

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

Penmor Lithographers
Lewiston, Maine
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30%, whichever is greater, plus freight and handling charges applicable to such parts.

See title page for effective date.

CHAPTER 318

S.P. 163 - L.D. 537

An Act Relating to Animals in Food Stores and Restaurants

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

Sec. 1. 17 MRSA §3966, as enacted by PL 1973, c. 625, §94, is amended to read:

§3966. Animals in food stores

It is unlawful for any person, other than the owner or manager, to bring ~~any~~ an animal into a store where food is sold for human consumption or into a restaurant where food is prepared and served on the premises. This section ~~shall~~ does not apply to ~~any~~ a person requiring the services of a ~~seeing-eye dog~~ service animal.

For the purposes of this section, "service animal" means an animal that has been prescribed for an individual with a disability by a physician, psychiatrist or psychologist and a guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching items.

See title page for effective date.

CHAPTER 319

H.P. 886 - L.D. 1289

An Act Allowing Spirits Tasting Events

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

Sec. 1. 28-A MRSA §709, sub-§2, ¶¶G and H, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

G. Licensees offering reduced prices for prearranged private parties on the premises of the licensee; ~~or~~

H. Licensees whose licensed premises include more than one room charging different prices for the same drink served in the different rooms; ~~or~~

Sec. 2. 28-A MRSA §709, sub-§2, ¶I is enacted to read:

I. Conducting the taste testing of spirits under section 1051, subsection 6.

Sec. 3. 28-A MRSA §1051, sub-§6 is enacted to read:

6. Spirits taste-testing events on retail licensee's premises. A distiller, licensed distilled spirits sales representative and the State's wholesale liquor provider, with the written permission of the bureau, may rent or lease an area or room from an on-premises retail licensee for the purpose of inviting retail licensees to taste test spirits. Spirits taste-testing events must be conducted during hours that are authorized by the bureau for the sale of the product on the premises. The following conditions apply to all taste testing conducted under this subsection.

A. The distiller, licensed distilled spirits sales representative or the State's wholesale liquor provider may provide the products for taste testing only if the retail price has been paid and a record of the transaction is maintained and made available to the bureau.

B. The taste-testing activity may be conducted only within a special designated area or room.

C. The taste-testing activity may be open only to invited retail licensees or their authorized agents and not to family members, guests or the general public.

D. After the taste-testing activity is concluded, the distiller, licensed distilled spirits sales representative or wholesale liquor provider, as applicable, shall remove all products supplied for the taste-testing activity from the retail licensee's premises.

See title page for effective date.

CHAPTER 320

H.P. 973 - L.D. 1409

An Act To Assist in the Investigation and Prosecution of Theft Offenses

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

Sec. 1. 30-A MRSA §2671, sub-§2-B, as enacted by PL 1993, c. 594, §2, is amended to read:

2-B. Liability. When a municipal police officer makes an arrest, as authorized in subsection 2-A or subsection 4, outside of jurisdictional limits of the municipality in which the police officer is appointed, that police officer has the same immunity from tort liability and all of the pension, relief, disability, ~~worker's~~ workers' compensation, insurance and any other benefits the police officer enjoys while performing duties within the police officer's appointing municipality.

Sec. 2. 30-A MRSA §2671, sub-§4 is enacted to read:

4. Multijurisdictional crimes. If there is probable cause to believe that more than one theft, forgery or negotiation of a worthless instrument committed pursuant to one scheme or course of conduct by the same or several persons has occurred in more than one municipal jurisdiction, a police officer in a municipality in which at least one of the thefts, forgeries or negotiations of worthless instruments was committed may investigate and assist in the prosecution of all the related thefts, forgeries or negotiations of worthless instruments, with the express authorization of the police officer's municipal officers.

See title page for effective date.

CHAPTER 321

H.P. 806 - L.D. 1163

An Act To Amend the Laws Regulating Custom Vehicles

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

Sec. 1. 29-A MRSA §101, sub-§19-A is enacted to read:

19-A. Custom vehicle. "Custom vehicle" means a motor vehicle that is at least 30 years old and of a model year after 1948 or a motor vehicle that was manufactured to resemble a motor vehicle that is at least 30 years old and of a model year after 1948 and that has been altered from the manufacturer's original design or has a body constructed from nonoriginal material.

Sec. 2. 29-A MRSA §457, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Antique vehicle registration plates authorized. The Secretary of State may issue registration plates for antique autos, custom vehicles, horseless carriages, street rods or antique motorcycles. These plates must bear the inscription "Maine" and the

inscription "Antique Auto," "Custom Vehicle," "Horseless Carriage" or "Street Rod" or, for antique motorcycles, the inscription "Antique."

Sec. 3. 29-A MRSA §457, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6. Application. An application for registration of a vehicle under this section must be accompanied by an affidavit that includes a statement of indicating the age and intended use year and make of the motor vehicle and that the vehicle is garaged or maintained in the State. ~~A person registering a street rod must furnish verification that the vehicle is a qualified street rod.~~

Sec. 4. 29-A MRSA §458-B is enacted to read:

§458-B. Custom vehicles

A custom vehicle may be registered in accordance with the provisions of this section.

1. Registration fee. The fee for the custom vehicle registration plate is the regular motor vehicle registration fee required by section 501 and the excise tax required by Title 36, section 1482.

2. Registration plates. The Secretary of State shall issue a registration certificate and a set of custom vehicle registration plates in a 3-number and 3-letter combination sequence to be used in lieu of regular registration plates.

3. Application. An application for registration of a vehicle under this section must be accompanied by an affidavit that includes a statement indicating the year and make that the body of the custom vehicle resembles and that the vehicle is garaged or maintained in the State.

4. Registration. The registration must indicate the year and make that the body of the custom vehicle resembles and must indicate the vehicle has been modified.

5. Vanity plates. The Secretary of State may issue vanity plates in accordance with section 453 and may not duplicate vanity plates issued in another class of plate.

6. Weight limit. A custom vehicle registration plate may be issued for a motor vehicle that does not exceed 6,000 pounds.

7. Inspection. A custom vehicle is subject to the inspection requirements of section 1751.

Sec. 5. Custom vehicle inspection committee. The Chief of the State Police shall convene a