

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.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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B. The owner or manager of a retail outlet shall ensure that information identifying the specific post-harvest treatments used, and the specific items of produce that were treated, is available to the public within 48 hours of a request.

C. The owner or manager of a retail outlet shall ensure that produce without post-harvest treatment, as determined by the commissioner, ~~shall be~~ is identified by a sign contiguous to the specific produce.

~~This subsection is repealed effective July 1, 1991.~~

Sec. 6. 36 MRSA §4318, as enacted by PL 1989, c. 214, §2, is repealed.

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

Effective June 24, 1991.

CHAPTER 507

S.P. 491 - L.D. 1329

An Act Concerning Salary Provisions for Automotive Industry Personnel

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

Sec. 1. 26 MRSA §663, sub-§13 is enacted to read:

13. Automobile parts clerk. "Automobile parts clerk" means a person employed for the purpose of and primarily engaged in requisitioning, stocking and dispensing automobile parts as an employee of an establishment primarily engaged in the business of 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 1987, c. 738, §1, 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 \$3.65 per hour in 1987 and \$3.75 per hour starting January 1, 1989 and \$3.85 per hour starting January 1, 1990, but in no case may the minimum hourly wage exceed the average minimum hourly wage of the 5 other New England states; 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 the minimum wage established under this section, the minimum

wage ~~shall~~ must 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~~ may the minimum wage exceed \$5 per hour. The overtime provision of this section ~~shall~~ does not apply to ~~seamen; mariners;~~ 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; public employees; nor to automobile mechanics, automobile parts clerks or automobile sales representatives.

See title page for effective date.

CHAPTER 508

H.P. 1273 - L.D. 1844

An Act to Amend the Tree Growth and Open Space Laws

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

Sec. 1. 36 MRSA §1106, as amended by PL 1989, c. 748, §3, is further amended by adding at the end a new paragraph to read:

The valuation guidelines required by this section must be completed and reported to the joint standing committee of the Legislature having jurisdiction over taxation matters by February 1, 1992. The report must also contain information and recommendations, if any, on the impact of public access requirements when determining eligibility for farm, open space and tree growth classifications.

Sec. 2. 36 MRSA §1119, as enacted by PL 1987, c. 728, §10, is amended to read:

§1119. Valuation guidelines

By ~~January 1, 1989~~ February 1, 1992, the Department of Agriculture, Food and Rural Resources working with the Bureau of Taxation, representatives of municipal assessors and farmers shall prepare and report to the joint standing committee of the Legislature having jurisdiction over taxation matters guidelines to assist local assessors in the valuation of farmland. The department shall also deliver these guidelines in training sessions for local assessors throughout the State. These guidelines ~~shall~~ must include suggested values for cropland, orchard land, pastureland and horticultural land.

Sec. 3. 36 MRSA §1121, as enacted by PL 1987, c. 728, §10, is amended by adding at the end a new paragraph to read: