

# 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**

the issuance or denial of a permit stating the reasons for issuance or denial; ~~and~~

E. Provided an application form that is substantially the same as that provided by the commissioner; ~~and~~

F. Appointed a code enforcement officer, certified by the Department of Economic and Community Development.

See title page for effective date.

**CHAPTER 268**

**S.P. 387 - L.D. 1064**

**An Act to Increase the Amount of Reimbursement to Animal Shelters Housing Stray Dogs**

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

**Sec. 1. 7 MRSA §3913, sub-§2-A**, as amended by PL 1993, c. 657, §15, is further amended to read:

**2-A. Animal shelter.** An animal shelter, as defined in section 3907, to which a stray dog is taken; shall accept the dog for a period of 6 days; unless the shelter is in quarantine or has a bona fide lack of adequate space. The acceptance entitles the animal shelter to receive from the department the sum of ~~\$2.50~~ \$4 a day for the period for which food and shelter are furnished to the dog. An animal shelter may refuse to accept dogs from municipalities not contracting with that shelter.

**Sec. 2. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1995-96	1996-97
<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>		
<b>Public Services - Agriculture</b>		
All Other	\$63,750	\$85,000
Provides allocations for increased reimbursements to animal shelters for the housing of stray dogs.		

See title page for effective date.

**CHAPTER 269**

**H.P. 1014 - L.D. 1429**

**An Act Pertaining to the Purchase Deposit on Automobiles**

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

**Sec. 1. 10 MRSA §1174, sub-§4**, as amended by PL 1981, c. 470, Pt. A, §§24 and 25, is further amended to read:

**4. Dealer violations.** Motor vehicle dealer:

A. To require a purchaser of a new motor vehicle, as a condition of sale and delivery thereof, to also purchase special features, appliances, equipment, parts or accessories not desired or requested by the purchaser; provided, however, that this prohibition ~~shall~~ does not apply as to special features, appliances, equipment, parts or accessories ~~which~~ that are already installed on the car when received by the dealer; provided further, that the motor vehicle dealer prior to the consummation of the purchase reveals to the purchaser the substance of this paragraph;

B. To represent and sell as a new motor vehicle any motor vehicle ~~which~~ that has been used and operated for demonstration purposes or ~~which~~ is otherwise a used motor vehicle; ~~or~~

C. To resort to or use any false or misleading advertisement in connection with ~~his~~ business as ~~such a~~ motor vehicle dealer; or

D. To fail to disclose conspicuously in writing the motor vehicle dealer's policy in relation to the return of deposits received from any person. A dealer shall require that a person making a deposit sign the form on which the disclosure appears.

**Sec. 2. 10 MRSA §1475, sub-§2-A, ¶¶F and G**, as enacted by PL 1989, c. 878, Pt. F, §3, are amended to read:

F. A statement, if applicable, disclosing that the vehicle was returned to the manufacturer, its agent or authorized dealer, for its nonconformity with express warranties. The statement must identify the nature of the nonconformities; ~~and~~

G. If the vehicle is repossessed, a statement identifying this fact; ~~and~~

**Sec. 3. 10 MRSA §1475, sub-§2-A, ¶H** is enacted to read:

H. The dealer's duty to disclose conspicuously in writing the dealer's policy in relation to the return of deposits received from any person. A dealer shall require that a person making a deposit sign the form on which the disclosure appears.

See title page for effective date.

## CHAPTER 270

### H.P. 830 - L.D. 1161

#### An Act Regarding the Granting of Hotel Liquor Licenses to Establishments

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

**Whereas,** current law provides different criteria for the issuing of a hotel liquor license depending on whether the establishment is in a heavily populated area; and

**Whereas,** there are many places where large municipalities consist of varied population areas, such as a lightly populated offshore island being part of a large mainland city; and

**Whereas,** the islands of Maine are a unique and special part of the State's culture, history and economy, especially in the summer months when so much of the State's income depends on the tourist trade; and

**Whereas,** it is necessary to support and maintain the businesses that make up the State's economy; 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. 28-A MRSA §1061,** as amended by PL 1991, c. 824, Pt. D, §4, is further amended to read:

#### §1061. Hotels

**1. Issuance of licenses.** The ~~commission~~ bureau may issue licenses under this section for the sale of spirits, wine and malt liquor to be consumed on the premises to hotels, as defined in section 2, subsection 15, paragraph H.

**2. Minors not permitted on premises.** Except as provided in ~~paragraphs A and~~ paragraph B, no hotel licensee may permit any minor in any ~~part of the hotel where the license privilege is exercised~~ lounge that serves alcoholic beverages.

~~A. Minors may be permitted in public dining rooms and sleeping rooms.~~

B. This subsection does not apply when:

(1) The minor is accompanied by a parent, legal guardian or custodian, as defined in Title 22, section 4002;

(2) The minor is employed under section 704; or

(3) The licensee does not permit consumption of liquor on the licensed premises.

**3. Income from sale of food requirement.** At least 10% of the gross annual income must be from the sale of food for each hotel.

**4. Required number of sleeping rooms.** Each hotel must be equipped with at least the required number of adequate sleeping rooms.

A. The number of rooms required is based on the population of the municipality in which the hotel is located, as reported in the 1960 Federal Decennial Census. If the population reported in the most recent Federal Decennial Census is at least 20% less than the population reported in the 1960 census, the most recent Federal Decennial Census must be used to determine the number of rooms required.

(1) If the hotel is located in a municipality having a population of 7,500 or less, the hotel must have at least 12 adequate sleeping rooms.

(2) If the hotel is located in a municipality having a population of more than 7,500, the hotel must have at least 30 adequate sleeping rooms.

If the hotel is located on an offshore island that is part of a mainland municipality, then the number of rooms required is based on the population of the island, rather than that of the municipality as a whole.

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

Effective June 21, 1995.