

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
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1985

selling automobiles or trucks to the ultimate purchaser, except when the employee is paid by the employer on an hourly basis.

Sec. 2. 26 MRSA §664, first ¶, as amended by PL 1983, c. 857, is further amended to read:

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee, except as otherwise provided in this subchapter, at the rate of less than \$3.45 per hour starting on January 1, 1985, and \$3.55 per hour starting on January 1, 1986, and \$3.65 per hour starting on January 1, 1987; or to require any employee to work more than 40 hours in one week, unless 1 1/2 times the regular hourly rate is paid for all work done over 40 hours in any one week; and whenever the highest federal minimum wage is increased in excess of \$3.55 per hour, the minimum wage established under this section shall be increased to the same amount, effective on the same date as the increase in the highest federal minimum wage, but in no case shall the minimum wage exceed \$4 per hour. The overtime provision of this section shall not apply to seamen, the canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of herring as sardines, of perishable foods, of agricultural produce and meat and fish products, nor to the canning of perishable goods, nor to hotels, motels, restaurants and other eating establishments, ~~nor to~~ public employees, nor to automobile mechanics or automobile salesmen.

Effective September 19, 1985.

CHAPTER 77

S.P. 138 - L.D. 377

AN ACT to Amend the Maine Administrative
Procedure Act to Require the
Designation of Federal and State
Statutes and Regulations.

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

Sec. 1. 5 MRSA §8052, sub-§8 is enacted to read:

8. Appropriate reference to underlying federal and state laws and regulations. At the time of adoption of any rule, the agency shall refer with particularity to any underlying federal or state law or regulation which serves as the basis of the rule.

Sec. 2. 5 MRSA §8053, sub-§3, as repealed and replaced by PL 1979, c. 425, §5, is amended to read:

3. Contents of notice. The notice shall:

A. Refer to the statutory authority under which the adoption of the rule is proposed;

B. State the time and place of any scheduled public hearing or state the manner in which a hearing may be requested;

C. State the manner and time within which data, views or arguments may be submitted to the agency for consideration, whether or not a hearing is held; and

D. If possible, contain the express terms of the proposed rule or otherwise describe the substance of the proposed rule, stating the subjects and issues involved and indicate where a copy of the proposed rule may be obtained; and

E. Refer to the substantive state or federal law to be implemented by the rules.

Effective September 19, 1985.

CHAPTER 78

S.P. 21 - L.D. 25

AN ACT to Equalize Trapping Rights in Unorganized Territory.

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

12 MRSA §7377, sub-§2, ¶D, as enacted by PL 1979, c. 420, §1, is repealed.

Effective September 19, 1985.
