

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.

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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.

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LEGISLATURE

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;

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H.P. 1206 — L.D. 1644

- G. The anticipated growth, if any, in liquor sales; and
 - H. Any other pricing structure factors the commission and the bureau determine may be useful to investigate;
2. Informational advertising. The role of informational advertising by the State;
 3. Location. Location of state liquor stores and agency liquor stores;
 4. Profitability. The profitability of each state liquor store in the system;
 5. Adequacy of service. Adequacy of service, including hours of operation;
 6. Inventory. Efficiency of inventory maintenance and reporting;
 7. Availability of products. Availability of products, including sizes and categories;
 8. Procedures. The listing and delisting procedures followed by the commission; and
 9. Other areas. Any other areas the commission and the bureau determine may be useful to study to improve operations.

Sec. 2. Study in conjunction with the University of Maine. The commission and the bureau shall conduct the study in conjunction with the University of Maine, using appropriate resources to carry out surveys, research, data compilation, reporting and other necessary tasks.

Sec. 3. Reporting date, uniform pricing. The commission and the bureau shall submit a written report of their findings and recommendations concerning the appropriate level, if one exists, for uniform liquor pricing and the projected fiscal impact of any recommendations, to the Second Regular Session of the 113th Legislature, no later than January 15, 1988.

Sec. 4. Reporting date. The commission and the bureau shall submit a written report of their findings and recommendations concerning all other aspects of the study, to the First Regular Session of the 114th Legislature, no later than January 15, 1989.

Sec. 5. Interim reports to the Joint Standing Committee on Legal Affairs. The commission, the bureau and the University of Maine shall meet with a 5-member subcommittee of the Joint Standing Committee on Legal Affairs 2 times between the effective date of this Act and January 15, 1988, to submit interim reports on the progress of the uniform pricing component of the study. The subcommittee shall consist of 2 Senators to be appointed by the President of the Senate and 3 Representatives to be appointed by the Speaker of the House by

June 17, 1987.

Sec. 6. Costs paid by Department of Finance. The Department of Finance shall pay the costs of the study out of current resources.

Sec. 7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

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Study Commission — Funding

Personal Services	\$ 550
All Other	<u>500</u>
Total	\$ 1,050

Provides funds for per diem and related expenses for 2 meetings of a 5-member subcommittee of the Joint Standing Committee on Legal Affairs for a Liquor Pricing Study.

Sec. 8. Allocation. The following funds are allocated from the State Alcoholic Beverage Fund.

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FINANCE, DEPARTMENT OF

Bureau of Alcoholic Beverages

All Other	(\$1,050)
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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.

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H.P. 1009 — L.D. 1356

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 to Protect Ground Water Quality and Public Health Through the Cleanup and Closure of Municipal and Abandoned Solid Waste Landfills.

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the remediation and closure of solid waste landfills.

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

Sec. 1. Authorization of bonds to provide for the remediation and closure of solid waste landfills. The Treasurer of State is authorized, under the discretion of the Governor, to issue from time to time registered