

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**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**  
**1999**

K. Uses an artificial light, snare, trap, ~~swivel,~~  
~~pivot~~ or set gun to hunt deer or moose;

See title page for effective date.

## CHAPTER 54

H.P. 951 - L.D. 1349

### An Act to Protect Citizens from the Detrimental Effects of Tobacco

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

**Sec. 1. 22 MRSA §1541, sub-§4**, as enacted  
by PL 1993, c. 342, §1 and affected by §9, is amended  
to read:

**4. Public place.** "Public place" means any  
place, including a restaurant, not open to the sky into  
which the public is invited or allowed. Except as  
provided in section 1542, subsection 2, paragraph J, a  
private residence is not a public place.

**Sec. 2. 22 MRSA §1541, sub-§5**, as enacted  
by PL 1993, c. 342, §1 and affected by §9, is repealed  
and the following enacted in its place:

**5. Restaurant.** "Restaurant" means any en-  
closed indoor restaurant or other enclosed establish-  
ment that invites the public to be served food for  
consumption on the premises. "Restaurant" does not  
include an establishment that according to its licensing  
requirements under Title 28-A generally prohibits  
minors from being served or present.

**Sec. 3. 22 MRSA §1542, sub-§2, ¶D**, as en-  
acted by PL 1993, c. 342, §1 and affected by §9, is  
repealed.

**Sec. 4. 22 MRSA §1579-A**, as amended by  
PL 1989, c. 451, §§1 and 2, is repealed.

See title page for effective date.

## CHAPTER 55

S.P. 156 - L.D. 476

### An Act to Prohibit the Negotiation of Severance Pay Lower than the State Minimum

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

**Sec. 1. 26 MRSA §625-B, sub-§3**, as en-  
acted by PL 1979, c. 663, §157, is amended to read:

**3. Mitigation of severance pay liability.** There  
~~shall be~~ is no liability under this section for severance  
pay to an eligible employee if:

A. Relocation or termination of a covered estab-  
lishment is necessitated by a physical calamity;

B. The employee is covered by an express con-  
tract providing for severance pay that is equal to  
or greater than the severance pay required by this  
section;

C. That employee accepts employment at the  
new location;

D. That employee has been employed by the  
employer for less than 3 years.

See title page for effective date.

## CHAPTER 56

S.P. 451 - L.D. 1326

### An Act to Clarify the Authority of the Maine Milk Commission

**Emergency preamble.** Whereas, Acts of  
the Legislature do not become effective until 90 days  
after adjournment unless enacted as emergencies; and

**Whereas**, there is confusion as to the authority  
of the Maine Milk Commission to establish minimal  
milk prices for dairy farmers; and

**Whereas**, dairy farming is a difficult business  
and an integral part of the Maine economy and rural  
way of life; and

**Whereas**, passage of this legislation would help  
stabilize prices to dairy farmers; and

**Whereas**, in the judgment of the Legislature,  
these facts create an emergency within the meaning of  
the Constitution of Maine and require the following  
legislation as immediately necessary for the preserva-  
tion of the public peace, health and safety; now,  
therefore,

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

**Sec. 1. 7 MRSA §2954, sub-§9**, as enacted  
by PL 1983, c. 573, §2, is amended to read:

**9. Minimum wholesale prices paid to produc-  
ers for their milk.** Notwithstanding any other provi-  
sions of this chapter or chapter 611, minimum  
wholesale prices paid by dealers to producers shall be  
for their milk that is sold in this State are subject to the  
~~provisions of chapter 611~~ minimum producer prices