

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**LD 562 An Act Regarding Local Option Questions on the Sale of Beer and Wine**

**PUBLIC 95**

**SPONSOR(S)**  
PARENT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-121

**SUMMARY**

This bill adds 2 local option questions that may be voted on in a local option election in a municipality to determine whether and when alcoholic beverages may be sold. The questions concern whether beer and wine may be sold for consumption off the premises of licensed establishments on Sundays and whether wine may be sold for consumption off the premises on days other than Sunday.

Committee Amendment "A" (H-121) makes the 2 new local option questions parallel by making both apply to malt liquor and wine sales and deletes the reference to malt liquor and wine sales in the existing questions regarding off-premise sales. The amendment also clarifies the effect of a negative vote on the malt liquor and wine questions. If a municipality has already voted for authority for all off-premise sales but votes in the negative on the malt liquor and wine question, the authority granted by the earlier vote for malt liquor and wine sales is invalidated only if the petition shows a clear intent to invalidate the existing privilege.

**LD 566 An Act to Increase Mobile Home Park License Fees**

**DIED BETWEEN BODIES**

**SPONSOR(S)**  
MURPHY

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-556

**SUMMARY**

This bill would have increased the mobile home park license fee from \$30 to \$40 and the additional fee per mobile home site from \$3 to \$4.

Committee Amendment "A" (H-556) adds a fiscal note to the bill.

**LD 588 An Act to Amend the Public Drinking Laws**

**PUBLIC 157**

**SPONSOR(S)**  
KERR  
WATERMAN  
HEINO  
DUTREMBLE D

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-148

**SUMMARY**

Under current law, a person is guilty of public drinking if, after being forbidden to do so by a law enforcement officer, that person drinks liquor in a public place without authorized permission, or if that person drinks liquor in a public place within a municipality within 150 feet of a notice prohibiting such drinking. This bill amends the law to provide that a person is guilty of public drinking if that person, without license, privilege or permission of an authorized person, drinks liquor in a public place knowing that such drinking is forbidden. The bill also expands the public indecency laws to prohibit urination in public.

Committee Amendment "A" (H-148) replaces the bill and reinstates the provision that a person must have notice of the prohibition against public drinking before that person is considered guilty of illegal public drinking, but it changes the law so that a person is guilty of public drinking if that person