

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**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**

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

Effective March 14, 1994.

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## CHAPTER 528

S.P. 625 - L.D. 1744

### An Act to Ensure Continued Federal Support for Unemployed Workers during Periods of High Unemployment

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

**Whereas,** the Federal Emergency Unemployment Compensation program expired October 2, 1993; and

**Whereas,** it is likely that over 1,500 unemployed workers of the State will exhaust their regular unemployment benefits in each of the next several months; and

**Whereas,** the federal extension of emergency unemployment compensation currently under consideration by Congress is expected to expire in February; and

**Whereas,** there is a federal option that permits the State's long-term unemployed workers to qualify for either 13 or 20 weeks of additional unemployment benefits during periods of high unemployment, 50% of which would be paid by the Federal Unemployment Trust Fund; and

**Whereas,** without further legislative action the employer tax surcharge for unemployment will increase from 0.07% to 0.08% on January 1, 1994; 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. 26 MRSA §1191, sub-§2,** as amended by PL 1993, c. 22, §2, is further amended to read:

**2. Weekly benefit amount for total unemployment.** Each eligible individual establishing a

benefit year on and after October 1, 1983, who is totally unemployed in any week must be paid with respect to that week, benefits equal to 1/22 of the wages, rounded to the nearest lower full dollar amount, paid to that individual in the high quarter of the base period, but not less than \$12. The maximum weekly benefit amount for claimants requesting insured status determination beginning October 1, 1983, and thereafter from June 1st of a calendar year to May 31st of the next calendar year may not exceed 52% of the annual average weekly wage, rounded to the nearest lower full dollar amount, paid in the calendar year preceding June 1st of that calendar year. No increase in the maximum weekly benefit amount may occur for the period from June 1, 1992 to ~~May 31~~ October 28, 1995. For claimants requesting insured status determination on or after April 1, 1993 and before January 1, 1995, the weekly benefit amount must be the amount determined by this subsection minus \$6.

**Sec. 2. Alternative trigger.** In addition to the conditions provided in the Maine Revised Statutes, Title 26, section 1195, there is a state "on" indicator for a week in the period from the effective date of this Act to April 30, 1994, if:

A. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the period consisting of the most recent 3 months for which data for all states are published before the close of that week equals or exceeds 6.5%; and

B. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the 3-month period referred to in paragraph A equals or exceeds 110% of the average rate for either or both of the corresponding 3-month periods ending in the 2 preceding calendar years.

**Sec. 3. Total extended benefit amount.** For the period from the effective date of this Act to April 30, 1994, and effective with respect to weeks beginning in a high unemployment period, the total extended benefit amount payable to any eligible individual with respect to the applicable benefit year is the lesser of the following amounts:

A. Eighty percent of the total amount of regular benefits that were payable to the individual under the Maine Revised Statutes, Title 26, chapter 13 in the applicable benefit year;

B. Twenty times the weekly benefit amount that was payable to the individual under Title 26, chapter 13 for a week of total unemployment in the applicable benefit year; or

C. Forty-six times the weekly benefit amount that was payable to the individual under Title 26, chapter 13 for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits that were paid, or deemed paid, to the individual under Title 26, chapter 13 with respect to the benefit year.

For purposes of this section, the term "high unemployment period" means any period during which an extended benefit period would be in effect if section 2 of this Act were applied with "8%" substituted for "6.5%."

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

Effective March 14, 1994.

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## CHAPTER 529

H.P. 1300 - L.D. 1755

### An Act to Modify the End Disposal of Sharp Waste Products in the Biohazard Disposal Law

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

**Sec. 1. 38 MRSA §1319-O, sub-§3, ¶E** is enacted to read:

E. The rules must provide transportation and disposal options for persons who generate fewer than 50 pounds of sharps per month that allow:

(1) The generator or an employee of the generator to transport properly packaged sharps to a licensed biomedical waste disposal facility or another medical facility that has volunteered to serve as a collection point for sharps if no more than 50 pounds of sharps are transported in one trip; and

(2) The generator to mail properly packaged sharps to a licensed biomedical waste disposal facility in this State or a facility in another state if the carrier accepts those items and no more than 50 pounds are transported in any single package.

For purposes of this paragraph, "sharps" means items that may cause puncture wounds or cuts, including hypodermic needles, syringes, scalpel blades, capillary tubes and lancets, and "properly packaged" means packaged in accordance with department rules and rules or requirements imposed by the mail carrier.

**Sec. 2. Department assistance.** The Department of Environmental Protection shall work with generators of small quantities of hypodermic needles and other sharps to clarify and expand disposal options. The department shall meet with interested parties no later than September 15, 1994 to explain currently available disposal methods, to elicit information on problems generators experience under current conditions and to explore ways to expand disposal options. The department shall report the results of its efforts to the joint standing committee of the Legislature having jurisdiction over environmental matters no later than January 15, 1995.

See title page for effective date.

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## CHAPTER 530

H.P. 1290 - L.D. 1738

### An Act to Repeal Sanctions against Businesses Doing Business in South Africa

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

**Sec. 1. 5 MRSA §1951**, as amended by PL 1991, c. 514, §1, is repealed.

**Sec. 2. 5 MRSA §§1952 and 1953**, as enacted by PL 1987, c. 247, §4, are repealed.

**Sec. 3. 5 MRSA §1954**, as amended by PL 1991, c. 514, §2, is repealed.

See title page for effective date.

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## CHAPTER 531

S.P. 644 - L.D. 1803

### An Act to Allow the Dissolution of the Maine Capital Corporation

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

**Sec. 1. 10 MRSA §955**, as enacted by PL 1983, c. 700, §4, is repealed.

See title page for effective date.