

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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

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J.S. McCarthy Company  
Augusta, Maine  
1993

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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**6. Instructor training.** Each instructor providing instruction in an approved alcohol server education course shall biennially attend a seminar on the liquor laws of the State provided by an employee of the Bureau of Liquor Enforcement. There is a \$5 fee for the seminar to offset expenses incurred in carrying out this subsection. The instructor of each seminar provided shall supply the Bureau of Liquor Enforcement with the name, address and telephone number of each attendant.

**7. Course accountability.** The Director of the Bureau of Liquor Enforcement may appoint an employee of the bureau to monitor each alcohol server education course to ensure that the course presents proper training and meets the approved criteria. The Bureau of Liquor Enforcement shall maintain a record of the participants who have completed an alcohol server training course. Each instructor of an approved course shall provide the Director of the Bureau of Liquor Enforcement with the names, addresses, dates of birth and social security numbers of students who complete the course and the date of completion. The instructors shall forward \$3 of the \$28 enrollment fee to the Bureau of Liquor Enforcement for every name submitted. The amounts collected must be retained by the Bureau of Liquor Enforcement to cover costs incurred in carrying out this subsection.

**8. Alcohol server education courses; approval; suspension; revocation.** The Commissioner of Public Safety may refuse to issue or renew approval for an alcohol server education course. The Commissioner of Public Safety may suspend or revoke approval for an alcohol server education course upon the recommendation of the advisory committee after reviewing the report of the monitor. The following are grounds for an action to refuse to issue or renew approval or to suspend or revoke approval.

A. The advisory committee finds that an alcohol server education course does not meet the criteria listed in subsection 3 or specific criteria determined by the committee.

B. The course, when presented, does not follow specific criteria determined by the advisory committee before issuance of approval.

C. The instructor of the course does not provide information or access to the monitor as required by subsection 7.

D. Fraud or deceit is used to obtain course approval or in providing the course or issuing certificates.

A person aggrieved by a decision of the Commissioner of Public Safety to refuse to issue or renew approval or to suspend or revoke approval for an alcohol server edu-

cation course may, within 30 days of receipt of that decision, appeal the decision to the Administrative Court.

See title page for effective date.

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## CHAPTER 267

S.P. 184 - L.D. 620

### An Act to Clarify What Constitutes an Emergency Regarding Disconnection of Utility Service for the Emergency Assistance Program

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

**Sec. 1. 22 MRSA §3761, 2nd ¶,** as enacted by PL 1983, c. 477, Pt. E, sub-pt. 9, §1, is amended to read:

This program shall provide benefits to needy families with children in emergency situations in which the family is deprived of the basic necessities essential to their support, including, but not limited to, utility terminations, lack of adequate shelter, fire and other natural disasters. In determining what constitutes an emergency with respect to utility terminations, the department shall grant assistance when an otherwise qualified family has received a disconnection notice and has exhausted their ability to negotiate and pay the terms of a reasonable payment arrangement. The program shall may not be used to supplant local responsibility for operating or funding a general assistance program.

See title page for effective date.

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## CHAPTER 268

S.P. 177 - L.D. 591

### An Act Related to Mortgage Companies

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

**Sec. 1. 9-A MRSA §6-203, sub-§2,** as amended by PL 1987, c. 590, is further amended to read:

2. Persons required to file notification who are sellers, lessors or lenders shall pay an additional fee, at the time and in the manner stated in subsection 1, of \$25 for each \$100,000, or part thereof, of the original unpaid balances arising from consumer credit transactions, ~~except those secured by an interest in land in which the rate of finance charge disclosed is 12 1/4% or less, and which are not variable rate transactions in which the annual percentage rate has the capacity to exceed 12 1/4%~~