

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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5 MRSA §1001, sub-§9, as amended by PL 1975, c. 622, §§1 and 2, is further amended to read:

9. Earnable compensation. "Earnable compensation" ~~shall mean~~ means actual compensation, including workers' compensation benefits and maintenance if any, but shall not include payment for more than 30 days of accumulated or accrued sick leave or unused vacation leave or a combination of both, nor include any other payment which is not compensation for actual services rendered or which is not paid at the time ~~such~~ these services are rendered. Any money paid by an employer under an annuity contract for the future benefit of an employee shall be considered part of the employee's earnable compensation.

The earnable compensation of a member retired with a disability retirement allowance under section 1122 shall be assumed, for the purposes of determining benefits under this chapter, to be continued after his date of termination of service at the same rate as received immediately prior thereto, subject to the same percentage adjustments, if any, that may apply to the amount of retirement allowance of the beneficiary under section 1128.

Effective September 23, 1983.

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## CHAPTER 83

S.P. 223 - L.D. 660

### AN ACT to Change Price Posting Requirements for Beer and Table Wine Suppliers.

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

28 MRSA §655 is enacted to read:

#### §655. Posting of prices

All holders of certificates of approval and licensed Maine bottlers must post with the Bureau of Alcoholic Beverages the F.O.B. shipping point prices for which they are selling malt liquor or table wine, or both, to licensed Maine wholesalers and all wholesalers must post the delivered prices for which they are selling malt liquor or table wine, or both, to licensees and all other entities or instrumentalities. All prices posted must include deposits required on returnable items, including kegs.

Certificate of approval holders and bottlers shall give a 30-day written notice of price changes to the bureau and their respective wholesalers prior to the effective date and all wholesalers shall give a 15-day written notice of their price changes to the bureau prior to the effective date. All price changes shall be effective on the first day of a month.

Effective September 23, 1983.

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## CHAPTER 84

H.P. 572 - L.D. 720

AN ACT to Permit Real Estate Agents to be Considered Independent Contractors for Purposes of Workers' Compensation Insurance.

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

39 MRSA §2, sub-§5, ¶D is enacted to read:

D. The term "employee" does not include a real estate broker or salesman whose services are performed for remuneration solely by way of commission, provided that the broker or salesman has signed a contract with the agency indicating the existence of an independent contractor relationship.

Effective September 23, 1983.

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## CHAPTER 85

H.P. 869 - L.D. 1117

AN ACT to Increase the Sardine Inspection Tax.

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

Whereas, without increased revenues, the Maine sardine inspection program will be severely hampered; and