

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

18-A, section 2-201 et seq., as they or their equivalents may be amended or modified from time to time.

Sec. 4. 33 MRSA §1604-104, sub-§(5), as enacted by PL 1981, c. 699, is amended to read:

(5) A statement of the maximum extent to which each unit's allocated interests may be changed by the exercise of any development right described in subsection {3} (4);

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

Effective March 24, 1983.

CHAPTER 79

H.P. 100 - L.D. 107

AN ACT Concerning Part-time Licenses under the Liquor Statutes.

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

Sec. 1. 28 MRSA §201, as amended by PL 1977, c. 23, §2, is further amended to read:

§201. Eligibility

No license shall may be issued to any natural person unless such person is at least 20 years of age and is a citizen of the United States and of this State. A part-time ~~or 6 months~~ license, as authorized by law, may be issued to any natural person who is at least 20 years of age and is a citizen of the United States. No license shall may be issued to a partnership or to an association unless all persons having an interest therein are at least 20 years of age and are citizens of the United States and of this State. A part-time ~~or 6 months~~ license, as authorized by law, may be issued to a partnership or association if all persons having an interest therein are at least 20 years of age and are citizens of the United States. No license shall may be issued to any corporation unless it shall be incorporated under the laws of this State or authorized to transact business in this State. No license shall may be issued to a corporation any of the principal officers of which would not personally be eligible for a liquor license because such officer had had a license for sale of

liquor revoked. No person, who is not at the time of the offense the holder of a liquor license, convicted of violating any of the laws of this State or the United States with respect to manufacture, transportation, importation, possession or sale of intoxicating liquor ~~shall~~ may be granted a license for sale of liquor for a period of 5 years from the date of such conviction, and no person who sells liquor of a greater alcoholic content than authorized by his license ~~shall~~ may be considered the holder of a license for the purposes of this sentence. No clerk, servant or agent of a licensee, who is convicted of sale of liquor on Sunday, ~~shall~~ may himself be granted a license for sale of liquor for a period not exceeding 5 years from the date of such conviction. No person whose license for sale of liquor expires pending an appeal from conviction of a violation of law forbidding sale of intoxicating liquor on Sunday, by himself or his clerk, servant or agent, on his licensed premises, ~~shall~~ may, after subsequent final conviction of himself, clerk, servant or agent be eligible for a liquor license for a period not exceeding 5 years from the date of such final conviction. No license ~~shall~~ may be issued in which any law enforcement official benefits financially either directly or indirectly.

Sec. 2. 28 MRSA §201-B is enacted to read:

§201-B. Part-time 7-month license

In addition to other part-time licenses under this Title, the commission may issue a part-time 7-month license which shall be valid for a period of 7 calendar months during the 12-month period following its issuance. There may be only one break in the consecutiveness of these months. An applicant for a part-time 7-month license shall designate on the application which months the license shall be in use and these months shall be set out on the license.

Sec. 3. 28 MRSA §701, sub-§2, as enacted by PL 1975, c. 741, §21, is amended to read:

2. Fees for part-time licenses. Fees for part-time licenses for the sale of alcoholic beverages to be consumed on the premises shall be 1/2 the full-time fee at their location for a 6-month license and 7/12 the full-time fee at their location for a 7-month license.

Sec. 4. 28 MRSA §701, sub-§5, as enacted by PL 1975, c. 741, §21, is amended to read:

5. Fees for part-time licenses. Fees for part-time licenses for the sale of malt liquor and table wine to be consumed off the premises shall be 1/2 the full-time license fee for a 6-month license and 7/12 the full-time license fee for a 7-month license.

Effective September 23, 1983.

CHAPTER 80

H.P. 383 - L.D. 466

AN ACT to Require any State Mandated
School Program to Include the Necessary
Funds for Implementation.

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

20-A MRSA §5 is enacted to read:

§5. Funding of state mandates for noneducational services

1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Expenditure" means any local appropriation financed by the property tax, motor vehicle excise tax, state-municipal revenue sharing program or any state reimbursement for revenue lost due to property tax exemptions.

B. "Local unit" means any city, town, plantation or school administrative unit.

C. "Noneducational services" means any service which is not an allowable educational cost under chapter 605.

2. Mandates. The State may not mandate that a school administrative unit implement a new noneducational service after July 1, 1984, unless the State provides sufficient moneys to cover the additional cost of implementing the program.

Effective September 23, 1983.
