

# 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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Mental Health Institute, with the approval of the Commissioner of Public Safety.

Sec. 3. 25 MRSA §2906, first ¶, as enacted by PL 1977, c. 138, §3, is amended to read:

The Commissioner of Public Safety is authorized and empowered to make and enforce rules, subject to the approval of the Governor, governing the use of public ways and parking areas maintained by the State ~~at the seat of government at the capitol area or other state controlled locations in Augusta.~~ Said These rules and regulations shall become effective upon deposit of a copy thereof with the Secretary of State, who shall forward a copy thereof attested under the Great Seal of the State to the District Court for Southern Kennebec.

Sec. 4. 25 MRSA §2908, first ¶, as amended by PL 1985, c. 785, Pt. B, §114, is further amended to read:

The Commissioner of Public Safety is authorized and empowered to appoint and employ, subject to the Civil Service Law, security officers who shall have the powers of arrest of a sheriff in the Capitol Area, parks, grounds, buildings and appurtenances owned or leased by the State ~~at the seat of government capitol area of other state controlled locations in Augusta.~~

Sec. 5. 25 MRSA §2910, as enacted by PL 1977, c. 138, §3, is repealed and the following enacted in its place:

Any person found guilty of violating any rule made pursuant to sections 2904 to 2907 shall, upon conviction, pay a fine of not less than \$10 for each offense.

Effective September 29, 1987.

## CHAPTER 417

H.P. 1355 — L.D. 1854

### AN ACT to Clarify the Authority of Municipalities to Construct Sewer Systems or Sewage Disposal Systems.

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

30 MRSA §4352, first ¶ is amended to read:

The municipal officers of a town or a committee duly chosen by the town may, at the expense of the town, construct public drains or sewers, sewer systems or sewage disposal systems along or across any public way therein and through or upon any lands of persons or corporations when they deem it necessary for public convenience or health. Neither the municipal officers of the town nor such committee shall construct any public sewer, sewer system or sewage disposal system therein until the same shall be authorized by vote of said town and an appropriation made for the purpose, and when con-

structed, such sewers, sewer systems or sewage disposal systems shall be under the control of the municipal officers.

Effective September 29, 1987.

## CHAPTER 418

H.P. 1365 — L.D. 1869

### AN ACT to Temporarily Allow the Sale of Liquor on Sunday in Restaurants in Certain Municipalities.

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

Whereas, many liquor licensees have been selling liquor on Sunday in municipalities which have never voted on local option questions concerning sale of liquor on Sundays; and

Whereas, municipalities have permitted these liquor sales; and

Whereas, neither the licensees, the municipalities nor anyone else was aware that such sales were not legal; and

Whereas, many of these businesses rely greatly on the summer tourist season for their existence and these same businesses have for years innocently sold liquor on Sunday; and

Whereas, to prohibit these businesses from engaging in the sale of liquor, which they have in good faith engaged in for years, will seriously damage their viability this summer; 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 §104 is enacted to read:

#### §104. Interim sale of liquor on Sunday

1. Application. This section applies only to a licensee which:

A. Is located in a municipality which has not voted against the sale of liquor to be consumed on the premises on Sunday since 1970;

B. Has sold liquor on Sunday for at least 2 years as of June 1, 1987; and