

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1991

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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sidered a part of the fine, forfeiture or penalty. All funds collected as a result of this surcharge ~~shall~~ must be deposited monthly in the ~~Jail~~ Government Operations Surcharge Fund.

**3. Reimbursement to counties.** Monthly, the Treasurer of State shall make payments from this fund to each county in direct proportion to the amount of revenue obtained from all courts within each county, ~~provided~~ except that a county may not receive an amount greater than the prior year's expenditures on its jail. The amount of total payments made to counties ~~shall~~ must equal 2% of the total fines, forfeitures and penalties, including this surcharge, received by the Treasurer of State. The balance remaining in the ~~Jail~~ Government Operations Surcharge Fund at the end of each month ~~shall~~ must accrue to the General Fund.

**Sec. 2. 4 MRSA §1156, last ¶,** as amended by PL 1987, c. 339, §4, is further amended to read:

The Administrative Court Judge shall maintain a record of all fines and surcharges received by the court and shall pay the fines into the General Fund of the State Treasury and the surcharges into the ~~Jail~~ Government Operations Surcharge Fund on or before the 15th day of each month.

See title page for effective date.

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## CHAPTER 304

H.P. 870 - L.D. 1256

### An Act Concerning the Packing of Soy milk and Flavored Milk

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

**Sec. 1. 32 MRSA §1862, sub-§1,** as repealed and replaced by PL 1989, c. 585, Pt. D, §§2 and 11 and affected by c. 869, Pt. C, §12, is amended to read:

**1. Beverage.** "Beverage" means beer, ale or other drink produced by fermenting malt, spirits, wine, wine coolers, soda or noncarbonated water; and all nonalcoholic carbonated or noncarbonated drinks in liquid form and intended for internal human consumption, except for unflavored soy milk, milk and dairy-derived products.

**Sec. 2. 32 MRSA §1862, sub-§12-C** is enacted to read:

**12-C. Unflavored soy milk.** "Unflavored soy milk" means any liquid containing no additional flavoring ingredients and intended for internal human consumption, the primary protein source of which is soy protein derived from whole soybeans, isolated soy protein, soy protein

concentrate, soy flour, spray-dried tofu or spray-dried soy milk.

**Sec. 3. 32 MRSA §1868, sub-§4,** as repealed and replaced by PL 1989, c. 869, Pt. C, §6, and affected by §12, is amended to read:

**4. Aseptic and composite material beverage containers.** In a container composed, in whole or in part, of aluminum and plastic or of aluminum and paper in combination where those materials are for practical reasons inseparable. No milk or dairy-derived products in liquid form to which additional flavoring ingredients have been added may be sold in containers prohibited under this subsection.

See title page for effective date.

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## CHAPTER 305

H.P. 655 - L.D. 934

### An Act to Regulate the Use of Video Display Terminals

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

**Sec. 1. 26 MRSA §251, sub-§4,** as enacted by PL 1989, c. 512, is amended to read:

**4. Employer.** "Employer" means any person, partnership, firm, association or corporation, public or private, ~~which that~~ uses ~~25~~ 2 or more terminals at one location within the State. The term "employer" includes, but is not limited to:

- A. Any person, partnership, firm, association or corporation acting in the interest of any employer, directly or indirectly; and
- B. The State, in its capacity as an employer.

**Sec. 2. 26 MRSA §252, sub-§1,** as enacted by PL 1989, c. 512, is amended to read:

**1. Requirements.** An employer's education and training program ~~shall~~ must be provided both orally and in writing ~~and shall~~, except that an employer that uses fewer than 5 terminals at one location may provide the education and training program in writing only. The program must include, at a minimum:

- A. Notification of the rights and duties created under this subchapter by posting in a prominent location in the workplace a copy of this subchapter and a written notice that explains these rights and duties in plain language;