

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 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 473

H.P. 1031 - L.D. 1483

AN ACT to Exempt Search and Rescue Units from
the Sales and Use Tax.

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

36 MRSA §1760, sub-§51 is enacted to read:

51. Nonprofit volunteer search and rescue organizations. Sales to incorporated, nonprofit volunteer search and rescue organizations.

Effective September 19, 1985.

CHAPTER 474

H.P. 529 - L.D. 749

AN ACT to Prohibit Consumption of Alcoholic
Beverages within 150 Feet of a Public Way.

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

Whereas, public drinking is a particular problem in Maine during the summer months; and

Whereas, public drinking adversely affects tourists' enjoyment of certain portions of Maine; and

Whereas, tourism during the summer months is important to Maine's economy; 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:

17 MRSA §2003-A, sub-§2, as enacted by PL 1981, c. 418, §2, is repealed and the following enacted in its place:

2. Crime. A person is guilty of public drinking if:

A. After being forbidden to do so personally by a law enforcement officer, he drinks liquor in any public place knowing that he is not licensed or privileged to do so, unless he has been given permission to do so by the owner or authorized person; or

B. Within a municipality, he drinks liquor in any public place other than on state property within 150 feet of a notice posted conspicuously in the public place by the owner or authorized person which forbids drinking liquor in the public place, unless he has been given permission to do so by the owner or authorized person.

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

Effective June 28, 1985.

CHAPTER 475

S.P. 94 - L.D. 292

AN ACT Concerning Minimum Ordinary Death Benefits.

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

Sec. 1. 4 MRSA §1357, sub-§1, as enacted by PL 1983, c. 853, Pt. C, §§15 and 18, is amended to read:

1. Normal method of payment. All regular retirement allowances shall be paid for life in equal monthly installments, adjusted in the month which the death occurs to reflect the date of death, unless an alternative method of payment under one of the options of subsection 2 has been elected.

Upon the death of a former member who was in service as a judge prior to December 1, 1984, and who is 50 years of age or older on that date and who is the recipient of a retirement allowance under the normal method of payment, the surviving spouse who is the named beneficiary at the date of retirement shall become entitled to 1/2 of the amount being paid at the