

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

words "grinding your teeth, and drinking hot liquids" and may not include the words "does not enter our bodies" but must include the words "does not enter our bloodstream".

4. The 2nd paragraph of the rule in the section titled "Health Concerns" may not include the words "To be careful, Canada and several countries in Europe have put limits on the use of mercury amalgam. They warn that women should not have amalgam fillings placed in or removed from their teeth if they are pregnant" but must include the words "To be careful, Canada and several countries in Europe recommend limits on the use of mercury amalgam. They advise that pregnant women should not have amalgam fillings placed or removed from their teeth."

5. The 2nd paragraph in that section of the rule titled "Environmental Concerns" must include the words "Wildlife that eat fish, such as eagles, loons, and otters, are also at risk of harm from mercury pollution."

The Bureau of Health is not required to hold hearings or conduct other formal proceedings on this rule prior to finally adopting this rule in accordance with this resolve; and be it further

Sec. 2. Certain nonsubstantive changes authorized. Resolved: That changes made by the Director of the Bureau of Health to the poster and the brochure authorized in this resolve for the sole purpose of inserting or changing graphics or for improving the readability and comprehensibility of the brochure are not considered amendments to a major substantive rule and are not subject to further legislative review under the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A; and be it further

Sec. 3. Brochures. Resolved: That, notwithstanding the provisions of the Maine Revised Statutes, Title 32, section 1094-C, the Department of Human Services, Bureau of Health is not required to provide to each dentist in the State more than one copy of the brochure authorized in this resolve; and be it further

Sec. 4. Production and distribution of materials. Resolved: That the Department of Human Services, Bureau of Health shall print and distribute a copy of the brochure and the poster authorized by this resolve to each dentist in the State and shall post a copy of the brochure on its publicly accessible site on the Internet that is suitable for downloading and printing by dentists, patients and other interested parties, including the Board of Dental Examiners, the Maine Dental Association and the Maine Dental Hygienists Association.

See title page for effective date.

CHAPTER 126

S.P. 835 - L.D. 2217

Resolve, to Fund the Operations of the Workers' Compensation Board for Fiscal Year 2002-03

Sec. 1. Authorization to use reserve funds. Resolved: That, in addition to the assessment provided in the Maine Revised Statutes, Title 39-A, section 154, subsection 6, the Workers' Compensation Board may, on a one-time basis in fiscal year 2002-03, spend up to \$1,341,750 from the reserve account created pursuant to the Maine Revised Statutes, Title 39-A, section 154, subsection 6 for the following purposes:

1. No more than \$1,020,765 of the reserve fund may be used to meet the operational needs of the Workers' Compensation Board in fiscal year 2002-03. This is a one-time authorization and does not apply to any ongoing use of the reserve fund for these purposes;

2. No more than \$116,736 of the reserve fund may be used on technological improvement projects in accordance with a plan to be developed no later than January 1, 2003 by the Workers' Compensation Board in consultation with the Commissioner of Labor and the Commissioner of Administrative and Financial Services and interested parties. This is a one-time authorization and does not apply to any ongoing use of the reserve fund for technology;

3. No more than \$200,000 of the reserve fund may be used to allow the board to continue to contract for temporary worker advocate and clerical support services for the worker advocate activity in the regional offices. This is a one-time authorization and does not apply to any ongoing use of the reserve fund for these purposes; and

4. No more than \$4,249 of the reserve fund may be used to fund the costs of approved collective bargaining.

In addition to the amounts in subsections 1 to 4, the Workers' Compensation Board may spend up to an additional \$258,250 of the reserve fund by financial order upon recommendation of the State Budget Officer and approval of the Governor if revenue from other sources falls short of projections; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board

Initiative: Provides one-time funds in fiscal year 2002-03 from the reserve in the Workers' Compensation Board Administrative Fund to meet the operational requirements of the Workers' Compensation Board. This one-time authorization does not apply to any ongoing use of the reserve for these purposes.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	\$0	\$653,733
All Other	0	367,032
Total	\$0	\$1,020,765

SECTION TOTALS	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	\$0	\$1,341,750
SECTION TOTAL - ALL FUNDS	\$0	\$1,341,750

See title page for effective date.

Administration - Workers' Compensation Board

Initiative: Provides one-time funds in fiscal year 2002-03 from the reserve in the Workers' Compensation Board Administrative Fund for technology to achieve operational efficiencies. This one-time authorization does not apply to any ongoing use of the reserve for these purposes.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$16,736
Capital Expenditures	0	100,000
Total	\$0	\$116,736

Administration - Workers' Compensation Board

Initiative: Provides one-time funds in fiscal year 2002-03 from the reserve in the Workers' Compensation Board Administrative Fund to allow the board to continue to contract for temporary worker advocate and clerical support services for the worker advocate activity in the regional offices. This one-time authorization does not apply to any ongoing use of the reserve for these purposes.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$200,000

WORKERS' COMPENSATION BOARD

BOARD TOTALS	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	\$0	\$1,337,501
BOARD TOTAL - ALL FUNDS	\$0	\$1,337,501

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District

Initiative: Provides one-time funds in fiscal year 2002-03 from the reserve in the Workers' Compensation Board Administrative Fund for the cost of approved collective bargaining. This one-time authorization does not apply to any ongoing use of the reserve for these purposes.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	\$0	\$4,249

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	\$0	\$4,249
DEPARTMENT TOTAL	\$0	\$4,249