

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**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**

**Sec. 2. 7 MRSA §3950-A, first ¶**, as amended by PL 1995, c. 490, §18, is further amended to read:

Any mayor, municipal officer, clerk, town or city manager, administrative assistant to the mayor, town or city councilor, dog recorder of unorganized territories, constable, police officer, sheriff or animal control officer who refuses or intentionally fails to perform the duties imposed by chapters 719, 720, 721, ~~723~~ 725 and ~~729~~ 730 and by this chapter commits a civil violation for which a forfeiture of not less than \$10 nor more than \$50 and costs may be adjudged.

See title page for effective date.

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## CHAPTER 558

### H.P. 1267 - L.D. 1742

#### An Act to Amend the Liquor Licensing Laws

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

**Whereas**, the professional baseball season will begin on or before June 1, 1996; 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 §2, sub-§15, ¶D-1** is enacted to read:

D-1. "Curling club" means any facility offering curling facilities to the public for a fee that has adequate facilities for the sale and consumption of liquor.

**Sec. 2. 28-A MRSA §2, sub-§15, ¶M**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

M. "Outdoor stadium" means any commercially operated outdoor facility with 5,000 or more seats designed or used for the playing of any sport or event, ~~which~~ or any outdoor facility with 3,000 or more seats at times when that facility is being used for the playing of professional baseball, that is open to the general public, which charges a fee and ~~which~~ has adequate facilities

for the sale and consumption of wine and malt liquor.

**Sec. 3. 28-A MRSA §1004, sub-§3, ¶E-1** is enacted to read:

E-1. Curling clubs:

**Sec. 4. 28-A MRSA §1073**, as amended by PL 1989, c. 244, §6, is further amended by repealing and replacing the headnote to read:

**§1073. Indoor racquet clubs; ice skating clubs; golf club facilities; curling clubs; and bowling centers**

**Sec. 5. 28-A MRSA §1073, sub-§1**, as amended by PL 1989, c. 244, §6, is further amended to read:

**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 bowling centers, curling clubs, golf clubs, indoor ice skating clubs and indoor racquet clubs as defined in section 2, subsection 15, paragraphs B-1, D-1, G, J and K respectively.

**Sec. 6. 28-A MRSA §1074, sub-§1**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

**1. Issuance of licenses.** The commission may issue licenses under this section for the sale of wine and malt liquor to be consumed on the premises to outdoor stadiums, as defined in section 2, subsection 15, paragraph M. A concessionaire or lessee may be issued a license under this section, regardless of whether it controls the premises, as long as that concessionaire or lessee complies with the notice provisions applicable to qualified catering services in section 1076, subsection 7 prior to exercising the license.

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

Effective March 20, 1996.

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## CHAPTER 559

### H.P. 1302 - L.D. 1783

#### An Act to Repeal the Sunset and Reporting Requirements Regarding Transportation of Unscheduled Freight in Casco Bay

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

**Sec. 1. 35-A MRSA §5111**, as amended by PL 1993, c. 589, §8, is repealed.

See title page for effective date.

**CHAPTER 560**

**H.P. 1363 - L.D. 1873**

**An Act to Implement the Recommendations of the Productivity Realization Task Force and to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for Fiscal Years Ending June 30, 1996 and June 30, 1997**

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

**Whereas**, the 90-day period may not terminate until after the beginning of the next fiscal year; and

**Whereas**, certain obligations and expenses will become due and payable on or immediately after July 1, 1996; 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:**

**PART A**

**Sec. A-1. Supplemental appropriations from General Fund.** There are appropriated from the General Fund for the fiscal years ending June 30, 1996 and June 30, 1997 to the departments listed, the following sums.

	1995-96	1996-97
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
Accounts and Control - Bureau of		

Personal Services	(\$15,920)	(\$2,520)
Provides for the deappropriation of Personal Services funds no longer required for unemployment costs.		

**Financial and Personnel Services - Division of**

Positions - Legislative Count	(1.0)	(1.0)
Personal Services	18,838	41,088
All Other	750	1,500
<b>TOTAL</b>	19,588	42,588

Provides for the appropriation of funds from the transfer of one Planning and Research Associate I position from the Department of Economic and Community Development as part of the Department of Administrative and Financial Services cluster. This position will be reorganized to one Accountant II position.

**Productivity Realization Task Force**

All Other	(250,000)
Provides for the deappropriation of funds no longer required by the Productivity Realization Task Force.	

**Public Improvements - Planning/Construction - Administration**

Personal Services	(12,709)
Provides for the deappropriation of funds to reflect the net savings of eliminating one Clerk Typist II position and the transfer of one Data Entry Specialist position from the Department of Education.	

**Executive Branch Departments and Independent Agencies - Statewide**

Personal Services	156,104	315,826
Provides for the appropriation of funds for		