

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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

located adjacent to the Central Maine Technical College.

See title page for effective date.

CHAPTER 61

H.P. 1297 - L.D. 1780

Resolve, to Establish a Tuition Rate for the Town of Dennysville and to Review the Provision of Education Services in the Unorganized Territory

Sec. 1. Establish the tuition rate for school year 1996-97. Resolved: That, notwithstanding the Maine Revised Statutes, Title 20-A, section 3304, the per student tuition charge for students from the Town of Dennysville attending the Edmunds School is limited to \$4,385 for the 1996-97 school year; and be it further

Sec. 2. Review of education in the unorganized territory. Resolved: That the Commissioner of Education shall review and make recommendations concerning the provision of education services to all students in the unorganized territory. The commissioner shall convene a study group that includes representation from parties with an interest in education in the unorganized territory to assist in the review. The review must include all aspects of education in the unorganized territory, including, but not limited to, governance, administration, funding and personnel. The commissioner shall report on the Department of Education's findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education by December 15, 1996.

See title page for effective date.

CHAPTER 62

H.P. 1275 - L.D. 1751

Resolve, to Authorize the Exchange of a Parcel of Land Owned by the State with One Owned by Luke Bolduc

Sec. 1. Commissioner of Defense and Veterans' Services authorized to exchange property. Resolved: That the Commissioner of Defense and Veterans' Services shall convey by quitclaim deed the parcel of land in the City of Augusta in Kennebec County described in the deed recorded at the Kennebec County Registry of Deeds,

Book 1688, Page 293 in exchange for the parcel of land owned by Luke Bolduc and conveyed by quitclaim deed in the City of Augusta in Kennebec County described in the deed recorded at the Kennebec County Registry of Deeds, Book 4952, Page 283.

See title page for effective date.

CHAPTER 63

S.P. 379 - L.D. 1056

Resolve, to Create an Advisory Committee to Assist in the Management of State Employee Workers' Compensation Costs

Sec. 1. Committee established. Resolved: That the Advisory Committee on State Employee Workers' Compensation Costs Management, referred to in this resolve as the "advisory committee," is established to study the manner in which the costs of workers' compensation for state employees are managed; and be it further

Sec. 2. Membership. Resolved: That the advisory committee consists of the following 12 members.

1. The Governor shall appoint the following members:

- A. A representative of the Workers' Compensation Division of the Bureau of Human Resources;
- B. A member experienced in implementing workplace safety programs in the private sector;
- C. A member who is a 3rd-party administrator of workers' compensation claims in the private sector; and
- D. A representative from the Department of Labor, Bureau of Labor Standards familiar with workplace safety issues.

2. The President of the Senate shall appoint the following members:

- A. A certified public accountant with experience in structure settlements;
- B. A representative of an insurance company providing workers' compensation to private companies;
- C. A member who is a claims adjudicator in the private sector; and

D. A member experienced in implementing return-to-work programs in the private sector.

3. The Speaker of the House of Representatives shall appoint the following members:

A. One member from each of the 3 labor organizations representing state employees; and

B. A lawyer who handles workers' compensation claims; and be it further

Sec. 3. Duties. Resolved: That the advisory committee shall identify the costs of state employee workers' compensation claims and review the programs and mechanisms used to control those costs. The advisory committee shall investigate alternative methods of reducing those costs and reducing future workplace injuries. The advisory committee shall identify methods or improvements to accomplish the following goals:

1. Ensuring that state employee workers' compensation costs are controlled in a responsible manner with particular emphasis on safety and return-to-work programs;

2. Ensuring that state employee workers' compensation claims are administered as efficiently and economically as possible; and

3. Ensuring that Legislators and members of the public have accurate information about the extent of state employee workers' compensation costs; and be it further

Sec. 4. Report. Resolved: That the advisory committee shall make a report to the Governor and the joint standing committees of the Legislature having jurisdiction over labor matters and state and local government matters by February 1, 1997. The report must contain the results of the advisory committee's review and investigation and any recommendations; and be it further

Sec. 5. Meetings. Resolved: That the Chair of the Legislative Council shall call the first meeting by September 15, 1996. The advisory committee members shall designate a member to serve as chair of the committee; and be it further

Sec. 6. Report on current programs. Resolved: That at the first meeting, a representative of the Department of Administrative and Financial Services, Bureau of Human Resources shall report to the advisory committee on the programs that the State has in place and the steps that have been taken to improve the State's management of its workers' compensation costs. This report must describe funding issues, administration of claims, return-to-

work programs, workplace safety programs and other related efforts; and be it further

Sec. 7. Compensation. Resolved: That members of the advisory committee serve without compensation. Members who are not state employees may receive reimbursement for reasonable expenses incurred in attending meetings of the advisory committee; and be it further

Sec. 8. Staff. Resolved: That the advisory committee may request staff assistance from the Department of Administrative and Financial Services.

See title page for effective date.

CHAPTER 64

H.P. 1219 - L.D. 1669

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. The sale, except as otherwise directed in this resolve, must be made to the highest bidder subject to the following provisions:

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks in some newspaper in the county where the real estate lies; except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published; and

2. A parcel may not be sold for less than the amount as authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount, without again asking for bids, if the property is sold on or before March 1, 1997.

Employees of the Bureau of Taxation and members of the immediate family of employees of the Bureau of Taxation are barred from acquiring from the State any of the real property subject to this resolve.

The State Tax Assessor, upon receipt of payment as specified in this resolve, shall record the deed in the