

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

(e) Pays only for material that is accepted for publication.

This exception does not apply if the employment is subject to federal unemployment tax; ~~and~~

(44) Services provided by an owner-operator of a truck or truck tractor while it is leased to a motor carrier, as defined in 49 Code of Federal Regulations, 390.5 (2000), as long as that employment is not subject to federal unemployment tax; and

(45) Services performed by a private investigator, as defined in Title 32, section 8103, subsection 5, as long as that employment is not subject to federal unemployment tax and the following requirements are met:

(a) There is a written contract between the private investigator and the party requesting services;

(b) The private investigator offering the services operates independently of the party requesting services, except for the time frame and quality of finished work as specified in the contract;

(c) Compensation for services is negotiated between the 2 parties and is paid for each service performed; and

(d) The party requesting services furnishes neither equipment nor the place of employment to the private investigator.

See title page for effective date.

CHAPTER 67

H.P. 333 - L.D. 440

An Act To Allow Employees of the Maine School of Science and Mathematics to Join the State's Group Health Plan

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

Whereas, this legislation permits employees of the Maine School of Science and Mathematics to join the State's group health plan; and

Whereas, immediate enactment of this legislation is necessary to allow the employees to enroll in health coverage for the 2011 plan 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. 5 MRSA §285, sub-§1, ¶F-9 is enacted to read:

F-9. Any employee of the Maine School of Science and Mathematics;

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

Effective May 9, 2011.

CHAPTER 68

H.P. 304 - L.D. 378

An Act To Allow the Transfer of Commercial Whitewater Rafting Trips under Extenuating Conditions

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

Whereas, the efficient use of the limited whitewater rafting resources is vital to the local economies; and

Whereas, this Act must take effect before the short whitewater rafting season begins in early spring; 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. 12 MRSA §12913, sub-§2, ¶A, as amended by PL 2009, c. 340, §17, is further amended to read:

A. Except as provided in this paragraph, a person may not operate a commercial whitewater trip on the Kennebec River between Harris Station and West Forks or on the West Branch Penobscot River between McKay Station and Pockwockamus Falls without an allocation or in excess of an allocation on any day for which allocations are es-