

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 852**

S. P. 290

In Senate, March 1, 1979

On Motion of Senator Katz of Kennebec, referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

Presented by Senator Danton of York.

MAY M. ROSS, Secretary of the Senate

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Allow Reduced Pricing of Discontinued Liquor Items.**

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

Whereas, the State Liquor Commission is currently storing discontinued liquor items in its warehouse and state store facilities; and

Whereas, these discontinued liquor items use badly needed storage area; and

Whereas, the commission is unable to list new merchandise until storage area is available; 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:

**28 MRSA § 451, first ¶, next to last sentence, is amended to read:**

Notwithstanding the other provisions of this section, the commission, with approval of the Commissioner of Finance and Administration, may reduce the price of discontinued items of liquor ~~by an amount of 10% of the listed selling~~

**price. The reduced price shall not be less than the actual cost of the discontinued liquor items** and no item shall be discontinued by the commission for a period of at least 6 months after such item has been listed and on sale in state stores.

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

#### STATEMENT OF FACT

Storage area in the warehouse is in short supply. A slow moving item that is delisted still requires storage until current stock is depleted. The present 10% price reduction is not that helpful in eliminating unwanted merchandise from inventory. Enactment of this legislation would enable the commission to establish prices that are effective in clearing the warehouse and state stores. This would free space for new listings that should be profitable.