - L.D. 1284

An Act to Amend the Bill of Rights for Persons with Mental Retardation

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

Sec. 1. 34-B MRSA c. 5, sub-c. IV, first 2 lines are repealed and the following enacted in their place: