

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

B. Apply for a certificate for each approved course that the advisor offers services for; and

C. Provide a letter from the administrator of the course approved by the advisory committee to train advisors acknowledging that the advisor is in good standing with the approved course.

**Sec. 6. 28-A MRSA §2519, sub-§8**, as amended by PL 1997, c. 373, §169 and PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

**8. Alcohol server education courses; approval; suspension; revocation.** The commissioner or the commissioner's designee may refuse to issue or renew approval for an alcohol server education course. The commissioner or the commissioner's designee may suspend or revoke approval for an alcohol server education course upon the recommendation of the advisory committee after reviewing the report of the monitor. The following are grounds for an action to refuse to issue or renew approval or to suspend or revoke approval.

A. The advisory committee finds that an alcohol server education course does not meet the criteria listed in subsection 3 or specific criteria determined by the committee.

B. The course, when presented, does not follow specific criteria determined by the advisory committee before issuance of approval.

C. The instructor of the course does not provide information or access to the monitor as required by subsection 7.

D. Fraud or deceit is used to obtain course approval or in providing the course or issuing certificates.

A person aggrieved by a decision of the commissioner or the commissioner's designee to refuse to issue or renew approval or to suspend or revoke approval for an alcohol server education course may, within 30 days of receipt of that decision, appeal the decision to the District Court.

**Sec. 7. 28-A MRSA §2519, sub-§9** is enacted to read:

**9. Approval of Internet-based alcohol server education courses.** The commissioner or the commissioner's designee may approve an Internet-based alcohol server education course if the course meets the criteria developed under this section. An approved Internet-based alcohol server education course must have an advisor, certified under subsection 6-D, available to answer questions for persons

using the Internet-based alcohol server education course.

See title page for effective date.

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## CHAPTER 503

H.P. 1508 - L.D. 2011

### An Act to Restructure the Advisory Council on Tax-deferred Arrangements

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

**Sec. 1. 5 MRSA §884, first ¶**, as amended by PL 1997, c. 204, §5, is further amended to read:

The Advisory Council on Tax-deferred Arrangements, established by section 12004-I, subsection 25, shall meet at least once a year, review the operations of the arrangements program and advise the Department of Administrative and Financial Services on matters of policy relating to the activities under the arrangements program. Members of the advisory council are entitled to compensation as provided in chapter 379. All appointed or elected members serve at the pleasure of their appointing or electing authorities. The advisory council consists of ~~6~~ 10 members as follows.

**Sec. 2. 5 MRSA §884, sub-§3**, as enacted by PL 1991, c. 108, is amended to read:

**3. Employee representatives.** The employee representatives of the advisory council are ~~3~~ 7 classified state employees appointed by the Governor as follows:

A. ~~One employee~~ Five employees recommended to the Governor by the Maine State Employees Association, one from each bargaining unit;

B. One employee recommended to the Governor by the American Federation of State and Municipal Employees; and

C. One employee recommended to the Governor by the Maine State Troopers Association.

Employee representatives are appointed for terms of 3 years, except that of the first appointments, one must be for one year, one for 2 years and one for 3 years.

See title page for effective date.

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