

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

Sec. 2. 30-A MRSA §2, sub-§1-A is enacted to read:

1-A. Knox County commissioners. At the end of calendar year 1991 the salary of the District 2 county commissioner in Knox County reverts to the same salary paid to the other Knox County commissioners. The 1991 calendar year salary for the District 2 county commissioner in Knox County is not to be construed as a waiver of section 52, subsection 2.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved and applies retroactively to January 1, 1991.

Effective July 8, 1991.

CHAPTER 542

H.P. 1373 - L.D. 1958

An Act Regarding Simulcasting of Harness Racing

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

Whereas, statutory changes governing harness racing need to be enacted for this harness racing season, which will be underway before the expiration of the 90-day period; 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:

Sec. 1. 8 MRSA §268, as amended by PL 1989, c. 882, is further amended by adding after the 2nd paragraph the following:

During 1991, the commission may proceed under the emergency rule-making provisions of Title 5, section 8054, without making findings of emergency when the only changes to be made are regarding the number of simulcast horse races on the same day as any regular track meeting.

Sec. 2. 8 MRSA §268, as amended by PL 1989, c. 882, is further amended by adding at the end the following:

The commission may adopt rules allowing interstate simulcasting at a licensee's race track during any regular meeting.

Sec. 3. Retroactivity. Section 2 of this Act is retroactive to July 14, 1990.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved unless otherwise indicated.

Effective July 8, 1991.

CHAPTER 543

H.P. 1142 - L.D. 1667

An Act to Regulate Sales of Malt Liquor in Kegs

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

28-A MRSA §714, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed and the following enacted in its place:

§714. Malt liquor sales in kegs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Keg" means a container capable of holding at least 7.75 gallons of liquid.

B. "Off-premises licensee" means a licensee licensed to sell liquor for consumption off the premises.

2. Right of sale and purchase. The commission may not deny the wholesale and retail sale of malt liquor in a keg or any fraction of a keg to a purchaser entitled to purchase malt liquor.

3. Tagging requirement. The sale of malt liquor in kegs is subject to the following.

A. Every keg of malt liquor offered for sale by an off-premises licensee must be tagged in a manner and with a label of a type approved by the Director of the Bureau of Liquor Enforcement identifying the keg. The tag must be supplied and affixed to each keg, without fee, by the wholesaler of the keg.

B. The seller of the keg shall require the purchaser to complete a form designed and approved by the Director of the Bureau of Liquor Enforcement and supplied to the seller by the distributor of the keg. The form must be printed and distributed, without fee, by the wholesaler of the keg. The form must include the name, address and date of birth of the purchaser and the identification number of the keg. The form must summarize the requirements of this section, the penalties for violating any provision of