

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

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

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**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**  
**1995**

Sec. 1. 22 MRSA §8302, sub-§5 is enacted to read:

5. Rules regarding rabies vaccinations for pets. The commissioner shall adopt rules regarding rabies vaccinations for pets residing on the premises of licensed day care facilities and registered home babysitting services to ensure that pets have current and appropriate rabies vaccinations.

See title page for effective date.

---

---

**CHAPTER 75**

**H.P. 194 - L.D. 253**

**An Act Concerning Municipal Shellfish Conservation Program Penalties**

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

Sec. 1. 12 MRSA §6671, sub-§10, ¶A, as enacted by PL 1993, c. 281, §4, is amended to read:

A. For harvesting shellfish from a closed area or digging shellfish without a license:

- (1) For the first offense, a fine of not less than \$300 and not more than \$1,500; and
- (2) For subsequent offenses, a fine of not less than \$500 and not more than \$1,500.

The court may not suspend a fine imposed under this paragraph or impose a penalty other than the monetary payment of a fine as provided in this paragraph; or

See title page for effective date.

---

---

**CHAPTER 76**

**H.P. 226 - L.D. 304**

**An Act Concerning the Offset of Workers' Compensation Benefits by Social Security Benefits**

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

Sec. 1. 39-A MRSA §221, sub-§3, ¶A, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

A. The employer's obligation to pay or cause to be paid weekly benefits other than benefits under

section 212, subsection 2 or 3 is reduced by the following amounts:

(1) Fifty percent of the amount of the old-age insurance benefits received or being received under the United States Social Security Act. For injuries occurring on or after October 1, 1995, such a reduction may not be made if the old-age insurance benefits had started prior to the date of injury or if the benefits are spouse's benefits;

(2) The after-tax amount of the payments received or being received under a self-insurance plan or a wage continuation plan or under a disability insurance policy provided by the same employer from whom benefits under section 212 or 213 are received if the employee did not contribute directly to the plan or to the payment of premiums regarding the disability insurance policy. If the self-insurance plans, wage continuation plans or disability insurance policies are entitled to repayment in the event of a workers' compensation benefit recovery, the insurance carrier shall satisfy the repayment out of funds the insurance carrier has received through the coordination of benefits provided for under this section;

(3) The proportional amount, based on the ratio of the employer's contributions to the total insurance premiums for the policy period involved, of the after-tax amount of the payments received or being received by the employee pursuant to a disability insurance policy provided by the same employer from whom benefits under section 212 or 213 are received, if the employee did not contribute directly to the payment of premiums regarding the disability insurance policy;

(4) The after-tax amount of the pension or retirement payments received or being received pursuant to a plan or program established or maintained by the same employer from whom benefits under section 212 or 213 are received, if the employee did not contribute directly to the pension or retirement plan or program;

(5) The proportional amount, based on the ratio of the employer's contributions to the total contributions to the plan or program, of the after-tax amount of the pension or retirement payments received or being received by the employee pursuant to a plan or program established or maintained by the same employer from whom benefits under section 212 or 213 are received, if the