

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
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AS PASSED AT THE
SECOND REGULAR SESSION
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January 2, 1980 to April 3, 1980

E. Golf club. “Golf club” shall mean means any commercially operated facility, whether publicly or privately owned, offering golfing facilities to the general public for a fee, having as a part thereof a regulation size golf course of not less than 9 holes and an average total of not less than 2,400 1,200 yards per 9 holes with a value of not less than \$100,000, offering food for sale to the public and having adequate facilities for the sale and consumption of alcoholic beverages as determined by the State Liquor Commission.

Effective July 3, 1980

CHAPTER 617

H. P. 1866 — L. D. 1956

AN ACT to Amend the Emergency Home Heating Act of 1979.

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

Whereas, the 90-day period will terminate after the end of the current heating season; and

Whereas, federal energy assistance is not available this heating season for elderly and disabled persons whose incomes are above 125% of federal poverty guidelines, but below the income guidelines for Maine's Elderly Homeowner's Tax and Rent Refund Act; and

Whereas, the Emergency Home Heating Act of 1979 contains a deadline for applications which leaves such elderly and disabled persons without recourse of state assistance for 2 months of the heating season; 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 preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. PL 1979, c. 574, § 6, sub-§ 2, ¶B, sub-¶ (1), div. (d) is amended by adding at the end the following new sentence:

The requirement that assistance be made available in at least 2 installments no fewer than 30 days apart does not apply to assistance provided after February 29, 1980.

Sec. 2. PL 1979, c. 574, § 6, sub-§ 2, ¶F is amended to read:

F. Applications for assistance under this program shall be made on or before February 29, 1980 April 30, 1980.

Sec. 3. PL 1979, c. 574, § 6, sub-§ 2, ¶G is amended to read:

G. Payments to vendors under this program must be fully utilized on behalf of the eligible household before May 1, 1980 June 30, 1980. Any amount not so utilized must be returned to the State by May 30, 1980 Any amount not utilized by the vendor shall be returned to the local program operator no later than July 31, 1980. Any amount not utilized by the local program operator shall be returned to the Division of Community Services no later than August 31, 1980.

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

Effective February 29, 1980

CHAPTER 618

H. P. 1612 — L. D. 1722

AN ACT Relating to Hunter Safety.

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

12 MRSA § 7101, sub-§ 8, ¶'s A and B, as enacted by PL 1979, c. 420, § 1, are amended to read:

A. The commissioner upon receiving a report of the wounding or killing of a human being may bring a complaint in the Administrative Court seeking to revoke or suspend the current hunting license or the privilege to obtain a hunting license of any person who while on a hunting trip or in the pursuit of wild animals or wild birds, is alleged to have shot and wounded or killed that human being he reasonably believes to have killed, wounded or recklessly endangered the safety of another human being while hunting. The Administrative Court shall revoke or suspend the person's license or privilege for a period not to exceed 5 years if it finds that the person, while hunting, has killed, wounded or recklessly endangered the safety of another human being and the public safety will be endangered by the person's retention of his license or privilege. For the purpose of this paragraph, "recklessly" has the same meaning as that set out in Title 17-A, section 10, subsection 3.

B. Any person described in paragraph A whose hunting license has been revoked or suspended, or whose right to hunt or the right to obtain a hunting license for a period not to exceed 5 years has been denied, may, after the