

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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

ers. A person who, for the purpose of obtaining a refund value or handling fee, tenders to a dealer, distributor, redemption center or bottler more than 10 cases with 24 empty beverage containers in each case that the person knows or has reason to know were not originally sold in this State as filled beverage containers is subject to the enforcement action and civil penalties set forth in this subsection. A person who violates the provisions of this subsection is subject to a civil penalty of the greater of \$100 for each container or \$25,000 for each tender of containers.

Sec. 2. 32 MRSA §1869, sub-§4 is enacted to read:

4. Container pickup. Notwithstanding subsection 1, a person who knowingly violates a provision of section 1866, subsection 5 commits a civil violation for which a forfeiture of \$1,000 may be adjudged.

See title page for effective date.

CHAPTER 704

H.P. 1214 - L.D. 1633

An Act to Amend the Provisions Relating to Mental Examination and Observation of Persons Accused of a Crime

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

Sec. 1. 15 MRSA §101-B, sub-§2, ¶A, as enacted by PL 1987, c. 402, Pt. A, §109, is amended to read:

A. It appears to the court, based on the report of any such examiner, that:

(1) The defendant suffers may suffer or may have suffered from a mental disease or defect, abnormal condition of mind or any mental or emotional condition affecting his the defendant's guilt, criminal responsibility or his competence to stand trial; or

(2) Further observation is required; or

See title page for effective date.

CHAPTER 705

H.P. 1358 - L.D. 1833

An Act to Reinstitute Stipends

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

Sec. 1. 5 MRSA §7065, sub-§2, as repealed and replaced by PL 1989, c. 418, §§1 and 4, is amended to read:

2. Salary limits. No position may be assigned a salary greater than the maximum or less than the minimum rates fixed in the compensation plan except as provided by subsections 2-A and 2-B subsection 2-D.

Sec. 2. 5 MRSA §7065, sub-§2-D is enacted to read:

2-D. Recruitment and retention adjustments. Subject to this subsection, the director, with the agreement of the bargaining agent, if applicable, may approve payment of recruitment and retention adjustments when the payment of a labor market adjustment is required to recruit and retain an adequate work force.

A. Payment of a recruitment and retention adjustment may be authorized only when justified by the following conditions.

(1) High turnover exists or long-term vacancies exist within State Government in the relevant occupational classifications or job series.

(2) The relevant occupational classification or job series has a clear, geographically definable labor market within which the State must compete.

(3) All appropriate recruitment and retention efforts have been attempted and have proven ineffective at the current levels of compensation.

(4) Comprehensive, verifiable documentation of labor market compensation levels for the relevant occupation has been compiled to determine competitive pay levels within the defined labor market. This documentation must demonstrate that a labor market disparity exists and that the disparity represents a long-term, not transitory or seasonal, problem.

B. The labor market adjustment must be reviewed at least every 2 years and adjusted to changes in the labor market or the overall relation of the standard pay policy to the specialized labor market. If the subsequent review provided in this paragraph results in the adjustment being decreased or discontinued, an employee receiv-