

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
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disturbance exists. If any employee, during the continuance of a strike, lockout or other labor trouble advertises for or solicits business for a competitor of the employers engaged in the labor dispute, he shall plainly and explicitly mention in the advertisement or oral or written solicitations that a strike, lockout or other labor disturbance exists. This section shall cease to be operative if the board determines that the business of the employer, in respect to which the strike or other labor trouble occurred, is being carried on in the normal and usual manner and to the normal and usual extent. The board shall determine this question as soon as possible, upon the application of the employer. Any person, firm, association or corporation who violates this section shall be punished by a fine not less than \$250 nor more than \$500.

§939. Proceedings confidential

Any information disclosed by either party to a dispute to the board or any of its members in carrying out this subchapter shall be confidential, except as may be provided otherwise in this subchapter.

Sec. 3. Transition clause. All appointments made by the Governor to the State Board of Arbitration and Conciliation prior to the effective date of this Act shall continue in effect on the effective date of this Act. All current rules of the board shall remain in force and effect until rescinded, amended or otherwise changed by the board, except those which are contrary to the provisions of this Act.

Effective September 19, 1985.

CHAPTER 295

H.P. 1072 - L.D. 1560

AN ACT to Clarify and Make Technical Changes
in the Law Governing Boards and
Commissions.

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

Whereas, there are a number of boards and commissions omitted from the Maine Revised Statutes, Title

Bank" in accordance with Title 5, chapter 379. The bank is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the bank of the powers conferred by this Act shall be deemed and held to be an essential governmental function of the State.

Sec. 45. 30 MRSA §5164, 6th ¶, as repealed and replaced by PL 1975, c. 312, is amended to read:

Each public member of the board of commissioners shall receive \$50 per day for the time spent in the discharge or performance of his duties as a commissioner be compensated according to Title 5, chapter 379. Each commissioner shall be reimbursed for his reasonable expenses incurred in carrying out his duties under this Act. Notwithstanding any other law, no officer or employee of the State shall be deemed to have forfeited or shall forfeit his office or employment or any benefits or emoluments thereof by reason of his acceptance of the office of commissioner of the bank or his services therein.

Sec. 46. 30 MRSA §6212, sub-§1, as amended by PL 1983, c. 812, §186, is further amended to read:

1. Commission created. The Maine Indian Tribal-State Commission is established pursuant to ~~Title 5, section 12004, subsection 4.~~ The commission shall consist of 9 members, 4 to be appointed by the Governor of the State subject to review by the Joint Standing Committee on Judiciary and to confirmation by the Legislature, 2 each to be appointed by the Passamaquoddy Tribe and the Penobscot Nation and a chairman to be selected in accordance with subsection 2. The members of the commission, other than the chairman shall each serve for a term of 3 years and may be reappointed. In the event of the death, resignation or disability of any member, the appointing authority may fill the vacancy for the unexpired term.

Sec. 47. 30 MRSA §6212, sub-§4, as amended by PL 1983, c. 812, §187, is further amended to read:

4. Personnel, fees, expenses of commissioners. The commission shall have authority to employ such personnel as it deems necessary and desirable in order to effectively discharge its duties and responsibilities. Such employees shall not be subject to state personnel laws or rules.

The commission members shall be paid ~~according to the provisions of Title 5, chapter 379~~ \$75 per day for

their services and shall be reimbursed for reasonable expenses including travel.

Sec. 48. 32 MRSA §9853, first ¶, as enacted by PL 1983, c. 524, is amended to read:

The Radiologic Technology Board of Examiners, as ~~established in this chapter~~ authorized by Title 5, chapter 379, shall administer this chapter. The board shall consist of 12 members appointed by the Governor.

Sec. 49. 32 MRSA §9853, sub-§4, as enacted by PL 1983, c. 524, is repealed and the following enacted in its place:

4. Compensation. Members of the board shall be compensated according to Title 5, chapter 379.

Sec. 50. 34-B MRSA §7017, as enacted by PL 1983, c. 459, §7, is amended to read:

§7017. Sterilization procedures review committee

A As authorized by Title 5, chapter 379, a committee shall be established whose purpose shall be to review annually the authorization of sterilizations under this chapter for the purpose of assessing the need for any changes in the procedures or standards set forth in this chapter. The committee shall consist of not less than 6 members, including representatives of the Maine court system, the medical community, a designee from the Department of Mental Health and Mental Retardation, a designee from the Department of Human Services, a member of the joint standing committee of the Legislature having jurisdiction over health and institutional services, and a member of the joint standing committee of the Legislature having jurisdiction over the judiciary. The representatives of the 2 joint standing legislative committees shall be appointed by the chairmen of those legislative committees. Other members of the review committee shall be appointed annually by the Governor who shall also designate the chairman of the committee.

Sec. 51. 35 MRSA §184, first ¶, as enacted by PL 1981, c. 473, is amended to read:

There is established, pursuant to Title 5, chapter 379, a public body corporate and politic, to be known as the "Maine Public Utility Financing Bank." The bank is constituted as an instrumentality of the State exercising public and essential governmental