

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
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

12 MRSA §6955 is enacted to read:

§6955. Fishing in waters of Union River Bay and the lower Union River

It is unlawful to fish with any type of net, fish trap or weir from April 15th to August 1st in the tidal waters of Union River Bay and the lower Union River north of a line drawn from the southernmost tip of Newbury Neck in the Town of Surry and extended eastward to the southernmost tip of Oak Point in the Town of Trenton. The closed area shall extend northward to the downstream side of the Bangor Hydropower Company dam in the City of Ellsworth. Fishing for eels or smelts by means of hand dip nets, fyke nets or baited eel traps shall be exempt from this section. The taking of alewives under the provisions of section 6131, subsection 5, shall be exempt from this section.

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

Effective May 28, 1985.

CHAPTER 212

H.P. 1018 - L.D. 1471

AN ACT Requiring Employee Rest Breaks.

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

26 MRSA c. 7, sub-c. I-A is enacted to read:

SUBCHAPTER I-A

HOURS OF EMPLOYMENT

§601. Rest breaks

In the absence of a collective bargaining agreement or other written employer-employee agreement providing otherwise, an employee, as defined in section 663, may be employed or permitted to work for no more than 6 consecutive hours at one time unless he is given the opportunity to take at least 30 consecu-

tive minutes of rest time, except in cases of emergency in which there is danger to property, life, public safety or public health. This rest time may be used by the employee as a mealtime.

1. Small business. This section does not apply to any place of employment where:

A. Fewer than 3 employees are on duty at any one time; and

B. The nature of the work done by the employees allows them frequent breaks during their work day.

§602. Enforcement and penalty

The following provisions govern the enforcement of this subchapter.

1. Violation. Any employer who violates this subchapter commits a civil violation for which a forfeiture of not less than \$100 nor more than \$500 for each violation may be adjudged.

2. Discharge or discrimination. Any employer who discharges or in any other manner discriminates against any employee because the employee makes a complaint to the director, the district attorney or the Attorney General concerning a violation of this subchapter, commits a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.

3. Injunction. If any provision of this subchapter is violated, the Attorney General may seek an injunction in the Superior Court to enjoin any further violations or to compel the reinstatement of an employee discharged or discriminated against as described in subsection 2.

Effective September 19, 1985.

CHAPTER 213

H.P. 585 - L.D. 855

AN ACT Amending the Maine Juvenile Code to
Provide for Diagnostic Evaluation for
Bind-over purposes.