

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

Sec. 3. 12 MRSA §6451, sub-§§6 and 7 are enacted to read:

6. Lobster hatcheries. The commissioner may authorize expenditure of money from the Lobster Fund to make grants in support of the establishment and operation of lobster hatcheries. The grant may be used to defray a portion, not to exceed 50%, of the cost of the salary of an individual to supervise and manage the hatchery and to pay for direct operating expenses including, but not limited to, power and lobster feed. The grant shall be for a one-year period and shall be renewable indefinitely upon successful reapplication. There shall be no more than 5 lobster hatcheries supported under this section. The commissioner shall develop rules, including biological and economic criteria for evaluating proposals. The commissioner shall require the grantee to keep a log of activities regarding the hatchery and shall require a written report at the termination of each grant.

7. Lobster Advisory Council. The commissioner shall consult with the Lobster Advisory Council on the expenditure of funds under this section.

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

Effective June 4, 1985.

CHAPTER 238

H.P. 1093 - L.D. 1586

AN ACT Concerning Retail Sales of Beer and Wine.

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

28 MRSA §751, last ¶, as amended by PL 1975, c. 741, §23, is further amended to read:

All retail store licensees must have and maintain an adequate stock of groceries in no case less than \$1,000 wholesale value or a stock of merchandise reasonably compatible with a stock of malt liquor or table wine in no case less than \$1,000 wholesale value,

or a combination of both in no case less than \$1,000 wholesale value. No merchandise shall be considered to be reasonably compatible with a stock of malt liquor or table wine, for the purpose of licensing a retail store, which consists of gasoline and oil; used or new cars, parts or accessories; or such other items of stock that may be equally incompatible in nature. Compatible merchandise shall consist exclusively of tobacco products, newspapers, greeting cards and, paper products and a stock of foodstuffs and other consumable products used on the premises in the preparation of food for consumption on or off the premises. Compatible merchandise shall be displayed in the general sales area of the licensee, except that foodstuffs and other consumable products used in the preparation of food are not required to be displayed if they are stored elsewhere on the premises.

Effective September 19, 1985.

CHAPTER 239

S.P. 326 - L.D. 815

AN ACT Relating to Theft Offenses.

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

Sec. 1. 17-A MRSA §362, sub-§3, ¶C, as repealed and replaced by PL 1981, c. 317, §10, is repealed.

Sec. 2. 17-A MRSA §362, sub-§3-A is enacted to read:

3-A. Theft, or any attempt at theft, is a Class C crime if the actor has 2 prior Maine convictions for any combination of theft, any violation of section 702, 703 or 708 or any violation of section 401 in which the crime intended to be committed inside the structure is theft, any violation of section 651 or attempts thereat. For purposes of this subsection, the dates of both of the prior convictions must precede the commission of the offense being enhanced, although both prior convictions may have occurred on the same day. This subsection does not apply if the commission of the 2 prior offenses occurred within a 3-day period. The date of a conviction shall be deemed the date that sentence is imposed, even though an appeal was taken. The date of a commission of pri-