

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

1985-86

1986-87

INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF

Licensing Division
All Other

\$2,000

\$2,000

Effective September 19, 1985.

CHAPTER 305

S.P. 136 - L.D. 375

AN ACT to Clarify Municipal Authority over Automobile Graveyards and Junkyards.

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

30 MRSA §2454, sub-§5, as enacted by PL 1965, c. 481, §3, is amended to read:

5. Rules. No permit shall may be granted for an automobile graveyard or junkyard that is not in conformity with the rules and regulations promulgated under section 2459; however, municipal officers or county commissioners as provided for in section 2452 may in their discretion apply more stringent restrictions, limitations and conditions in considering whether to grant or to deny any permit for an automobile graveyard or junkyard adjacent to any highway. Municipal officers may stipulate reasonable conditions which shall be attached to the permit covering the operation, use and other related matters. Nothing in this chapter may be construed to prevent a municipality from enacting ordinances with respect to automobile graveyards and junkyards which concern such other standards as the municipality determines reasonable, including, but not limited to: Conformance with state and federal hazardous waste regulations; fire safety; traffic safety; levels of noise which can be heard outside the premises; distance from existing residential or institutional uses; and the effect on ground water and surface water, provided that municipal ordinances on ground water are no less stringent than or inconsistent with rules adopted by the Department of Environmental Protection concerning automobile graveyards and junkyards. Municipal officers or county commissioners may consider compliance

with these local ordinances in deciding whether to grant or deny a permit for an automobile graveyard or junkyard and in attaching conditions of approval to the grant of a permit.

Effective September 19, 1985.

CHAPTER 306

H.P. 1104 - L.D. 1593

AN ACT Concerning the Sale of Alcoholic Beverages to Certain Licensees.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 111th Legislature removed the discount on liquor prices enjoyed by all liquor licensees in July of 1984; and

Whereas, the State is not experiencing the expected increase in revenue from the elimination of the discount to licensees partly because agency stores are passing along their discount to licensees and are delivering the liquor sold to the licensees; and

Whereas, potential state revenue is lost everyday that licensees buy liquor from the agency stores at a discount; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

28 MRSA §204, as repealed and replaced by PL 1983, c. 824, Pt. W, is amended to read:

§204. Liquor bought from commission; sale to government agencies; sale to restaurants