

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**Sec. 1. 3 MRSA §162, sub-§2**, as amended by PL 1983, c. 584, is further amended to read:

**2. Legislative employee salary and benefit schedules.** To establish salary schedules for all employees of legislative agencies, departments and offices, except as otherwise provided by law, to develop relatively uniform salary schedules for House and Senate employees and officers and, notwithstanding any other provision of law, to establish benefit schedules for legislative employees. Every publication that states the salary of an employee or a position must also include a statement of the dollar value of the fringe benefit package provided;

**Sec. 2. 5 MRSA §53** is enacted to read:

**§53. Value of fringe benefits**

Every state agency, department, board, commission, institution, authority or public instrumentality shall include in every publication that states the salary of an employee or a position a statement of the dollar value of the fringe benefit package provided. For purposes of this section, "fringe benefits" includes an employer's cost of an employee's health insurance, dental insurance and retirement but does not include the amount paid to cover any unfunded liability.

**Sec. 3. 5 MRSA §282, sub-§6**, as amended by PL 1989, c. 502, Pt. B, §1, is further amended to read:

**6. Supervise.** To supervise and direct the administration of the State Claims Commission; and

**Sec. 4. 5 MRSA §282, sub-§7** is enacted to read:

**7. Value of fringe benefits.** To ensure that all publications that state the salary of an employee or of a position in State Government also include a statement of the dollar value of the fringe benefit package provided. For purposes of this subsection, "fringe benefits" includes an employer's cost of an employee's health insurance, dental insurance and retirement but does not include the amount paid to cover any unfunded liability.

See title page for effective date.

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**CHAPTER 38**

**S.P. 205 - L.D. 548**

**An Act to Correct Certain Statutory References in the Crime of Negotiating a Worthless Instrument**

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

**Sec. 1. 17-A MRSA §708, sub-§2, ¶B**, as enacted by PL 1975, c. 499, §1, is amended to read:

B. Payment was refused by the drawee for lack of funds upon presentation presentment made within a reasonable the time after negotiation or issue, as determined according to frame specified in Title 11, section 3-503 3-1304, and the drawer failed to make good honor the drawer's contract within 5 days after actual receipt of a notice of dishonor, as defined in Title 11, section 3-508 3-1503, provided that this time limit is tolled during one subsequent representment of the negotiable instrument.

**Sec. 2. 17-A MRSA §708, sub-§3**, as enacted by PL 1975, c. 499, §1, is amended to read:

**3.** As used in this section, unless the context otherwise indicates, the following definitions apply; terms have the following meanings.

A. "Issue" has the meaning provided in Title 11, section ~~3-102~~ 3-1105, subsection (1); ~~paragraph(a);~~

A-1. "Drawee" has the meaning provided in Title 11, section 3-1103, subsection (1). paragraph (b).

A-2. "Drawer" has the meaning provided in Title 11, section 3-1103, subsection (1). paragraph (c).

B. "Negotiable instrument" has the meaning provided in Title 11, section ~~3-104;~~ 3-1104.

C. "Negotiation" and its ~~variants~~ variants have the meaning provided in Title 11, section ~~3-202~~ 3-1201.

See title page for effective date.

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**CHAPTER 39**

**H.P. 412 - L.D. 569**

**An Act to Remove Restrictions on Compensation For Deputy District Attorneys**

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

**Whereas**, the relative limit on compensation for deputy district attorneys is set in statute. That limit

has produced unacceptable inequities that can be corrected only with legislation; 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. 30-A MRSA §272, sub-§4**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**4. Deputy district attorney.** Each district attorney may designate one full-time assistant district attorney or, if there is no full-time assistant district attorney, one part-time assistant district attorney to be the deputy district attorney. In the absence of the district attorney, the deputy shall act in the district attorney's place and ~~shall have~~ has the authority, duties and responsibilities of the district attorney. ~~Notwithstanding any other provision of law, any full-time assistant district attorney designated as a deputy district attorney may receive a salary up to 90% of the salary designated for the district attorney.~~

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

Effective April 18, 1995.

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**CHAPTER 40**

**S.P. 230 - L.D. 596**

**An Act to Expand the Uses of the Economic Opportunity Fund**

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

**Whereas**, the current scope of the Economic Opportunity Fund limits the type of economic development activities that can be supported with the fund; and

**Whereas**, numerous nonprofit and regional organizations exist in the State that provide needed economic development services to businesses and communities throughout the State; and

**Whereas**, the current limitations of the fund prevent the State from utilizing the fund to leverage

federal grants for economic development purposes; and

**Whereas**, the effectiveness of the fund could be increased by allowing organizations to expand funds through grants to business entities and by allowing use of funds to leverage federal grant funds; and

**Whereas**, federal funds already approved and received by the State for the purpose of stimulating economic development will be jeopardized without immediate expansion of the scope of the fund to allow more flexible use of funds; 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 §13090-B, sub-§4** is enacted to read:

**4. Local and regional organizations.** Notwithstanding other provisions of this section, for fiscal years 1994-95 and 1995-96 the department, upon application, may provide grants to local and regional nonprofit organizations up to a total amount of \$200,000 for the 2 years combined. Funds may be loaned to a private business entity or expended in a manner that is approved by the department and offers the prospect of stimulating economic growth. This subsection is repealed July 1, 1996.

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

Effective April 18, 1995.

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**CHAPTER 41**

**S.P. 95 - L.D. 235**

**An Act to Provide the Maine Legislature with Additional Financial Information**

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

**Whereas**, the Legislature lacks electronic access to the budget management system; and