

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

riod designated by the physician, which may not exceed one year. The Secretary of State may issue a removable windshield placard that is visible to law enforcement officers to a person with a certificate from a physician. A removable windshield placard is a 2-sided permit designed to hang from the rearview mirror when the vehicle is in motion without obstructing the view of the operator. The placard must be displayed by hanging it from the rearview mirror so that it may be viewed from the front and rear of the vehicle when the vehicle is in motion. If the vehicle is not equipped with a rearview mirror, the placard must be displayed on the dashboard. The placard must be identifiable as a seat belt placard as designed by the Secretary of State. A placard issued to a person under this paragraph expires when the physician's certificate expires.

Sec. 2. Appropriations and allocations.

The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Provides a one-time allocation to manufacture placards for drivers who for medical reasons cannot wear a seat belt.

HIGHWAY FUND	2009-10	2010-11
All Other	\$2,235	\$0
HIGHWAY FUND TOTAL	\$2,235	\$0

See title page for effective date.

CHAPTER 437 H.P. 814 - L.D. 1175

An Act To Add Combat Action Badges and Ribbons to the Special Commemorative Decals for Veterans License Plates

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

Sec. 1. 29-A MRSA §523, sub-§5, as amended by PL 2005, c. 683, Pt. A, §§47 and 48, is further amended to read:

5. Special commemorative decals for medals, badges or ribbons awarded. The Secretary of State may issue special commemorative decals for use with special veterans registration plates to any person who served in the United States Armed Forces, was honorably discharged and was awarded a medal, badge or ribbon described in paragraphs A to Q Z when that

person's application is accompanied by the appropriate military certification verifying that the medal, badge or ribbon was awarded to the applicant. One set of commemorative decals may be issued for each set of special veterans registration plates issued under this section. One set of 2 commemorative decals must be displayed on the front and back plates. The fee for a set of commemorative decals may not exceed \$5.

Special commemorative decals may be issued to applicants awarded the following medals, badges or ribbons:

- A. Distinguished Service Cross;
- B. Navy Cross;
- C. Air Force Cross;
- D. Silver Star;
- E. Distinguished Flying Cross;
- F. Bronze Star;
- G. Soldier's Medal;
- H. Navy or Marine Corps Medal;
- I. Airman's Medal;
- J. Coast Guard Medal;
- K. Asiatic-Pacific Campaign Medal;
- L. European-African-Middle Eastern Campaign Medal;
- M. Korean Service Medal;
- N. Vietnam Service Medal;
- O. Southwest Asia Service Medal;
- P. Armed Forces Expeditionary Medal;
- Q. Kosovo Service Medal;
- R. Korea Defense Service Medal;
- S. Global War on Terrorism Medal;
- T. Iraq Campaign Medal; ~~and~~
- U. Afghanistan Campaign Medal;
- V. United States Army Combat Infantry Badge;
- W. United States Army Combat Medic Badge;
- X. United States Army Combat Action Badge;
- Y. United States Navy, Marine Corps or Coast Guard Combat Action Ribbon; and
- Z. United States Air Force Combat Action Medal.

Sec. 2. 29-A MRSA §523, sub-§7 is enacted to read:

7. Moratorium on special commemorative decals for medals, badges or ribbons awarded. During the period beginning October 1, 2009 and ending

October 1, 2014, the Secretary of State may not issue any special commemorative decals not authorized by subsection 5, paragraphs A to Z or subsection 6, paragraphs A to E for use with special veterans registration plates.

Sec. 3. Report. The Secretary of State shall review the data and report on the numbers of commemorative decals listed in the Maine Revised Statutes, Title 29-A, section 523, subsection 5 issued for the years 2007 and 2008 with a recommendation of a minimum usage threshold that would result in removal of a specific decal from the available list. The report must also include the cost of acquiring and distributing the decals as well as the revenue received from the issuance of the decals. The Secretary of State shall submit the report and recommendations to the Joint Standing Committee on Transportation by February 28, 2010. The Joint Standing Committee on Transportation may submit a bill on the results of the report to the Second Regular Session of the 124th Legislature.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding to purchase materials for decals issued for veterans license plates.

HIGHWAY FUND	2009-10	2010-11
All Other	\$5,652	\$0
HIGHWAY FUND TOTAL	\$5,652	\$0

See title page for effective date.

CHAPTER 438

H.P. 681 - L.D. 989

**An Act To Allow for a Dual
Liquor License**

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

Sec. 1. 28-A MRSA §10, sub-§4 is enacted to read:

4. Application. This section does not apply to a dual license holder licensed under section 1207.

Sec. 2. 28-A MRSA §1051, sub-§3, as amended by PL 1999, c. 236, §2, is further amended to read:

3. Liquor not to be consumed elsewhere. Except as provided in paragraphs A and B and in section

1207, no licensee for the sale of liquor to be consumed on the premises where sold may personally or by an agent or employee, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises. The service and consumption of liquor must be limited to areas that are clearly defined and approved in the application process by the bureau as appropriate for the consumption of liquor. Outside areas must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

A. Subject to law and the rules of the bureau, hotel or bed and breakfast licensees may sell liquor in the original packages or by the drink to bona fide registered room guests. Any sale to a guest may be delivered to the guest's room only by a hotel or bed and breakfast employee.

B. A licensee may serve liquor at locations other than the licensed premises under the off-premise catering license issued under section 1052.

Sec. 3. 28-A MRSA §1201, sub-§3, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

3. Cannot sell liquor to be consumed on the premises. ~~No~~ Except as provided in section 1207, a person licensed under this section may not sell malt liquor or wine to be consumed on the premises.

Sec. 4. 28-A MRSA §1206, as enacted by PL 1993, c. 266, §23, is amended to read:

§1206. Consumption prohibited on off-premise retail premises

A person may not consume liquor on the premises of an off-premise licensee licensed under this chapter except as provided in ~~section~~ sections 1205 and 1207.

Sec. 5. 28-A MRSA §1207 is enacted to read:

§1207. Dual liquor license

Notwithstanding any other provision of law, the bureau may issue a dual liquor license to a retail establishment to serve wine to be consumed on the premises in accordance with subsection 2 if that establishment is licensed to sell wine to be consumed off the premises and meets the criteria listed in subsection 1.

1. Minimum criteria. In order for the bureau to issue a dual liquor license in accordance with this section the following criteria must be met:

A. The licensee has submitted an application as prescribed by the bureau and the fee under subsection 3 to the bureau;

B. The licensee's establishment includes a full kitchen that prepares hot and cold meals to be consumed on the premises;

C. The licensee's establishment includes at least 2 restrooms available for use by patrons;