

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 453-End

AND AT THE
FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
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

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

the context indicates otherwise, the following terms have the following meaning.

A. "Repeated violation" means a violation of any legal requirement under chapter 22 or under the United States Code, Title 29, Chapter 15, where a previous violation of the same requirement was found which involved a substantially similar hazard.

B. "Serious violation" means a violation where there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use, in that place of employment, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

C. "Willful violation" means a violation committed intentionally or knowingly with an intentional disregard of, or plain indifference to, legal requirements under chapter 22 or under the United States Code, Title 29, Chapter 15.

2. Debarment. The Department of Labor shall, after hearing, debar from participation in state contracts for 2 years any person, partnership, corporation or other public or private entity found to have committed a serious, willful violation or serious, repeated violations of a standard under chapter 22 or under the United States Occupational Safety and Health Act of 1970, United States Code, Title 29, Chapter 15, and either the time for filing an appeal of the determination of that violation has expired or the appeals process has been exhausted.

The department may make an exception to this section if the condition giving rise to the violation has been abated.

Effective September 23, 1983

CHAPTER 487

S.P. 584 - L.D. 1694

AN ACT to Provide for Local Option
Voting on Bottle Clubs.

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

Sec. 1. 28 MRSA §101, sub-§9 is enacted to read:

9. Shall this municipality or unincorporated place prohibit the operation of bottle clubs, which are defined as any person operating on a regular basis a premise for social activities in which members or guests provide their own alcoholic beverages, where no alcoholic beverages are sold on the premises and which maintains suitable quarters for the use of members on a regular basis or charges an admission fee to members or to the general public?

Sec. 2. 28 MRSA §101, as amended by PL 1979, c. 358, §1, is further amended by adding before the 4th paragraph from the end a new paragraph to read:

A vote may be held on question 9 only if a majority of the votes cast in any previous vote in that municipality on questions 2 and 3 were in the negative.

Sec. 3. 28 MRSA §102, first ¶, as enacted by PL 1967, c. 49, §2, is amended to read:

If a majority of the votes cast in any municipality in answer to any local option question is in the affirmative, the State Liquor Commission may issue licenses of the type authorized by such affirmative vote in such municipality, except that in the case of local option question number 9 on bottle clubs, as provided in section 101, no license is required under this Title.

Effective September 23, 1983.

CHAPTER 488

H.P. 728 - L.D. 937

AN ACT to Make Voting Places more
Accessible to the Elderly and Handicapped.

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

Sec. 1. 21 MRSA §604, sub-§1, ¶A, as enacted by PL 1975, c. 165, §2, is amended to read:

A. "Accessible voting place" means a voting place in a building in which has at least one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly voters and in which the voting place is located on the