

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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The Treasurer of State, with the approval of the Commissioner of Finance, the Bank Superintendent and the Commissioner of Educational and Cultural Services, shall invest and reinvest the principal of all funds derived or that may be derived from the sale and lease of lands reserved for public uses in accordance with the laws of the State governing the investment of funds of savings banks, as enumerated in Title 9-B, except as provided in chapter 161.

Sec. 4. 5 MRSA c. 161 is enacted to read:

#### CHAPTER 161

#### DIVESTITURE OF STATE FUNDS

##### §1951. Republic of South Africa; Namibia

After July 1, 1992, no state funds, including trust funds of the State and funds created pursuant to chapter 101, may be:

1. Banks and financial institutions. Invested or remain invested or be deposited or remain deposited in any bank or financial institution which directly or through its subsidiaries, affiliates or parent has outstanding loans or existing lines of credit to:

A. The Republic of South Africa or its instrumentalities; or

B. Namibia or its instrumentalities; or

2. Corporations; companies. Invested or remain invested in the stocks, securities or other obligations of any corporation, company or subsidiary, affiliate or parent of any corporation or company doing business in or with:

A. The Republic of South Africa or its instrumentalities; or

B. Namibia or its instrumentalities.

##### §1952. Review of investments

Prior to July 1, 1988, the Treasurer of State and the Board of Trustees of the State Retirement System shall review state investment policies and current investments to determine those investments which are in violation of section 1951.

##### §1953. Index funds and other short-term investment funds

Until South Africa free short-term investment funds which commingle commercial paper or futures and other investment or index funds which represent a broad representation of the market are available, they are exempt from the restrictions imposed by section 1951.

##### §1954. Stock-share votes

Until July 1, 1992, the State shall use its stock-share vote in the proceedings or business practices of any bank, financial institution or corporation or company which does business in South Africa or Namibia to vote for that company to divest its holdings in South Africa or Namibia.

Sec. 5. 5 MRSA §17103, sub-§11, ¶¶A and B, as enacted by PL 1985, c. 801, §§5 and 7, are amended to read:

A. A discussion of any areas of policy or administration which, in the opinion of the board, should be brought to the attention of the committee; and

B. Any proposed legislation amending the retirement system law which the board recommends to improve the retirement system; and

Sec. 6. 5 MRSA §17103, sub-§11, ¶C is enacted to read:

C. A discussion of the progress toward meeting the goals of chapter 161.

Effective September 29, 1987.

## CHAPTER 248

H.P. 1213 — L.D. 1655

### AN ACT to Amend the Liquor Laws as they Pertain to State Brewers.

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

28-A MRSA §1355, sub-§1-A is enacted to read:

1-A. Breweries. The following provisions apply to the manufacturer's license issued to a brewery, other than a small Maine brewery licensed under subsection 2.

A. The holder of a brewery license may produce malt liquor in an amount exceeding 50,000 gallons a year.

B. The holder of a brewery license may permit sampling of the malt liquor product on the premises:

(1) By employees for the purpose of quality control of the product;

(2) By wholesalers for the purpose of determining whether to carry the brewery's product as a wholesale product, provided that the excise tax on any product sampled is paid before sampling; and

(3) By the public in conjunction with a tour of the brewery's facilities, provided that:

(a) The excise tax on any product sampled is paid before sampling; and

(b) Minors are not permitted to consume any product with an alcohol content greater than 1/2 of 1%.

C. The holder of a brewery license may sell on the brewery premises during regular business hours a specialty package of malt liquor produced at the brewery, the volume of which is not to exceed one gallon, to be consumed off the premises.

D. The holder of a brewery license may sell the brewery's product to wholesalers.

E. The holder of a brewery license may be issued one license under chapter 43 for the sale of liquor to be consumed on the premises for a location other than the brewery.

(1) The retail license must be held exclusively by the holder of the brewery license.

(2) This retail license authorizes the sale of products of the brewery, other than the specialty package under paragraph C, in addition to other liquor permitted to be sold under the retail license, to be consumed on the premises.

(3) Notwithstanding section 1361, the brewery licensee may sell products of the brewery directly to the retail licensee under this paragraph without selling to a wholesale licensee. The brewery licensee shall keep and maintain complete records on all sales to the retail licensee.

(4) All records of the brewery licensee shall be kept separate from the records of the retail licensee.

Effective September 29, 1987.

## CHAPTER 249

H.P. 1214 — L.D. 1656

### AN ACT Relating to Property Abandoned by Tenants.

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

Sec. 1. 14 MRSA §6013, 2nd ¶, as enacted by PL 1981, c. 428, §7, is repealed and the following enacted in its place:

The landlord shall place in storage in a safe, dry, secured location any property with a total value of less than \$100 which is abandoned or unclaimed by a tenant following the tenant's vacating the rental unit. The landlord shall send written notice by first class mail with proof of mailing to the last known address of the tenant concerning the landlord's intent to dispose of the abandoned property. The notice must include an itemized list of the items and containers of items of property aban-

doned. If the tenant claims the property within 14 days after the notice is sent, the landlord shall continue to store the property for at least 10 days after the tenant's response to allow the tenant time to take possession of the property. If the property remains unclaimed after the 14th day after notice has been sent or after the 10th day after the tenant claims the property, the landlord may sell the property for a reasonable fair market price and apply all proceeds to rental arrearages, damages and costs of storage and sale. All remaining balances shall then be forwarded to the Treasurer of State.

Sec. 2. 33 MRSA §1313, sub-§1, as enacted by PL 1979, c. 327, §3, is amended to read:

1. Presumption of abandonment. All property held by a landlord that has been left on the premises after a tenant has terminated his tenancy or vacated the premises shall be presumed abandoned if it has not been claimed within 30 days of the termination, vacating or service of a writ of possession 14 days after written notice has been sent by first class mail with proof of mailing to the last known address of the tenant.

Effective September 29, 1987.

## CHAPTER 250

H.P. 1217 — L.D. 1660

### AN ACT to Provide School Approval for Nontraditional Limited Purpose Schools.

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

20-A MRSA §2907 is enacted to read:

§2907. Nontraditional limited purpose school approval

1. Requirements. A nonprofit institution, not otherwise approved under this subchapter, may operate as an approved nontraditional limited purpose school if it demonstrates a commitment to the educational process and to the State's youth by possessing the following:

A. An incorporated council, board of trustees, board of directors or other governing board composed of a cross section of the community served by the school;

B. An established educational plan;

C. A written curriculum with appropriate goals, objectives and instructional strategies;

D. Specific instructional time commensurate with the educational activities planned;

E. Facilities that comply with state health, safety and fire codes;