

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §1314-A, as enacted by PL 1967, c. 526, is amended to read:

§1314-A. Compelling evidence in criminal proceedings; immunity

In any criminal proceeding before a court or grand jury, or in any juvenile proceeding before a court, if a person refuses to answer questions or produce evidence of any kind on the ground that he may be incriminated thereby, and if the prosecuting attorney, in writing, and with the written approval of the Attorney General, requests the court to order that person to answer the questions or produce the evidence, and the court after notice to the witness and hearing shall so order, unless it finds to do so would be clearly contrary to the public interest, that person shall comply with the order. After complying, and if, but for this section, he would have had the right to withhold the answers given or the evidence produced by him, that person shall not be prosecuted or subjected to penalty ~~or~~ forfeiture or adjudication for or on account of any transaction, matter or thing concerning which, in accordance with the order, he gave answer or produced evidence. Failure to answer questions or produce evidence as ordered by the court following notice and hearing shall constitute contempt of court. He may nevertheless be prosecuted or subjected to penalty ~~or~~ forfeiture or adjudication for any perjury, false swearing or contempt committed in answering, or failing to answer, or in producing or failing to produce evidence, in accordance with the order.

Effective September 19, 1985.

CHAPTER 387

H.P. 1020 - L.D. 1473

AN ACT to Allow the New Spouse of a Remarried Retirement System Member to be Covered After the Member's Death.

Be it enacted by the People of the State of Maine as follows:

5 MRSA §1126, sub-§3 is enacted to read:

3. Post-retirement spouse option. If the sole beneficiary under an option 2, option 3 or option 4, who is the spouse of the recipient of the reduced retirement allowance payable under such an option, predeceases the recipient, the recipient upon remarriage shall have the right to elect to have his reduced retirement allowance payable under the same option with payments to his new spouse after his death, in lieu of continuing the reduced retirement allowance payable to himself during his lifetime, provided that he has not attained his 70th birthday, or 72nd birthday for a period of 30 days after the effective date of this subsection, and is in good health at the date of election. This option may be elected at any time after the death of the original spouse of the recipient by written request to the executive director, together with submission of evidence satisfactory to the executive director of the good health of the recipient.

The amount of the benefits payable under the option elected shall be computed to be the actuarial equivalent at the date of commencement of payment of benefits under the option of the amount of reduced retirement allowance the recipient has been receiving.

Effective September 19, 1985.

CHAPTER 388

S.P. 166 - L.D. 453

AN ACT to Amend the Code of Fair Practices
and Affirmative Action as the Equal
Opportunity Standard for State
Financed Agencies.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §782, as enacted by PL 1975, c. 153, §1, is amended to read:

§782. Definition of affirmative action

An affirmative action program includes procedures designed to increase the numbers of minorities and women and handicapped at all levels and in all segments of the work force where imbalances exist. Such a program should include an assessment of the exist-