

# 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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**CHAPTER 325****S.P. 359 - L.D. 961****An Act to Permit Earlier Repayment of Contributions to the Maine State Retirement System****Be it enacted by the People of the State of Maine as follows:****5 MRSA §17703, sub-§1-A is enacted to read:**

**1-A. Exception.** In the case of an employee who has been laid off, the repayment may be made immediately upon the date of restoration to membership and must be made before the date any retirement benefit becomes effective for the member.

See title page for effective date.

**CHAPTER 326****S.P. 663 - L.D. 1739****An Act to Establish a Grading System for Maple Syrup Produced in the State****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1.** 7 MRSA §892, as amended by PL 1977, c. 694, §87, is repealed.

**Sec. 2.** 7 MRSA §892-A is enacted to read:**§892-A. Official grade standards for maple syrup**

**1. Definitions** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A.** "Brix" means the scale used to measure the specific gravity of maple syrup.

**B.** "Damage" means any defect that affects the color, appearance, flavor, aroma, edibility or shipping quality of maple syrup.

**C.** "Light transmission" means the ability of maple syrup to transmit light as determined optically by means of a spectrophotometer.

**D.** "Maple syrup" means the liquid derived by concentration and heat treatment of the sap of the maple tree.

**E.** The symbol "%Tc" means the percentage of light transmission through maple syrup, measurable by a

spectrophotometer using matched square optical cells having a 10-millimeter light path at a wavelength of 560 nanometers, the color values being expressed in percent of light transmission as compared to A.R. Glycerol fixed at 100% transmission.

**2. Maple syrup grades.** The following grades are established as the official maple syrup grade standards for the State.

**A.** "Grade A Light Amber" means pure maple syrup that is free of any material other than pure, clear liquid maple syrup in sanitary condition; has a color no darker than the federal Department of Agriculture's visual color standard light amber or has a color for light transmittance not less than 75.0%Tc; has a delicately sweet, original maple flavor; and has a density of at least the equivalent of 66.0° Brix at 60° Fahrenheit Modulus 145. Grade A Light Amber maple syrup must be free of sugar crystals and may not be damaged in any way.

**B.** "Grade A Medium Amber" means pure maple syrup that is free of any material other than pure, clear liquid maple syrup in sanitary condition; has a color no darker than the federal Department of Agriculture's visual color standard medium amber or has a color for light transmittance between the range of 74.9%Tc to 60.5%Tc; and may have a flavor that is more pronounced than that of Grade A Light Amber, but that is not strong or unpleasant. Grade A Medium Amber must meet the density requirement of Grade A Light Amber. Grade A Medium Amber maple syrup must be free of sugar crystals and may not be damaged in any way.

**C.** "Grade A Dark Amber" means pure maple syrup that is free of any material other than pure, clear liquid maple syrup in sanitary condition; has a color no darker than the federal Department of Agriculture's visual color standard dark amber or has a color for light transmittance between the range of 60.4%Tc to 44.0%Tc; and may have a flavor that is stronger than that of Grade A Medium Amber, but that is not sharp, bitter, buddy or off-flavor. Grade A Dark Amber must meet the density requirement of Grade A Light Amber. Grade A Dark Amber maple syrup must be free of sugar crystals and may not be damaged in any way.

**D.** "Grade A Extra Dark Amber" means pure maple syrup that is free of any material other than pure, clear liquid maple syrup in sanitary condition; has a color for light transmittance between the range of 43.9%Tc to 27.0%Tc; and may have a flavor stronger than Grade A Dark Amber. Grade A Extra Dark Amber must meet the density requirements of Grade A Light Amber. Grade A Extra Dark Amber maple syrup must be free of sugar crystals and may not be damaged in any way.

E. "Commercial Grade" means pure maple syrup that is free of any material other than pure, clear liquid maple syrup in a sanitary condition; has a color for light transmittance less than 27.0%Tc; and may have a strong flavor. Commercial Grade maple syrup must be free of sugar crystals and may not be damaged in any way. Commercial Grade maple syrup may not be placed in packaged maple syrup containers and may not be sold, offered for sale or exposed for sale as packaged maple syrup.

F. "Substandard" means bulk maple syrup that fails to meet the requirements of any other grade. Such syrup may not be placed in packaged maple syrup containers and may not be sold, offered for sale or exposed for sale as packaged maple syrup.

See title page for effective date.

## CHAPTER 327

S.P. 494 - L.D. 1332

### An Act to Enhance Social Services and Therapeutic Patient Activities in Nursing Homes

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

22 MRSA §1812-F is enacted to read:

#### §1812-F. Nursing homes; staffing for social services and patient activities

1. Minimum hours. The department shall approve at least the following number of hours for the following services in nursing homes.

A. The department shall approve at least 1/2 hour per patient per week for social services.

B. The department shall approve at least 20 hours per week in nursing homes of up to 30 beds, at least 30 hours per week in nursing homes of 31 to 60 beds and at least 40 hours per week in nursing homes of 61 beds or more for patient activities.

2. Transfer of hours. The department shall approve the transfer of previously approved nonnursing hours to social service or patient activity hours if the transfer does not increase the nursing home's per diem rate.

See title page for effective date.

## CHAPTER 328

S.P. 459 - L.D. 1235

### An Act to Amend the Motor Vehicle Dealer Manufacturer Laws

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

10 MRSA §1176, first ¶, as repealed and replaced by PL 1979, c. 698, §1, is amended to read:

If a motor vehicle franchisor requires or permits a motor vehicle franchisee to perform labor or provide parts in satisfaction of a warranty created by the franchisor, the franchisor shall properly and promptly fulfill its warranty obligations ~~and, in the case of motor vehicles over 10,000 pounds gross vehicle weight rating,~~ shall adequately and fairly compensate the franchisee for any parts so provided and, in the case of all other motor vehicles, shall reimburse the franchisee for any parts so provided at the retail rate customarily charged by that franchisee for the same parts when not provided in satisfaction of a warranty. Further, the franchisor shall reimburse the franchisee for any labor so performed at the retail rate customarily charged by that franchisee for the same labor when not performed in satisfaction of a warranty; provided that the franchisee's rate for labor not performed in satisfaction of a warranty is routinely posted in a place conspicuous to its service customer. A franchisor is not required to pay the price charged by the dealer to retail customers for parts of systems, appliances, furnishings, accessories and fixtures of a motor home as defined in Title 29, section 1, subsection 5-C that are designed, used and maintained primarily for nonvehicular residential purposes. Any claim made by a franchisee for compensation for parts provided or for reimbursement for labor performed in satisfaction of a warranty ~~shall~~ must be paid within 30 days of its approval. All the claims ~~shall~~ must be either approved or disapproved within 30 days of their receipt. When any such claim is disapproved, the franchisee that submitted it ~~shall~~ must be notified in writing of its disapproval within that period, together with the specific reasons for its disapproval. No franchisor may, by agreement, by restriction upon reimbursement, or otherwise, restrict the nature or extent of labor performed or parts provided so that such restriction impairs the franchisee's ability to satisfy a warranty created by the franchisor by performing labor in a ~~good and workmanlike~~ professional manner or by providing parts required in accordance with generally accepted standards.

See title page for effective date.

## CHAPTER 329

H.P. 384 - L.D. 558

### An Act Concerning Late Support Payments

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

Sec. 1. 19 MRSA §494-B is enacted to read: