

# 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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- 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.

1987-88

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.

**CHAPTER 70**

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

bonds in the name and behalf of the State to an amount not exceeding \$8,000,000 for the purpose of raising funds to provide for the remediation and closure of solid waste landfills, including municipal and abandoned landfills, as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

**Sec. 2. Records of bonds issued to be kept by the State Auditor and Treasurer of State.** The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the same, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no such bond may be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Department of Environmental Protection.

**Sec. 6. Allocation from General Fund bond issue; remediation and closure of solid waste landfills.** The proceeds of the sale of bonds shall be expended as follows:

ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF

Site Evaluation and Planning Program	\$1,500,000
Municipal Implementation Grants Program	6,500,000
Total	<u>\$8,000,000</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 \$8,000,000 bond issue for cleaning up and closing solid waste landfills that pose a hazard to public health and to ground water quality?”

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.

**CHAPTER 71**

H.P. 1041 — L.D. 1403