

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

1. Hours for sale of liquor. Except as provided in paragraphs A ~~and B~~ to D, licensees may sell or deliver liquor from 6 a.m. on any day until 1 a.m. of the following day.

A. Licensees may not sell liquor on Sunday between the hours of 6 a.m. and 9 a.m.

B. Licensees may sell liquor on January 1st of any year from 12 midnight to 2 a.m.

(1) In areas in which liquor may be sold except on Sundays, if January 1st falls on a Monday, licensees may sell or deliver liquor between 9 p.m. Sunday, December 31st and 2 a.m. January 1st, notwithstanding any local option decisions to the contrary.

D. Wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

See title page for effective date.

CHAPTER 22

S.P. 160 - L.D. 504

An Act to Establish the State's Recycling and Waste Reduction Goals

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

Sec. 1. 38 MRSA §1309, as amended by PL 1989, c. 585, Pt. E, §19, is further amended to read:

§1309. Interstate cooperation

The Legislature encourages cooperative activities by the department and the agency office with other states for the improved management of hazardous and solid waste; for improved, and as far as is practicable, uniform state laws relating to the management of hazardous and solid waste; and compacts between this and other states for the improved management of hazardous and solid waste.

Sec. 2. 38 MRSA §2132, sub-§1, as amended by PL 1995, c. 465, Pt. A, §41 and affected by Pt. C, §2, is further amended to read:

1. State recycling goal. It is the ~~policy~~ goal of the State to recycle or compost, by January 1, ~~1998~~ 2003, 50% of the municipal solid waste tonnage generated each year within the State.

Sec. 3. 38 MRSA §2132, sub-§1-A is enacted to read:

1-A. State waste reduction goal. It is the goal of the State to reduce the annual generation of municipal solid waste tonnage by 5% by January 1, 2003 and by an additional 5% every subsequent 2 years. This reduction in solid waste tonnage, after January 1, 2003, is a biennial goal. The baseline for calculating this reduction is the 1999 solid waste generation data gathered by the office.

See title page for effective date.

CHAPTER 23

S.P. 67 - L.D. 263

An Act to Authorize the Maine Land Use Regulation Commission to Receive Real Estate Transfer Tax Forms for Municipalities in its Jurisdiction

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

Sec. 1. 36 MRSA §191, sub-§2, ¶F, as amended by PL 1993, c. 395, §7 and PL 1997, c. 526, §14, is further amended to read:

F. The transmission of information among employees of the Bureau of Revenue Services for the purposes of enforcing the tax laws of this State and the delivery by a register of deeds to the State Tax Assessor or delivery by the State Tax Assessor to the appropriate municipal assessor or to the Maine Land Use Regulation Commission of "declarations of value" in accordance with section 4641-D. The State Tax Assessor may require entities requesting information pursuant to this paragraph other than municipal assessors to provide resources sufficient to cover the cost of providing the forms;

See title page for effective date.

CHAPTER 24

S.P. 118 - L.D. 394

An Act to Facilitate State Park Campsite Reservations through the Internet

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

Sec. 1. 12 MRSA §1827, sub-§2, as enacted by PL 1997, c. 678, §13, is amended to read:

2. Reservation fee. A surecharge fee must be collected for all reservations and deposited in the General Fund, except that a portion of the reservation fee as determined by the commissioner may be paid directly to a provider of Internet reservation services. If reservations made under this section are subsequently cancelled, the bureau must retain a cancellation fee and deposit it into the General Fund.

See title page for effective date.

CHAPTER 25

H.P. 250 - L.D. 286

**An Act to Clarify the Duties of the
Maine Developmental Disabilities
Council**

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

Sec. 1. 34-B MRSA §1211, sub-§3, as enacted by PL 1983, c. 459, §7, is amended to read:

3. Duties. The council shall consult with and coordinate with the commissioner in carrying out the purposes of the program established under the federal act specified in subsection 2. If the position of the director of the council becomes vacant the council shall recruit and hire a director. The council shall supervise and annually evaluate the director.

See title page for effective date.

CHAPTER 26

S.P. 139 - L.D. 462

**An Act to Clarify the Substance
Abuse Law**

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

Sec. 1. 5 MRSA §20052, as enacted by PL 1995, c. 499, §1 and affected by §5, is repealed.

Sec. 2. 5 MRSA §20053, as amended by PL 1997, c. 245, §19, is repealed.

See title page for effective date.

CHAPTER 27

S.P. 89 - L.D. 316

**An Act to Authorize Representation
by the Public Advocate of Consumer
Interests on Regional Decision-
making Bodies**

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

Whereas, decisions that will affect ratepayers in Maine are being made at the regional level with regard to the electric wholesale market and it is vitally important that the consumers, through the Public Advocate, have a voice in that decision-making process; 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. 35-A MRSA §1702, sub-§8 is enacted to read:

8. Represent interests of retail customers on regional bodies. The Public Advocate, when the Public Advocate determines it necessary, may serve as a voting member of any regional body whose decisions directly affect the prices or quality of utility services in the State, as long as that service is limited to a seat that is designated for the representation of consumer interests. Service as a voting member of a regional body in accordance with this subsection does not create or constitute a conflict of interest pursuant to section 1709.

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

Effective April 6, 2001.

CHAPTER 28

H.P. 205 - L.D. 240

**An Act to Permit an Unspent Balance
in the Public Advocate Regulatory
Fund to be Carried Forward in Full
for Fiscal Years 2000-01 and 2001-02**