

# 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**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

T. For limitations upon the exercise of the powers conferred upon the authority by this chapter;

U. For the issuance of these bonds in series or in serial form or for a stated term of years with or without mandatory retirements from a sinking fund or otherwise;

V. For the issuance, in addition to the issuance of notes and other evidences of indebtedness or obligations authorized under this chapter, of notes in anticipation of authorized bonds and for the exercise with respect to the bond anticipation notes of any or all of its powers delineated in this chapter for the issuance of bonds; and

W. For the performance by the authority of any acts and things necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the authority as will tend to make the bonds more marketable notwithstanding that those acts or things may not be enumerated in this chapter.

See title page for effective date.

**CHAPTER 139**

**H.P. 397 - L.D. 532**

**An Act to Restrict the Use of Eminent Domain Power**

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

**Sec. 1. 5 MRSA §6207-A**, as amended by PL 1993, c. 728, §11, is further amended to read:

**§6207-A. Use of eminent domain**

The board may expend funds to acquire an interest in land obtained by the use of eminent domain only if the ~~expenditure~~ or acquisition has been approved by the Legislature or is with the consent of the owner or owners of the land, as the identity and address of the owner or owners is shown on the tax maps or other tax records of the municipality in which the land is located. If the land is located within the unorganized territory, for purposes of this section the identity of the owner or owners must be as shown on the tax maps or other tax records of the State Tax Assessor.

See title page for effective date.

**CHAPTER 140**

**S.P. 281 - L.D. 753**

**An Act to Correct and Clarify Certain Provisions of the Liquor Laws**

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

**Sec. 1. 5 MRSA §10051, sub-§3**, as repealed and replaced by PL 1985, c. 748, §4, is amended to read:

**3. Appellate jurisdiction.** The Administrative Court ~~shall have~~ has exclusive jurisdiction to review disciplinary decisions of occupational licensing boards and commissions taken pursuant to Title 10, section 8003 and licensing decisions of the Bureau of Liquor Enforcement taken pursuant to Title 28-A, sections 453-A, 458 and 653. The Maine Administrative Procedure Act, chapter 375, subchapter VII, ~~shall govern~~ governs these proceedings as far as applicable, substituting "Administrative Court" for "Superior Court."

**Sec. 2. 28-A MRSA §62-A, sub-§5**, as enacted by PL 1993, c. 730, §21, is amended to read:

**5. Act as a review board.** Act as a review board on all appeals from the decisions of municipal officers. The bureau shall appoint a hearings officer to conduct appeal hearings. Except as provided in section 805, the decision of the chief is final. The hearings officer for the bureau is the Director of the Liquor Licensing and Tax Division.

The hearings officer may conduct hearings in any licensing matter pending before the bureau. The hearings officer shall, after holding the hearing, file with the bureau all papers connected with the case and report the findings to the ~~director~~ chief. The ~~director~~ chief shall render a final decision based upon the record of the hearing.

The hearings officer may administer oaths and issue subpoenas for witnesses and subpoenas duces tecum to compel the production of books and papers relating to any license question in dispute before the bureau or to any matter involved in a hearing. Witness fees in all proceedings are the same as for witnesses before the Superior Court and must be paid by the bureau, except that, notwithstanding Title 16, section 253, the bureau is not required to pay the fees before the travel and attendance occur;

**Sec. 3. 28-A MRSA §161-B** is enacted to read: