

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

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

Effective April 12, 1984.

CHAPTER 750

H.P. 1755 - L.D. 2315

AN ACT Concerning Benefits under the Unemployment Compensation Act.

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

Sec. 1. 26 MRSA §1251, sub-§1, as amended by PL 1977, c. 694, §482, is further amended to read:

1. Seasonal industry. As used in this section, the term "seasonal industry" means an industry in which, because of the seasonal nature thereof, it is customary to operate only during a regularly recurring period or periods of less than ~~40~~ 26 weeks in a calendar year. The commission shall, after investigation and hearing, pursuant to Title 5, section 9051 et seq., determine, and may thereafter from time to time redetermine, the longest seasonal period or periods during which, by the best practice of the industry in question, operations are conducted. Until such determination by the commission, no industry ~~shall~~ may be deemed seasonal.

Sec. 2. 26 MRSA §1251, sub-§3, as repealed and replaced by PL 1975, c. 407, §2, is amended to read:

3. Exceptions

A. Any hotel, motel, inn, sporting camp or other lodging facility, including camps operated for boys and girls, restaurants and other eating establishments, which customarily conducts its operations which are primarily related to the production of its characteristic goods or services for a regularly recurring period or periods ~~not exceeding 180 days~~ of less than 26 weeks in any one year shall be deemed seasonal.

B. Any potato packing business which customarily operates during a regularly recurring period of

at least 140 working days 26 or more weeks in a calendar year shall not be deemed seasonal.

Effective July 25, 1984.

CHAPTER 751

H.P. 1832 - L.D. 2426

AN ACT to Modify Early Retirement Plans
for State Employees Hired After August 31,
1984.

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

Sec. 1. 5 MRSA §1095, sub-§2, as repealed and replaced by PL 1975, c. 622, §38-B, is amended to read:

2. State Police. Each member of the State Police, including the chief thereof or a member of the State Police or the chief thereof who is appointed to the position of Commissioner of Public Safety, who became a member of that department subsequent to July 9, 1943 but before September 1, 1984, shall contribute at a rate of 7.5% of earnable compensation to the Retirement System until he has completed 20 years of creditable service, as required under section 1121, subsection 1, paragraph C. After completing such service, a member of the State Police shall contribute at a rate of 6.5% of earnable compensation for the remainder of his employment as a member of the State Police.

A person hired after August 31, 1984, as a member of the State Police shall contribute at a rate of 7.5% of earnable compensation until he has completed 25 years of creditable service as a member of the State Police. After completing that service, the employee shall contribute at a rate of 6.5% of earnable compensation for the remainder of his employment in such a position.

Sec. 2. 5 MRSA §1095, sub-§3, as amended by PL 1977, c. 661, §1, is further amended to read:

3. Fisheries and Game Warden. Each law enforcement officer in the Department of Inland Fisheries