

# MAINE STATE LEGISLATURE

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**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**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

## CHAPTER 282

S.P. 493 - L.D. 1352

**An Act to Amend the Laws Relating to Administrator Certification****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 20-A MRSA §13019-F** is enacted to read:**§13019-F. One-year conditional certificates for administrators**

An individual may be granted a one-year, nonrenewable conditional administrator certificate in a specific capacity if the individual:

**1. Conditional administrator certificate.** Will be employed in this State under that one-year nonrenewable conditional administrator certificate;

**2. Basic level knowledge areas.** Meets a majority of the basic level knowledge areas described in sections 13019-A, 13019-B and 13019-C; and

**3. Other requirements.** Meets other requirements in accordance with state board rules that are adopted pursuant to this section.

See title page for effective date.

## CHAPTER 283

S.P. 350 - L.D. 978

**An Act to Transfer Responsibility for Approval of Employee Assistance Programs****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 26 MRSA §683, sub-§1, ¶B**, as affected by PL 1989, c. 604, §§2 and 3, is amended to read:

B. The employee assistance program must be certified by the ~~Department of Human Services~~ Office of Substance Abuse under rules adopted pursuant to section 687. The rules ~~shall~~ must ensure that the employee assistance programs have the necessary personnel, facilities and procedures to meet minimum standards of professionalism and effectiveness in assisting employees.

**Sec. 2. 26 MRSA §687, sub-§1**, as affected by PL 1989, c. 604, §§2 and 3, is amended to read:

**1. Office of Substance Abuse.** ~~The Department of Human Services~~ Office of Substance Abuse shall adopt rules under the Maine Administrative Procedure Act, Title 5, chapter 375, as provided in this subchapter.

**Sec. 3. 26 MRSA §688**, as affected by PL 1989, c. 604, §§2 and 3, is amended to read:**§688. Substance abuse education**

All employers shall cooperate fully with the Department of Labor, ~~Office of Substance Abuse~~, the Department of Human Services, the Department of Public Safety and any other state agency in programs designed to educate employees about the dangers of substance abuse and about public and private services available to employees who have a substance abuse problem.

See title page for effective date.

## CHAPTER 284

H.P. 1023 - L.D. 1438

**An Act to Create Wet-weather Water Quality Standards****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 38 MRSA §464, sub-§2-B** is enacted to read:

**2-B. Temporary removal of designated uses; use attainability analysis and creation of subcategory of uses for combined sewer overflows.** When designated uses are not being met as a result of combined sewer overflow discharges, the board may, consistent with this subsection and 40 Code of Federal Regulations, Part 131, temporarily remove designated uses that are not existing uses and create a temporary combined sewer overflow subcategory referred to as a CSO subcategory. Notwithstanding this subsection, it remains the goal of the State to fully maintain and restore water quality and eliminate or control combined sewer overflows as soon as practicable.

A. The board may create temporary CSO subcategories in classes B, C and SB and SC waters only when, due to the age, condition and design of an existing sewer system, technical or financial limitations prevent the timely attainment of all designated uses. In a CSO subcategory, uses are suspended only in the smallest area possible, for the shortest duration practicable and include only those designated uses and areas determined by the board to have the least potential for public benefit.