

# 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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	1987-88	1988-89
Highway — Highway and Bridge Improvements	\$ 9,500,000	\$ 9,500,000
Sand and salt pile covering and the DOT Underground Storage Tank Program	3,250,000	3,250,000
Total Allocations	<u>\$12,750,000</u>	<u>\$12,750,000</u>

**Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

**Sec. 8. Appropriation balances at year end.** At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

**Sec. 9. Bonds authorized but not issued.** Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of ratification of this Act, shall be deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

**Sec. 10. Statutory referendum procedure; submission at statewide election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at a statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$26,500,000 bond issue for highway, bridge and airport improvements and to reduce ground water pollution resulting from the storage of state and municipally-owned highway materials?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal voters are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Effective pending referendum.

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## CHAPTER 67

H.P. 1073 — L.D. 1456

### AN ACT to Appropriate Funds for the Critical Areas Program.

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

**Study order.** The Maine Critical Areas Advisory Board shall conduct a study of the Critical Areas Program's progress, current work priorities and future work tasks necessary to accomplish the intent of the Act for a State Register of Critical Areas, Title 5, chapter 312. The board shall evaluate whether current staffing and funding levels are adequate to accomplish the program's mandate and shall report back to the Legislature with its findings and recommendations by January 1, 1988.

Effective September 29, 1987.

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## CHAPTER 68

S.P. 427 — L.D. 1307

### AN ACT Establishing the Maine Commission on Outdoor Recreation.

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

Whereas, rapidly changing patterns of land use are threatening traditional recreational resources in the State; and

Whereas, the demand for recreational resources is also increasing rapidly; 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 established.** There is created the Maine Commission on Outdoor Recreation.

**Sec. 2. Purpose.** The purpose of the commission is to examine the present outdoor recreation needs of the public and to determine whether current public policies properly address that need.

**Sec. 3. Appointment.** The commission shall be comprised as follows: Six members of the House of Representatives and one member of the general public appointed by the Speaker of the House and 3 members of the Senate and one member of the general public appointed by the President of the Senate with expertise in natural resources, fisheries and wildlife and taxation; and 7 members appointed by the Governor, one of whom shall be a representative of organized sportsman's groups, one of whom shall be a large industrial landowner presently engaged in exclusive recreational leasing of forest land, one of whom shall be a representative of organized forest landowners' groups, one of whom shall be a representative of sporting camp owners, one of whom shall be a representative of organized snowmobilers' groups, one of whom shall be a representative of small landowners and one of whom shall be appointed from the public at large. The Commissioner of Conservation or his designee and the Commissioner of Inland Fisheries and Wildlife or his designee also shall serve as ex officio members of the commission.

**Sec. 4. Report.** The commission shall file a preliminary report with the Legislative Council no later than December 15, 1987, and a final report including any necessary implementing legislation by January 15, 1988, to the Joint Standing Committee on Natural Resources.

**Sec. 5. Staff.** The commission may request staff assistance from the Legislative Council.

**Sec. 6. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88

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Maine Commission on Outdoor Recreation

Personal Services	\$ 2,475
All Other	7,550

Provides funds for per diem for legislative members, travel and related expenses of the commission.

Total	<u>\$10,025</u>
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**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 29, 1987.

**AN ACT Creating a Study on Uniform Liquor Pricing and Other Factors in the Operation of the State Liquor Commission and the Bureau of Alcoholic Beverages.**

**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 sets the prices at its discount liquor store to be competitive with other sellers; and

Whereas, the prices in the one discount liquor store are lower than liquor prices elsewhere in the State; and

Whereas, fairness dictates that the Legislature consider equalizing prices throughout the State, but information concerning the economic effect of such an action is unknown; and

Whereas, the question of pricing raises many other concerns about the efficacy of the operations of the State Liquor Commission and the Bureau of Alcoholic Beverages; and

Whereas, the Legislature encourages the use of the in-state resources, especially the University of Maine; 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. Study.** The State Liquor Commission and the Bureau of Alcoholic Beverages shall conduct a study of the operations of the commission and the bureau. The study shall include the following aspects of the operations:

**1. Pricing structure.** Pricing structure, paying particular attention to the following factors:

- A. Maximizing profits;
- B. Uniform pricing throughout the State;
- C. The effect of the State operating as a monopoly;
- D. The seasonal fluctuations in liquor sales;
- E. The effect of bordering a state or province which aggressively markets liquor;
- F. The process of pricing liquor to be sold in state and agency liquor stores;

**CHAPTER 69**

H.P. 1206 — L.D. 1644