

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

**FIRST REGULAR SESSION**

December 3, 1986 to June 30, 1987

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

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

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Twin City Printery  
Lewiston, Maine  
1989

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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holding mortgages of residential property in this State to cooperate with the Maine State Housing Authority and provide the Maine State Housing Authority with historic and current data and information about foreclosures on residential mortgages held by these institutions and companies.

**Sec. 5. Report.** The Maine State Housing Authority shall report the findings of its study and any necessary implementing legislation designed to remedy the problem to the Joint Standing Committee on Economic Development to the First Regular Session of the 114th Legislature.

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

Effective June 26, 1987.

## CHAPTER 50

H.P. 1311 — L.D. 1789

### AN ACT to Provide Discretion to the State Liquor Commission to Establish a Temporary Agency Liquor Store in Response to a Natural Disaster.

**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 has no discretion to shorten the lengthy procedure for establishing an agency liquor store for any reason, even when circumstances indicate that such action is warranted; and

Whereas, a natural disaster has forced a state liquor store located in the City of Gardiner to close and that site is not available for a state liquor store, so that the area will not be adequately served by the State Liquor Commission; and

Whereas, because such a situation exists, the State Liquor Commission should have the discretion to license an agency liquor store to serve as a replacement on a strictly temporary basis until the state liquor store in the City of Gardiner can be reopened in the original or a new location; 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. Commission authorized to establish replacement store.** Notwithstanding the Maine Revised Statutes, Title 28, section 153 and Title 28-A, section 453, the

State Liquor Commission may establish a temporary replacement agency liquor store to serve the same area served by the state liquor store in the City of Gardiner which was forced to close because of flooding in April of 1987. A temporary agency liquor store established pursuant to this Act may operate until the same or a new state liquor store is opened, but in no case for more than 120 days.

**Sec. 2. Procedure for selection.** The following procedures apply to the establishment of a temporary replacement agency liquor store pursuant to this Act.

1. The commission shall give, in accordance with the Maine Revised Statutes, Title 5, section 9052, public notice that a temporary replacement agency liquor store may be established in the City of Gardiner. The commission shall request all parties interested in establishing a temporary replacement agency liquor store to apply to the commission.

2. The commission shall set a deadline for applications of no earlier than 7 days after the date of the publication of the first public notice.

3. The commission shall provide all applicants with the necessary information for the establishment of a temporary replacement agency liquor store.

4. If requested, the commission shall hold a hearing, according to Title 5, chapter 375, subchapter IV, on the selection of the location for the temporary replacement agency liquor store at least 15 days after the date of the publication of the first public notice.

5. The commission shall notify any applicant denied a license of the reasons for the denial by certified mail to the mailing address given by the applicant in the application for the temporary replacement agency store license.

6. Any applicant aggrieved by a decision made by the commission may appeal the decision in accordance with Title 5, chapter 375, subchapter VII.

**Sec. 3. State liquor store employees.** The commission may not terminate the employment of persons employed at the state liquor store in the City of Gardiner which closed while the temporary replacement agency store is in operation, but shall make reasonable arrangements for their continued employment until they can be returned to the same or new state liquor store.

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

Effective June 26, 1987.