

# 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**

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**1991**

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March 1, 1991. For purposes of this section, all policies and contracts are deemed to be renewed no later than the next yearly anniversary of the policy or contract date.

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

Effective May 17, 1991.

## CHAPTER 157

H.P. 405 - L.D. 588

### An Act to Amend the Public Drinking Laws

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

17 MRSA §2003-A, sub-§2, as repealed and replaced by PL 1985, c. 474, is amended to read:

2. **Crime.** A person is guilty of public drinking if the person:

A. After being forbidden to do so personally by a law enforcement officer, ~~he~~ the person drinks liquor in any public place knowing that ~~he~~ the person is not licensed or privileged to do so, unless ~~he~~ the person has been given permission to do so by the owner or authorized person; or

B. Within a municipality, ~~he~~ the person drinks liquor in any public place other than on state property within ~~150~~ 200 feet of a notice posted conspicuously in the public place by the owner or authorized person which forbids drinking liquor in the public place, unless ~~he~~ the person has been given permission to do so by the owner or authorized person.

See title page for effective date.

## CHAPTER 158

S.P. 195 - L.D. 504

### An Act Relating to Alcohol Licenses for Golf Clubs

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

Sec. 1. 28-A MRSA §601, sub-§2, ¶H, as amended by PL 1989, c. 592, §1, is further amended to read:

H. The applicant is the husband, wife, father, mother, child or other close relation of a person whose license or application for a license for the same premises was revoked by the Administrative Court Judge or denied by the commission within the 6 months before the application was filed; ~~or~~

Sec. 2. 28-A MRSA §601, sub-§2, ¶I, as enacted by PL 1989, c. 592, §2, is amended to read:

I. The commission determines that the purpose of the application is to circumvent the provisions of this section: ; ~~or~~

Sec. 3. 28-A MRSA §601, sub-§2, ¶J is enacted to read:

J. The applicant is a golf club or a restaurant located on the property of a golf club and the Maine Human Rights Commission has found reasonable grounds to believe that the golf club has denied membership to a person in violation of Title 5, chapter 337, subchapter V, and has determined that conciliation efforts under Title 5, chapter 337, section 4612, subsection 3 have not succeeded. The Maine Human Rights Commission shall notify the State Liquor Commission when the golf club has corrected its discriminatory membership practices, after which the applicant ceases to be disqualified under this paragraph.

See title page for effective date.

## CHAPTER 159

H.P. 644 - L.D. 918

### An Act Relating to the Computation of Flow for Wastewater Discharges

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

38 MRSA §464, sub-§4, ¶D, as enacted by PL 1985, c. 698, §15, is amended to read:

D. ~~For~~ Except as otherwise provided in this paragraph, for the purpose of computing whether a discharge will violate the classification of any river or stream, the assimilative capacity of the river or stream shall must be computed using the minimum 7-day low flow which can be expected to occur with a frequency of once in 10 years. The department may use a different flow rate only for those toxic substances regulated under section 420. To use a different flow rate, the department must find that the flow rate is consistent with the risk being addressed.

See title page for effective date.

## CHAPTER 160

S.P. 62 - L.D. 114

### An Act to Exempt Certain Activities from the Site Location of Development Laws

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