

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

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

**Whereas,** Maine's golf courses will lose the opportunity to realize significant economic gain from new laws that allow mobile service carts to serve beer on golf courses unless this Act takes effect prior to this year's golf season; 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 §1012, sub-§4,** as enacted by PL 2003, c. 579, §1, is amended 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~~This subsection is repealed January 1, 2006.~~

**Sec. 2. 28-A MRSA §1075, sub-§2,** as repealed and replaced by PL 2003, c. 579, §2, is amended to read:

**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~~This subsection is repealed January 1, 2006.~~

**Sec. 3. 28-A MRSA §1075, sub-§2-A,** as enacted by PL 2003, c. 579, §3, is repealed.

**Sec. 4. 28-A MRSA §1075-A, sub-§2, ¶B,** as enacted by PL 2003, c. 579, §4, is repealed and the following enacted in its place:

B. The licensee does not possess or permit possession, sale or consumption of any malt liquor on the golf course other than that which is permitted and purchased by the licensee in accordance with the license or licenses granted;

**Sec. 5. 28-A MRSA §1075-A, sub-§4,** as enacted by PL 2003, c. 579, §4, is repealed and the following enacted in its place:

**4. Revocation and suspension of license.** A licensee who holds a license issued by the bureau under this section and any other licenses that that licensee holds to sell liquor for on-premises consumption are subject to chapter 33 to the same extent as are other on-premises licensees.

**Sec. 6. 28-A MRSA §1075-A, sub-§6,** as enacted by PL 2003, c. 579, §4, is repealed.

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

Effective May 13, 2005.

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## CHAPTER 109

S.P. 216 - L.D. 680

### An Act To Provide for the Efficient Administration of Scholarship Resources

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

**Whereas,** the ability of students of this State to attend institutions of higher education may be adversely affected if financial assistance is not available at the beginning of the academic year; 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. 8 MRSA §1036, sub-§2, ¶F,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. D, §11, is amended to read:

F. Two percent of the total gross slot machine income must be forwarded by the board to the University of Maine System Scholarship Fund created in Title 20-A, section ~~4463+~~ 10909;

**Sec. 2. 20-A MRSA §10909** is enacted to read:

**§10909. University of Maine System Scholarship Fund**

The University of Maine System Scholarship Fund is created and established as a nonlapsing fund under the jurisdiction and control of the Board of

Trustees of the University of Maine System. All revenues credited to this fund must be distributed as need-based scholarships for students attending the University of Maine System. These scholarships may be awarded only to those students who are residents of the State. The fund may not be used for the costs of administering the scholarships. Fees credited from the University of Maine System registration plate pursuant to Title 29-A, section 456 may not be distributed as scholarships to students attending the University of Maine.

**Sec. 3. 20-A MRSA c. 419-B**, as amended, is repealed.

**Sec. 4. 29-A MRSA §456, sub-§2, ¶A**, as amended by PL 1995, c. 645, Pt. A, §2 and affected by §18, is further amended to read:

A. Fourteen dollars to the University of Maine System Scholarship Fund established in Title 20-A, section ~~4634~~ 10909; and

**Sec. 5. 29-A MRSA §456, sub-§5, ¶A**, as enacted by PL 1995, c. 645, Pt. A, §2 and affected by §18, is amended to read:

A. Fourteen dollars to the University of Maine System Scholarship Fund established in Title 20-A, section ~~4634~~ 10909; and

**Sec. 6. Transfer of funds.** All funds remaining in the University of Maine System Scholarship Fund held by the Finance Authority of Maine must be transferred to the Board of Trustees of the University of Maine System to be deposited on July 1, 2005 in the University of Maine System Scholarship Fund created in the Maine Revised Statutes, Title 20-A, section 10909.

**Sec. 7. Appropriations and allocations.** The following appropriations and allocations are made.

**UNIVERSITY OF MAINE SYSTEM,  
BOARD OF TRUSTEES OF THE**

**University of Maine Scholarship Fund (NEW)**

Initiative: Allocates funds due to the transfer of the University of Maine System Scholarship Fund and the administration of the scholarship program from the Finance Authority of Maine to the University of Maine System.

<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>2005-06</b>	<b>2006-07</b>
All Other	\$137,015	\$2,119,144
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OTHER SPECIAL REVENUE		
FUNDS TOTAL	\$137,015	\$2,119,144

**UNIVERSITY OF MAINE SYSTEM,  
BOARD OF TRUSTEES OF THE**

<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>\$137,015</b>	<b>\$2,119,144</b>

<b>DEPARTMENT TOTAL -</b>		
<b>ALL FUNDS</b>	<b>\$137,015</b>	<b>\$2,119,144</b>

**FINANCE AUTHORITY OF MAINE**

**Student Financial Assistance Programs 0653**

Initiative: Deallocates funds due to the transfer of the University of Maine System Scholarship Fund and the administration of the scholarship program from the Finance Authority of Maine to the University of Maine System.

<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>2005-06</b>	<b>2006-07</b>
All Other	(\$137,015)	(\$2,119,144)

OTHER SPECIAL REVENUE		
FUNDS TOTAL	(\$137,015)	(\$2,119,144)

<b>FINANCE AUTHORITY OF MAINE</b>		
<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>

<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>(\$137,015)</b>	<b>(\$2,119,144)</b>

<b>DEPARTMENT TOTAL -</b>		
<b>ALL FUNDS</b>	<b>(\$137,015)</b>	<b>(\$2,119,144)</b>

<b>SECTION TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
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<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>\$0</b>	<b>\$0</b>

<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>
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**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 13, 2005.

**CHAPTER 110**

**H.P. 300 - L.D. 397**

**An Act To Promote the More  
Efficient Use of Natural Gas**

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

**Sec. 1. 35-A MRSA §4711** is enacted to read:

**§4711. Conservation programs**

**1. Programs.** In accordance with rules adopted by the commission, each natural gas utility in the State that serves 5,000 or more residential consumers shall offer cost-effective conservation programs designed to promote the efficient use of natural gas. In determining whether a program is cost-effective, the commis-