The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 56, “An Act To Include 50ml and Smaller Liquor Bottles in the Laws Governing Returnable Containers.”

I have several objections to this bill. The Legislature purports to care about how each dollar entrusted to the state is spent, yet this bill was exempted from scrutiny by the Appropriations and Financial Affairs Committee despite the cost for implementation that it imposes, which totals over $1 million. I am troubled by the precedent this bill sets; it suggests that any time a legislator identifies a pet cause that needs funding, they should raid the state’s liquor business. That type of thinking has gotten the state into financial trouble in the past, and it runs counter to the steps this Administration has taken to strengthen the liquor contract, which is now producing tens of millions of dollars more a year to fund state government and enable us to pay back the hospital debt. This bill takes us in the wrong direction.

If proponents of this bill are truly concerned about the litter caused by discarded 50ml bottles on the side of the road, they have two options: either increase penalties for discarding these bottles or discontinue sales of these bottles all together.

The case to increase the penalty for discarding 50ml alcohol bottles on the side of the road is clear. In speaking with members of the public and in law enforcement about this issue, they have informed me that 50ml containers on the side of the road often result from consumption inside a moving vehicle. Whether consumed by the driver or a passenger in a vehicle, in violation of Maine law, this is dangerous, illegal and unacceptable. The behavior is more egregious because the act of discarding the bottle out the window is merely an attempt to eliminate the evidence of the crime. I cannot condone this unlawful behavior, and I believe increased penalties are warranted.
Last week I vetoed LD 671, which sought to ease penalties on license suspension for people who have been caught driving while drunk. I am becoming concerned the Legislature does not take drunk driving seriously and is unwilling to protect the public from such reckless behavior. In this bill, the Legislature has once again failed to seek penalties for those creating the threat to public safety.

Absent increased penalties, which this bill failed to impose, an alternative approach is to discontinue the sale of 50ml bottles containing alcohol all together. If this bill passes, I have directed the Bureau of Alcoholic Beverages and Lottery Operations to work with the Liquor and Lottery Commission to delist these products for sale in Maine.

Rather than support this costly bill, which will not reduce drunk driving and does nothing to curb the destruction of evidence through littering, I return LD 56 to you unsigned and vetoed. I strongly urge the Legislature to sustain it.

Fatal drunk-driving accident (Department of Public Safety photo)

Sincerely,

Paul R. LePage
Governor