

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

spection or copying and is subject to appeal as provided in section 409.

Sec. 3. 1 MRSA §409, sub-§1, as amended by PL 2011, c. 559, Pt. A, §1 and c. 662, §6, is repealed and the following enacted in its place:

1. Records. Any person aggrieved by a refusal or denial to inspect or copy a record or the failure to allow the inspection or copying of a record under section 408-A may appeal the refusal, denial or failure within 30 calendar days of the receipt of the written notice of refusal, denial or failure to any Superior Court within the State as a trial de novo. The agency or official shall file an answer within 14 calendar days. If a court, after a trial de novo, determines such refusal, denial or failure was not for just and proper cause, the court shall enter an order for disclosure. Appeals may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

See title page for effective date.

CHAPTER 351

S.P. 529 - L.D. 1447

An Act To Grow the Maine Economy by Promoting Maine's Small Breweries and Wineries

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

Sec. 1. 28-A MRSA §1052-B, sub-§1, as amended by PL 2011, c. 629, §17, is further amended to read:

1. Special taste-testing festival license. ~~Malt liquor manufacturers licensed under section 1401 and manufacturers~~ Manufacturers of malt liquor or wine licensed as ~~small~~ breweries or ~~small~~ wineries under section 1355-A or a similarly licensed brewery or winery in another state may apply jointly for an additional license to participate in a special taste-testing festival under this section. The special taste-testing festival license is valid for no more than 3 consecutive days and may be issued ~~once up to 5 times~~ annually.

Sec. 2. 28-A MRSA §1052-B, sub-§§2 and 3, as enacted by PL 1999, c. 677, §2, are amended to read:

2. Fee. The license fee for the special taste-testing festival license is ~~\$20~~ \$50 for each manufacturer of malt liquor and each manufacturer of wine.

3. Application. ~~The licensees must apply jointly~~ Applications for a special taste-testing festival license must be submitted by filing a written application with the bureau at least 5 days, not including Saturdays,

Sundays or legal holidays, before the event. The application must include the following:

- A. Name and address of each ~~licensee~~ applicant;
- B. Title and purpose of the event;
- C. Date, time and duration of the event;
- D. Location of the event;
- E. The method by which the ~~licensees~~ applicants will monitor the number of samples served to each person attending the festival; and
- F. Approval by the municipal officers or a municipal official designated by the municipal officers of the municipality where the proposed special taste-testing festival will be located, which, notwithstanding section 653, may be granted without public notice.

See title page for effective date.

CHAPTER 352

H.P. 662 - L.D. 938

An Act To Update the Laws Relating to the Tri-state Lotto and the Payment of Prizes to Minors

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

Sec. 1. 8 MRSA §371, sub-§4-A is enacted to read:

4-A. Electronic funds transfer. "Electronic funds transfer" means a transaction using an electronic device for the purpose of ordering, instructing or authorizing a financial institution to debit or credit an account.

Sec. 2. 8 MRSA §374, sub-§1, ¶A, as enacted by PL 1987, c. 505, §2, is amended to read:

- A. The types of lotteries to be conducted and which, if any, will be sold as part of the Tri-state Lotto Compact under chapter 16;

Sec. 3. 8 MRSA §385, as corrected by RR 1993, c. 1, §18, is amended to read:

§385. Persons under 18 years; payment of prizes

~~If the person entitled to a prize or any winning ticket is under the age of 18 years and the prize is less than \$5,000, the director may direct payment of the prize by delivery of a check or draft payable to the order of the minor to an adult member of the minor's family or a guardian of the minor. If the person entitled to a prize or on any winning ticket is under the age of 18 years and the prize is \$5,000 or more of age, the director or the director's designee may direct make~~