

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Whereas, it is in the best interests of the State to waive these filing fees; 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:

15 MRSA §5822, sub-§1, ¶C is enacted to read:

C. A petition for forfeiture filed pursuant to this section by the Attorney General or a district attorney shall be accepted by any court having jurisdiction without assessment or payment of civil entry or filing fees otherwise provided for by rules of court.

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

Effective March 30, 1988.

CHAPTER 649

S.P. 959 — L.D. 2544

AN ACT to Change the Definition of Wine Coolers.

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

Whereas, Public Law 1987, chapter 275, extended Maine's bottle bill to include wine coolers but not other wine products; and

Whereas, under that legislation, wine products which are not wine coolers were inadvertently included in the definition; and

Whereas, that provision is to take effect April 1, 1988, pursuant to Public Law 1987, chapter 543, this legislation is immediately necessary to clarify the definition; 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. 32 MRSA §1862, sub-§1, as amended by PL 1987, c. 275, §1, and c. 543, is further amended to read:

1. Beverage. "Beverage" means beer, ale or other drink produced by fermenting malt, soda water or other nonalcoholic carbonated drink in liquid form and intended for human consumption. "Beverage" also includes wine coolers. ~~"Wine cooler" means a beverage containing wine and more than 15% added natural or artificial blending material, such as fruit juices, flavors, flavorings or adjuncts; plain, carbonated or sparkling water; coloring; or preservatives, and which contains less than 7% of alcohol by volume.~~

A. "Wine cooler" means a beverage of less than 8% alcohol content by volume consisting of wine and:

(1) Plain, sparkling or carbonated water; and

(2) Any one or more of the following:

(a) Fruit juices;

(b) Fruit adjuncts;

(c) Artificial or natural flavors or flavorings;

(d) Preservatives;

(e) Coloring; or

(f) Any other natural or artificial blending material.

Sec. 2. Report. The Bureau of Public Services shall submit a report and any necessary implementing legislation, to the Joint Standing Committee on Business Legislation of the First Regular Session of the 114th Legislature on January 15, 1989, concerning the effectiveness of the definition of "wine cooler" contained in section 1 of this Act and its implementation.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect April 1, 1988.

Effective April 1, 1988.

CHAPTER 650

H.P. 1842 — L.D. 2522

AN ACT to Promote Harmony between Agriculture and Adjacent Development and to Protect the Public Health, Safety and General Welfare.

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

Whereas, with the rapid pace of land development in the State, it is desirable to take action as soon as possible to minimize the incompatibility between agricultural uses and the development of adjacent areas;