

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

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. P&SL 1991, c. 100, Pt. A, §4 is amended by adding at the end a new sentence to read:

Elected or appointed municipal officers, officials or school board members may exercise any official authority necessary to implement full municipal government activities on July 1, 1993.

Sec. 2. Retroactivity. Section 1 of this Act applies retroactively to November 4, 1992.

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

Effective June 21, 1993.

CHAPTER 47

H.P. 1120 - L.D. 1519

An Act to Make Allocations for the Necessary Administration of the Workers' Compensation Laws for the State for the Fiscal Years Ending June 30, 1994 and June 30, 1995

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; 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. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1993-94	1994-95
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Bureau of Insurance		

Positions - Other Count	(5.0)	(5.0)
Personal Services	\$221,300	\$223,800
All Other	65,000	67,000

Provides for the allocation of funds for the continuation of 2 Managing Examiner positions, one Workers' Compensation Specialist position, one Senior Insurance Rate Analyst position and one Clerk Stenographer III position, actuarial contracting and operating expenses related to the administration of the new rating law pursuant to Public Law 1991, chapter 885.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

TOTAL	\$286,300	\$290,800
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WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board

Positions - Other Count	(114.0)	(114.0)
Personal Services	\$4,659,099	\$4,402,611
All Other	968,364	1,000,516
Capital Expenditures	13,813	13,388

TOTAL	\$5,641,276	\$5,416,515
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Provides for the allocation of funds for the operation of the Workers' Compensation Board. Establishes the following classified positions within the dedicated account: one Clerk II position, 4 Clerk III positions, 3 Clerk IV positions, one Secretary position, 24 Clerk Typist II positions, 10 Clerk Typist III positions, 12 Legal Secretary positions, one Senior Legal Secretary position, one Administrative Secretary position, 2 Administrative Assistant positions, 4 Data Entry Operator positions, 2 Data Entry Specialist positions, one Account Clerk II position, one Accountant I position, 2 Workers' Compensation Specialist positions, 2 Rehabilitation Assistant Administrator positions, one Computer Programmer position, one Programmer Analyst position, one Department Computer Operator position, one Department Computer Supervisor position, 2 Medical Assistant positions and 10 Claims Resolution Specialist positions. Establishes the following unclassified positions: one Assistant to the Executive Director position, 5 Mediator positions, one Assistant

Director of Data Processing position, one Assistant Director for Mediation Services position, one Assistant Director of Personnel position, one Assistant Director of Regional Operations position, one Deputy Director of Benefits Delivery position, one Deputy Director of Business Services position, one Deputy Director Dispute Resolution position, one Deputy Director of Medical and Rehabilitation Services position, one General Counsel position, one Executive Director position and 11 Hearing Officer positions.

Workers' Compensation Board

Personal Services	\$50,000	\$50,000
All Other	30,000	30,000
TOTAL	<u>\$80,000</u>	<u>\$80,000</u>

Provides for the allocation of funds to cover the expenses of the 8 appointed members of the Workers' Compensation Board.

WORKERS' COMPENSATION BOARD TOTAL

<u>\$5,721,276</u>	<u>\$5,496,515</u>
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SECTION 1 TOTAL ALLOCATIONS

<u>\$6,007,576</u>	<u>\$5,787,315</u>
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Sec. 2. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor to cover specifically those adjustments determined necessary under any salary plan approved by the Legislature.

Sec. 3. Positions. All active positions in the General Fund account of the Workers' Compensation Board on June 4, 1993 must be transferred to the new Other Special Revenue Fund account of the Workers' Compensation Board.

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

Effective July 2, 1993.

CHAPTER 48

H.P. 436 - L.D. 555

An Act to Limit Administrative Costs in Contracted Services

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

Whereas, the State provides funds to community agencies, some of which are not operated efficiently; and

Whereas, scarce resources that should be supporting clients are being used to support inappropriate administrative expenses; and

Whereas, a task force must be created as soon as possible in order that its recommendations be ready for consideration in the next regular session of the Legislature; 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. Administrative Costs Task Force established. The Administrative Costs Task Force, referred to in this Act as the "task force," is established to develop a method for the State to define and measure administrative costs in contracted services. To the greatest extent possible, the method recommended by the task force must:

1. Reduce costs;
2. Have no negative impact on service recipients;
3. Be flexible enough to recognize the unique characteristics and missions of individual agencies;
4. Be equitable; and
5. Be administered simply and efficiently.

Sec. 2. Duties. In preparing its recommendation, the task force shall consider at least the following:

1. The advisability of implementing the policy contained in this document as originally presented to the First Regular Session of the 116th Legislature;
2. The advisability of implementing the policy contained in Legislative Document 230 as originally presented to the First Regular Session of the 116th Legislature;
3. The reports submitted by state agencies in accordance with Public Law 1991, chapter 591, Part II, section 3;
4. The efforts of other jurisdictions to define and limit administrative costs;