

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:

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

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LAWRENCE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-545

SUMMARY

This bill allows agency liquor stores to deposit cash in an escrow account to pay for liquor purchases and sets up a procedure to follow when checks are returned for insufficient funds.

The bill also changes the definition of spirits to exclude those products with less than 7% alcohol by volume, and includes within the definition of wine products made or strengthened with spirits but with an alcohol content of less than 7% by volume. This permits the products to be sold at grocery stores and by other establishments licensed to sell wine. Finally, the bill extends the excise tax credit to sales of malt liquor and table wine to licensed airlines for interstate and international flights.

Committee Amendment "A" (H-545) rewords the provisions permitting low-alcohol content spirits drinks to be sold by the same licensees and in the same way as wine is sold. The amendment defines the product as a "low-alcohol spirits product" that may not contain more than 4% alcohol by volume. The amendment provides that the product will be treated as wine for all purposes except taxation. The excise tax and premium on the product will be at the same level as sparkling wine, which is \$1 per gallon for excise tax and 24¢ per gallon premium. That level is higher than the tax and premium on other wine. The amendment requires manufacturers of the product to pay an additional tax of 30¢ per gallon for the privilege of selling the product to wholesale licensees in the State. The amendment also permits state and agency stores to continue to sell the product. When sold by state or agency stores, the product must be treated and taxed as spirits, not as wine.

See LD 1979.

LD 1883 An Act Regarding Liquor Procurement by the State

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COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

Under the current liquor licensing laws, a wholesale licensee may not purchase wine or malt liquor from anyone other than the designated primary source of supply. This bill would have extended that requirement to the purchase of spirits by the State Liquor Commission and required that, in order to purchase from an alternate source, the commission and wholesale licensees must receive specific approval from the Joint Standing Committee on Legal Affairs.