

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

Initiative: Deallocates funds to reflect the establishment of the new Certified Seed Fund program.

Other Special Revenue Funds	2003-04	2004-05
Positions - Legislative Count	(0.000)	(-11.500)
Positions - FTE Count	(0.000)	(-6.149)
Personal Services	\$0	(\$567,672)
All Other	0	(257,379)
<hr/>		
Other Special Revenue Funds Total	\$0	(\$825,051)

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
DEPARTMENT TOTALS	2003-04	2004-05
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
<hr/>		
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

See title page for effective date.

**CHAPTER 579**

**H.P. 486 - L.D. 656**

**An Act to Allow Beverage Sales from Mobile Service Bars on Golf Courses**

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

**Sec. 1. 28-A MRSA §1012, sub-§4** is enacted to read:

**4. Golf course mobile service bar.** A licensee who is the owner of a golf course may apply for a license to sell malt liquor from a mobile service bar as provided in section 1075-A. The license fee per calendar year is \$100.

This subsection is repealed January 1, 2006.

**Sec. 2. 28-A MRSA §1075, sub-§2**, as enacted by PL 1995, c. 195, §2, is repealed and the following enacted in its place:

**2. Sales for consumption on slopes or courses prohibited.** This section does not permit a ski area to sell liquor for consumption on the slopes away from the licensed area. Except as provided in section 1075-A, a golf course may not sell liquor for consumption on the course away from the licensed area.

This subsection is repealed January 1, 2006.

**Sec. 3. 28-A MRSA §1075, sub-§2-A** is enacted to read:

**2-A. Sales for consumption on slopes or courses prohibited.** This section does not permit a

ski area to sell liquor for consumption on the slopes away from the licensed area or a golf course to sell liquor for consumption on the course away from the licensed area.

This subsection takes effect January 1, 2006.

**Sec. 4. 28-A MRSA §1075-A** is enacted to read:

**§1075-A. Golf course mobile service bar**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Mobile service bar" means a golf cart or other similar vehicle staffed by an employee of the golf course and outfitted for storage, cooling or refrigeration and sale and service of malt liquor in cans or bottles.

**2. License.** The bureau may issue a license for a mobile service bar to a licensee who owns a golf course or may issue a license for a mobile service bar to a Class A restaurant, Class A restaurant/lounge or Class I hotel located at a golf course and to a golf course owner. The licensee shall ensure that:

A. All individuals selling, serving or dispensing malt liquor from a mobile service bar are employees of the golf course;

B. All malt liquor possessed and consumed on the golf course is sold by the licensee;

C. A sufficient number of employees are deployed to adequately control and ensure adherence to laws applying to the serving, sale and consumption of malt liquor on the golf course;

D. Service or consumption of any liquor is not allowed in parking lots except as otherwise provided in this chapter;

E. A licensee or licensee's employees do not allow patrons to leave the golf course with any liquor;

F. Only one standard serving of malt liquor is served to an individual at a time;

G. Signs are posted that state that a patron may not bring alcoholic beverages onto the premises of the golf course;

H. Signs are placed on the mobile service bar that state that service or consumption of any liquor by a person under 21 years of age is prohibited;

I. Malt liquor from a mobile service bar is purchased and consumed only by those patrons engaged in a round of golf;

J. The operator of a mobile service bar is at least 21 years of age and has successfully completed an alcohol server education course; and

K. The operator of a mobile service bar has the ability and necessary tools to immediately contact a golf course employee working at the part of the golf course licensed as an on-premises establishment for assistance in enforcing the provisions of this section.

**3. Penalty.** A person who brings alcoholic beverages onto the premises of a golf course commits a civil violation for which a fine of not less than \$250 nor more than \$1,500 may be adjudged.

**4. Revocation of license.** Licenses issued by the bureau under this section and any other license to sell liquor for on-premises consumption held by a licensee under this section must be revoked for violation of the liquor laws or any rule adopted by the bureau.

**5. Transportation of open containers prohibited.** A patron of a golf course licensed under this section who operates a golf cart is prohibited from transporting an open container of liquor across a public way as defined by Title 29-A, section 2112-A, subsection 1, paragraph D.

**6. Repeal.** This section is repealed January 1, 2006.

See title page for effective date.

---



---

**CHAPTER 580**

**S.P. 356 - L.D. 1025**

**An Act To Adopt a Model Building Code**

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

**Sec. 1. 10 MRSA Part 14** is enacted to read:

**PART 14**

**BUILDING CODE**

**CHAPTER 1101**

**MAINE MODEL BUILDING CODE**

**§9701. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Maine Model Building Code.** Except as provided in section 9703, "Maine Model Building Code" includes:

A. The 2003 version of the International Residential Code; and

B. The 2003 version of the International Building Code.

**§9702. Limitation on code adoption**

A town, city or municipality may not adopt a residential building code or nonresidential building code other than the Maine Model Building Code after the effective date of this chapter. A town, city or municipality that adopts the Maine Model Building Code may adopt amendments to the code at any time, as long as such an amendment does not result in the adoption of all or a significant portion of any code other than the code adopted pursuant to this section. This section may not be construed to prevent a town, city or municipality from selectively adopting parts or portions of the Maine Model Building Code or from adopting a building rehabilitation code.

**§9703. Laws in conflict with Maine Model Building Code**

To the extent that provisions of the Maine Model Building Code conflict with the following provisions of law, those provisions of the Maine Model Building Code are not applicable and may not be enforced:

**1. Fire safety codes and standards.** Fire safety codes and standards adopted pursuant to Title 25, sections 2452 and 2465;

**2. Electrical standards.** Electrical standards adopted pursuant to Title 32, section 1153-A;

**3. Plumbing code.** The plumbing code adopted pursuant to Title 32, section 3403-B;

**4. Oil and solid fuel burning equipment standards.** Oil and solid fuel burning equipment standards adopted pursuant to Title 32, section 2313;

**5. Propane and natural gas equipment standards.** Propane and natural gas equipment standards adopted pursuant to Title 32, section 14805;

**6. Boiler and pressure vessel standards.** Boiler and pressure vessel standards adopted pursuant to Title 32, section 15104-A;

**7. Elevator standards.** Elevator standards adopted pursuant to Title 32, section 15228; and