

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

K. Uses an artificial light, snare, trap, ~~swivel,~~
~~pivot~~ or set gun to hunt deer or moose;

See title page for effective date.

CHAPTER 54

H.P. 951 - L.D. 1349

An Act to Protect Citizens from the Detrimental Effects of Tobacco

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

Sec. 1. 22 MRSA §1541, sub-§4, as enacted
by PL 1993, c. 342, §1 and affected by §9, is amended
to read:

4. Public place. "Public place" means any
place, including a restaurant, not open to the sky into
which the public is invited or allowed. Except as
provided in section 1542, subsection 2, paragraph J, a
private residence is not a public place.

Sec. 2. 22 MRSA §1541, sub-§5, as enacted
by PL 1993, c. 342, §1 and affected by §9, is repealed
and the following enacted in its place:

5. Restaurant. "Restaurant" means any en-
closed indoor restaurant or other enclosed establish-
ment that invites the public to be served food for
consumption on the premises. "Restaurant" does not
include an establishment that according to its licensing
requirements under Title 28-A generally prohibits
minors from being served or present.

Sec. 3. 22 MRSA §1542, sub-§2, ¶D, as en-
acted by PL 1993, c. 342, §1 and affected by §9, is
repealed.

Sec. 4. 22 MRSA §1579-A, as amended by
PL 1989, c. 451, §§1 and 2, is repealed.

See title page for effective date.

CHAPTER 55

S.P. 156 - L.D. 476

An Act to Prohibit the Negotiation of Severance Pay Lower than the State Minimum

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

Sec. 1. 26 MRSA §625-B, sub-§3, as en-
acted by PL 1979, c. 663, §157, is amended to read:

3. Mitigation of severance pay liability. There
~~shall be~~ is no liability under this section for severance
pay to an eligible employee if:

A. Relocation or termination of a covered estab-
lishment is necessitated by a physical calamity;

B. The employee is covered by an express con-
tract providing for severance pay that is equal to
or greater than the severance pay required by this
section;

C. That employee accepts employment at the
new location;

D. That employee has been employed by the
employer for less than 3 years.

See title page for effective date.

CHAPTER 56

S.P. 451 - L.D. 1326

An Act to Clarify the Authority of the Maine Milk Commission

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

Whereas, there is confusion as to the authority
of the Maine Milk Commission to establish minimal
milk prices for dairy farmers; and

Whereas, dairy farming is a difficult business
and an integral part of the Maine economy and rural
way of life; and

Whereas, passage of this legislation would help
stabilize prices to dairy farmers; 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 preserva-
tion of the public peace, health and safety; now,
therefore,

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

Sec. 1. 7 MRSA §2954, sub-§9, as enacted
by PL 1983, c. 573, §2, is amended to read:

**9. Minimum wholesale prices paid to produc-
ers for their milk.** Notwithstanding any other provi-
sions of this chapter or chapter 611, minimum
wholesale prices paid by dealers to producers shall be
for their milk that is sold in this State are subject to the
~~provisions of chapter 611~~ minimum producer prices