

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1973

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature

1973

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has been cut or the placenta is attached. Each product of such a birth is considered live born and fully recognized as a human person under Maine law.

Effective October 3, 1973

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## CHAPTER 519

### AN ACT Permitting Sale of Liquor at Certain Golf Courses.

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

**Sec. 1. R. S., T. 28, § 2, sub-§ 16, amended.** The first sentence of the 2nd paragraph of subsection 16 of section 2 of Title 28 of the Revised Statutes, as repealed and replaced by chapter 363 of the public laws of 1965, is amended to read as follows:

Without limitation of its other powers, the commission shall not approve as a proper place for the exercise of the license privilege, amusement areas primarily for minors, ~~golf courses~~ beaches or any other area designed primarily for use by minors.

**Sec. 2. R. S., T. 28, § 2, sub-§ 16, amended.** Subsection 16 of section 2 of Title 28 of the Revised Statutes, as repealed and replaced by chapter 363 of the public laws of 1965, is amended by adding a new paragraph after the 2nd paragraph, to read as follows:

Premises shall include places having as a part thereof a regulation size golf course, of a value of at least \$100,000, open to the public and having not less than 9 holes and an average total of not less than 2,400 yards per 9 holes.

**Sec. 3. R. S., T. 28, § 101, sub-§§ 2 and 4, amended.** Subsections 2 and 4 of section 101 of Title 28 of the Revised Statutes, as repealed and replaced by section 1 of chapter 49 of the public laws of 1967, are amended to read as follows:

2. Shall licenses be granted in this city or town for the sale herein of wine and spirits to be consumed on the premises? (Hotel and Club and **part-time Golf Courses**)

4. Shall licenses be granted in this city or town for sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises? (Beer and Ale in Restaurants, Hotels and Clubs and **part-time Golf Courses**)

**Sec. 4. R. S., T. 28, § 701, amended.** The 4th paragraph of section 701 of Title 28 of the Revised Statutes, as amended by chapter 95 of the public laws of 1967, is further amended to read as follows:

The commission may grant part-time licenses for a period not in excess of 6 consecutive months from the date of issuance by the commission and golf courses as defined in section 2, subsection 16 may only be granted such part-time licenses.

Sec. 5. R. S., T. 28, § 701, amended. The 5th paragraph of section 701 of Title 28 of the Revised Statutes, as amended by section 3 of chapter 243 of the public laws of 1965, is further amended by adding 2 new sentences at the end to read as follows:

Part-time — Golf Courses — Spiritous and vinous ..... 375

Part-time — Golf Courses — Malt liquor only ..... 125

Notwithstanding any other provision of law, the commission may grant part-time golf course licenses in any municipality which has previously voted affirmatively on questions 2 and 4 of section 101.

Effective October 3, 1973

## CHAPTER 520

AN ACT Relating to Election of Jury Trials in Misdemeanor Proceedings.

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

R. S., T. 15, § 2114, repealed and replaced. Section 2114 of Title 15 of the Revised Statutes, as amended by section 62 of chapter 356 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 2114. Defendant must make election respecting jury trial

In all prosecutions before the District Court, the defendant may in open court waive in writing his right to a jury trial in the Superior Court and elect to be tried in the District Court at a hearing before the Judge of the District Court on a plea of not guilty or enter a plea of guilty or nolo contendere. If the Judge of the District Court is satisfied that the defendant's waiver of his right to jury trial is made freely and understandingly, he may then proceed to dispose of the case. The Judge of the District Court may refuse to accept the defendant's waiver of his right to jury trial or the defendant may refuse to waive the same or decline to make an election, in which event the Judge of the District Court shall forthwith transfer the case to the Superior Court for arraignment and disposition. Any appeal to the Superior Court following an accepted waiver and judgment of conviction in the District Court shall be on questions of law and on the sentence only. Nothing in this section shall prevent a defendant, after the transfer of the case to the Superior Court, from waiving his right to jury trial in the Superior Court, in which event the case shall be heard by a Justice of the Superior Court without jury.

Effective October 3, 1973

## CHAPTER 521

AN ACT Relating to Regulation and Inspection of Plumbing.

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

Sec. 1. R. S., T. 22, § 42, repealed and replaced. Section 42 of Title 22 of the Revised Statutes, as amended by chapter 233 of the public laws of 1967, is repealed and the following enacted in place thereof: