

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

is authorized to use all necessary powers to collect the forfeiture. If the full amount of the forfeiture is not collected within the 30 days after the commission has determined that a violation of this section has occurred, the commission shall report to the Attorney General the name of the person who has failed to pay. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the forfeiture. This action must be brought in the Superior Court for the County of Kennebec or the District Court, 7th District, Division of Southern Kennebec.

See title page for effective date.

CHAPTER 44

H.P. 129 - L.D. 177

An Act to Clarify the Financial Assurance Provisions Applicable to Solid Waste Disposal Facilities

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

Sec. 1. **38 MRSA §1310-Y, first ¶,** as enacted by PL 1993, c. 378, §9, is amended to read:

An owner or operator of a solid waste disposal facility licensed under section 1310-N shall provide the department assurance of its financial ability to satisfy the estimated cost of corrective action for known releases from the facility and its financial capacity to satisfy the estimated cost of closure and postclosure care and maintenance at the facility for a period of at least 30 years after closure. The board may adopt rules that increase or decrease that postclosure care period, as long as those rules are consistent with applicable federal rules. This section does not apply to a municipally owned or operated solid waste disposal facility that accepts exclusively special waste, construction and demolition debris, land-clearing debris or any combination of those types of waste.

See title page for effective date.

CHAPTER 45

S.P. 123 - L.D. 298

An Act to Extend the Return Period for Judgment Executions

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

Sec. 1. **14 MRSA §4651,** as amended by PL 1987, c. 184, §22, is further amended to read:

§4651. Issue and return

Executions may be issued on a judgment of the Superior Court or the District Court after the judgment has become final by the expiration of the time for appeal, by dismissal of an appeal or on certificate of decision from the law court, unless the court has pursuant to rule ordered execution at an earlier time, and ~~shall be~~ are returnable within ~~one year~~ 3 years after issuance.

See title page for effective date.

CHAPTER 46

H.P. 239 - L.D. 341

An Act to Allow Restaurants to Sell Liquor on Sunday Mornings

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

Sec. 1. **28-A MRSA §4, sub-§1, ¶A,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

A. Licensees may not sell liquor on Sunday between the hours of 6 a.m. and 12 noon. A Class A restaurant or a Class A restaurant/lounge may commence selling liquor on Sunday at 9 a.m.

See title page for effective date.

CHAPTER 47

S.P. 206 - L.D. 549

An Act to Give the State a Right to Appeal from the Denial of a Rule 35 Motion

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

Sec. 1. **15 MRSA §2115-A, sub-§2-B** is enacted to read:

2-B. Appeal from the denial of a Rule 35 motion. If a motion for correction or reduction of a sentence brought by the attorney for the State under Rule 35 of the Maine Rules of Criminal Procedure is denied in whole or in part, an appeal may be taken by the State from the adverse order of the trial court to the Law Court.