

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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1991

objectivity. ~~No~~ A person shall may not be appointed to this commission who is a member of the Legislature or who was a member of the previous Legislature, or who was a declared candidate for an elective county, state or federal office within 2 years prior to the appointment, or who now holds an elective county, state or federal office, or who is an officer of a political committee, party committee or political action committee.

See title page for effective date.

CHAPTER 87

H.P. 67 - L.D. 95

An Act Concerning the Licensing of Organizations Operating Games of Chance or Beano

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

Sec. 1. 17 MRSA §314, first ¶, as amended by PL 1977, c. 696, §365, is further amended to read:

The Chief of the State Police may issue licenses to operate "Beano" or "Bingo" games on a monthly basis to any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or ~~veteran's~~ veterans' organization ~~which~~ that was in existence at least 2 years prior to its application for a license, when sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized members thereof. The Chief of the State Police may also issue a license to any auxiliary associated with an organization, department or association qualified for a license under this section if the auxiliary has been in existence at least 2 years before applying for a license and the games are sponsored, operated and conducted for the exclusive benefit of the auxiliary by duly authorized members of the auxiliary. Proceeds from any game conducted by the auxiliary or the auxiliary's parent organization may not be used to provide salaries, wages or other remuneration to members, officers or employees of the auxiliary or its parent organization. Said ~~The~~ 2 years' limitation shall does not apply to any chartered posts of ~~veterans~~ veterans' organizations, nationally established, or auxiliaries of those posts, even though ~~such~~ the posts have not been in existence for 2 years prior to their application for a license nor ~~shall~~ does the 2 years' limitation apply to any volunteer fire department or rescue unit; ~~and provided that a~~ or auxiliary of that department or unit. A license may be issued to an agricultural fair association when sponsored, operated and conducted for the benefit of such agricultural fair association.

Sec. 2. 17 MRSA §314, 2nd ¶, as amended by PL 1987, c. 197, §2, is further amended to read:

The fee for such a license to any nonprofit organization is \$5 for each calendar week, or portion thereof, that the amusement is to be operated, or the license may be issued for

a calendar month for a fee of \$15. All license fees ~~shall~~ must be paid to the Treasurer of State to be credited to the General Fund. ~~No licenses may be~~ A license is not assignable or transferable. Nothing contained in this section ~~is to~~ may be construed to prohibit any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious or ~~veterans'~~ veterans' organization or auxiliary of any of them from obtaining licenses for a period not to exceed 6 months on one application. No more than one license may be issued to any organization for any one period. No more than one licensee may operate or conduct a game of "beano" or "bingo" on the same premises on the same date.

See title page for effective date.

CHAPTER 88

S.P. 146 - L.D. 358

An Act to Ensure Safe Removal of Underground Oil Storage Tanks

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

Sec. 1. 38 MRSA §566-A, sub-§3, as amended by PL 1989, c. 865, §12, is further amended to read:

3. Rulemaking. The board shall adopt rules allowing for the granting of a variance from the requirement of removal where abandonment by removal is not physically possible or practicable due to circumstances other than those listed in this subsection. The board shall adopt rules setting forth the proper procedures for abandonment of underground oil storage facilities and tanks, including requirements and procedures to conduct a site assessment for the presence of discharges of oil prior to completion of abandonment at facilities storing motor fuel or used in the marketing and distribution of oil ~~and~~ acceptable methods of disposing of the removed tanks, requirements for venting at least 12 feet above ground level flammable gases purged from tanks and from trucks removing oil from tanks and procedures for abandonment in place where removal of a tank or other component of a facility is determined not physically possible or practicable.

Sec. 2. 38 MRSA §566-A, sub-§5, as amended by PL 1989, c. 312, §19, is further amended to read:

5. Qualified personnel. All abandoned facilities and tanks used for the storage of Class 1 liquids that require removal ~~shall~~ must be removed under the ~~direction~~ direct, on-site supervision of an underground oil storage tank installer certified pursuant to Title 32, chapter 104-A, or of ~~professional fire-fighting certified fire-fighting~~ professional fire-fighting certified fire-fighting personnel, except for underground gasoline storage tanks removed pursuant to subsection 6. ~~The certified installer need not be present at the site at the time of the tank's or facility's~~