

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

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 95**H.P. 388 - L.D. 562****An Act Regarding Local Option Questions on the Sale of Beer and Wine****Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 28-A MRSA §123, sub-§2, as repealed and replaced by PL 1987, c. 342, §18, is amended to read:

2. Sale of liquor for consumption off the premises on days other than Sunday. Shall this municipality authorize the State Liquor Commission to permit the operation of state liquor stores and agency liquor stores and to issue licenses for the sale of liquor to be consumed off the premises of licensed establishments on days other than Sunday?

Sec. 2. 28-A MRSA §123, sub-§2-A is enacted to read:

2-A. Sale of malt liquor and wine for consumption off the premises on days other than Sunday. Shall this municipality authorize the State Liquor Commission to issue licenses for the sale of malt liquor and wine to be consumed off the premises of licensed establishments on days other than Sunday?

Sec. 3. 28-A MRSA §123, sub-§4, as repealed and replaced by PL 1987, c. 342, §18, is amended to read:

4. Sale of liquor for consumption off the premises on Sundays. Shall this municipality authorize the State Liquor Commission to permit the operation of state liquor stores and agency liquor stores and to issue licenses for the sale of liquor to be consumed off the premises of licensed establishments on Sundays?

Sec. 4. 28-A MRSA §123, sub-§4-A is enacted to read:

4-A. Sale of malt liquor and wine for consumption off the premises on Sundays. Shall this municipality authorize the State Liquor Commission to issue licenses for the sale of malt liquor and wine to be consumed off the premises of licensed establishments on Sundays?

Sec. 5. 28-A MRSA §124, sub-§4, as amended by PL 1987, c. 623, §5, is further amended to read:

4. Repeal or reconsideration. ~~Where~~ When a municipality or unincorporated place has voted to accept or reject any local option question, the vote is effective until repealed by a new petition and vote as required by section 121 or 122. A negative vote on a question repeals existing privileges only if the petition clearly indicates an intent that it do so. No local

option vote may be taken on the same question more than once in any one-year period.

See title page for effective date.

CHAPTER 96**H.P. 99 - L.D. 140****An Act to Establish Standards of Financial Need for Grants under the Small Community Grants Program**

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

Whereas, the Legislature has authorized the State to contribute to certain pollution abatement construction programs; and

Whereas, the Legislature intended to restrict state contributions for projects serving single-family dwellings or single commercial establishments to owners that are in financial need of such contributions; and

Whereas, the Department of Environmental Protection has adopted rules contrary to the Legislature's original intent; and

Whereas, it is necessary to clarify this intent immediately before state funds are granted in contravention of the Legislature's original purpose; 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:

38 MRSA §411, first ¶, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §24, is further amended to read:

The commissioner may pay an amount not to exceed 80% of the expense of a municipal or quasi-municipal pollution abatement construction program or a pollution abatement construction program in an unorganized township or plantation authorized by the county commissioners. The commissioner may make payments to the Maine Municipal Bond Bank to supply the State's share of the revolving loan fund established by Title 30-A, section 6006-A. The commissioner may pay up to 90% of the expense of a municipal or quasi-municipal pollution abatement construction program or a pollution abatement construction program in an unorganized township or plantation authorized by the county com-