

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
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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

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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

first floor or is accessible by elevator or in a building which meets the part of the building set aside for voting meets the requirements for accessible routes of the 1981 standards of construction described in Title 25, chapter 331.

Sec. 2. 21 MRSA §604, sub-§2, as amended by PL 1977, c. 233, §§1 and 2, is repealed and the following enacted in its place:

2. Voting places. Before July 1, 1985, each municipality shall provide at least one voting place which is in a building which is accessible as defined in subsection 1.

A. The Secretary of State shall grant a waiver from the requirements of this subsection to any municipality which can satisfactorily demonstrate that those requirements ought not to apply or would create an extreme hardship. Factors which the Secretary of State may consider in making that determination include, but are not limited to, the following: The municipality has no handicapped voters and the physical limitations of a voting place make it impractical to provide an accessible voting place as described in subsection 1. The Secretary of State shall promulgate in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, rules governing the circumstances and procedures for granting a waiver under this paragraph.

Sec. 3. 21 MRSA §604, sub-§4, as enacted by PL 1979, c. 219, is repealed.

Effective September 23, 1983.

CHAPTER 489

H.P. 1311 - L.D. 1740

AN ACT Relating to Major Policy-influencing Positions in Various State Agencies.

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

Sec. 1. 5 MRSA §282, first ¶, as amended by PL 1977, c. 674, §3, is repealed and the following enacted in its place:

The commissioner may, with the approval of the Governor, appoint a deputy commissioner, who shall be