

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

20. Declaration executed before effective date.

The declaration of any patient executed prior to the effective date of this chapter must be given effect as provided in this chapter.

21. Recognition of document executed in another state.

A document executed in another state is valid for purposes of this chapter if the document and the execution of the document substantially comply with the requirements of this chapter.

22. Effect of multiple documents.

Medical treatment instructions contained in a declaration executed in accordance with this chapter supersede:

A. A contrary or conflicting instruction given by a proxy or an attorney for health care decisions unless the proxy appointment or the power of attorney expressly provides otherwise; and

B. Instructions in a prior declaration.

See title page for effective date.

CHAPTER 455**H.P. 1018 - L.D. 1364****An Act to Promote State Savings through the Efficient Utilization of Funds**

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

Sec. 1. 5 MRSA §642, sub-§2, as amended by PL 1991, c. 780, Pt. Y, §30, is further amended to read:

2. Employee Suggestion System Board. The Employee Suggestion System Board is composed of the Commissioner of Administrative and Financial Services and 2 other commissioners of their respective state departments to be appointed by the Governor.

The Bureau of Human Resources is responsible for administering the program, and shall assign one capable, highly experienced employee of the bureau to manage the program on a day-to-day basis. That employee may also have assignments not related to this program.

The board shall elect a chair and shall adopt rules governing the proceedings, including criteria for making awards. The board shall approve each award made.

No later than March 1st of each year, the board shall submit to the joint standing committee of the Legislature having jurisdiction over state government matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a detailed report of its activities for the preceding calendar year, including information on the number and nature of suggestions received and awards made.

Sec. 2. 5 MRSA §642, sub-§§4-B, 4-C and 8 are enacted to read:

4-B. Reductions in service. An award may not be approved by the board that generates savings through a reduction of services, unless it is an identified duplication of services.

4-C. Maximum cash award for fiscal years 1993-94 and 1994-95. For the fiscal years ending June 30, 1994 and June 30, 1995 the maximum cash award approved is limited to 10% of the first year's estimated savings, or \$10,000, whichever is less. Except as provided in subsection 4-A, an award may not be made for any suggested savings of less than \$250. Any cash awards approved by the board must be charged against the fund or funds to which estimated savings apply. If it is not possible to reasonably estimate the savings, the board may pay an initial amount and pay an additional amount at the end of the first year, or may pay the full amount at the end of the first year.

This subsection is repealed June 30, 1995.

8. Promotion. The board shall ensure that all employees are aware of the Employee Suggestion System including the potential award amounts.

See title page for effective date.

CHAPTER 456**H.P. 701 - L.D. 953****An Act Regarding Municipal Shellfish Licenses**

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

Sec. 1. 12 MRSA §6671, sub-§3-A, ¶A, as amended by PL 1991, c. 831, §1, is further amended to read:

A. No municipal commercial license may be issued unless the applicant has a current shellfish license, as provided in section 6601. A person is not required to hold a shellfish license issued by the commissioner under section 6601 in order to obtain a municipal commercial license. A municipality may issue licenses under this section regardless of whether or not the area has been closed by the commissioner. A person taking shellfish from a closed area for depuration under a depuration certificate issued by the commissioner is not required to hold a municipal shellfish license.

See title page for effective date.