

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

## CHAPTER 581

## H.P. 99 - L.D. 134

**An Act to Amend the Laws  
Regarding the Maine Public  
Drinking Water Commission**

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

**Sec. 1. 22 MRSA §2660-C, sub-§1, ¶A**, as enacted by PL 1993, c. 410, Pt. DD, §4, is amended to read:

A. Four of the members must represent the water purveying community and must be ~~employed by~~ associated with public water systems. One of the 4 must be ~~employed by~~ associated with a public water system serving a population of less than 500 people, one must be ~~employed by~~ associated with a public water system serving a population of at least 500 but not more than 3,300 people, one must be ~~employed by~~ associated with a public water system serving a population of at least 3,301 but not more than 10,000 people, and one must be ~~employed by~~ associated with a public water system serving a population greater than 10,000 people.

**Sec. 2. 22 MRSA §2660-C, sub-§4, ¶¶A, E and F**, as enacted by PL 1993, c. 410, Pt. DD, §4, are amended to read:

A. ~~Determine~~ Evaluate the proportion of program effort dedicated to each type of public water system served by the program;

E. Determine an equitable program funding share for each type of public water system that ~~reflects~~ recognizes the level of program effort required for that public water system;

F. Determine fee formulas and collection and transfer schedules for each type of public water system; and

**Sec. 3. 22 MRSA §2660-C, sub-§4, ¶G**, as enacted by PL 1993, c. 410, Pt. DD, §4, is repealed.

**Sec. 4. 22 MRSA §2660-E, sub-§§1 and 2**, as enacted by PL 1993, c. 410, Pt. DD, §4, are amended to read:

**1. Rules.** The department shall establish fee formulas by rules adopted in accordance with the Maine Administrative Procedure Act. The department must consult with and consider the advice of the commission in preparing the rules. Proposed rules issued by the department under this section must include the fee formulas and collection and transfer

schedules developed by the commission. Fee formulas adopted under this section must be equitable. Fees may be based on, but are not limited to, the population served, service connections, volume of water pumped or available seats, campsites, rooms or lots, and may include fixed or graduated fee formulas or combinations of the fee formulas. ~~Fees~~ The base fee may be no ~~less~~ more than \$50 per year per public water system ~~and~~. The base plus per capita fee may be no more than \$30,000 per year per public water system.

**2. Collection and disposition of fees.** Fees adopted under this section cover the period beginning July 1, 1993 and must be collected by each public water system in monthly, quarterly or annual increments. Fees collected by public water systems under this section are state fees ~~and must be enumerated by the public water systems separately from all other charges~~. The department shall establish schedules for the collection and transfer of fees to the State with the advice of the commission. ~~With the advice of the commission, the department shall establish a reasonable percentage of the fees, not to exceed 2%, that may be retained by each public water system as reimbursement for expenses incurred in the collection of the fees.~~

See title page for effective date.

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CHAPTER 582

## S.P. 624 - L.D. 1632

**An Act Relating to the Sale of  
Alcoholic Beverages**

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

**Sec. 1. 28-A MRSA §708, sub-§1**, as repealed and replaced by PL 1987, c. 342, §44, is amended to read:

**1. Certificate of approval holders.** ~~No~~ A certificate of approval holder may ~~not~~ offer to wholesale licensees any special discounts, volume discounts, ~~depletion allowances~~ or other reduced prices or discounts, except bona fide price reductions under section 1408 offered to all wholesale licensees. A certificate of approval holder may offer depletion allowances to wholesale licensees if the depletion allowance is posted in accordance with section 1408. ~~No~~ A certificate of approval holder may ~~not~~ offer any free merchandise, rebate or gift contingent on the purchase of malt liquor or wine.

**Sec. 2. 28-A MRSA §708-A** is enacted to read: