

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS

MAY 1994

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Sen. James R. Handy  
Sen. Stephen E. Hall*

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1994**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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*

*P&S XXX*

*RESOLVE XXX*

*CON RES XXX*

*EMERGENCY*

*ONTP*

*INDEF PP*

*FAILED ENACTMENT*

*FAILED EMERGENCY ENACTMENT*

*FAILED MANDATE ENACTMENT*

*DIED BETWEEN BODIES*

*CONF CMTE UNABLE TO AGREE*

*VETO SUSTAINED*

*UNSIGNED*

*DIED ON ADJOURNMENT*

*Chapter # of enacted Public Law*

*Chapter # of enacted Private & Special Law*

*Chapter # of enacted Resolve*

*Chapter # of Constitutional Resolution passed by both Houses*

*Enacted law takes effect sooner than 90 days*

*Ought Not to Pass report accepted*

*Bill Indefinitely Postponed*

*Bill failed to get majority vote*

*Emergency bill failed to get 2/3 vote*

*Bill imposing local mandate failed to get 2/3 vote*

*House & Senate disagree; bill died*

*Committee of Conference unable to agree; bill died*

*Legislature failed to override Governor's Veto*

*Not signed by Governor within 10 days*

*Action incomplete when session ended; bill died*

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

## Joint Standing Committee on Legal Affairs

### **LD 748** An Act Related to Third Parties

ONTP

#### **SPONSOR(S)**

HEESCHEN

#### **COMMITTEE REPORT**

ONTP MAJ  
OTP-AM MIN

#### **AMENDMENTS ADOPTED**

#### **SUMMARY**

This bill would have provided a procedure for 3rd parties to qualify for primaries in legislative districts and for subsequent primaries and general elections. A party would have been able to qualify for primaries in a legislative district if its candidate in the preceding general election received at least 15% of the vote in that district and had declared intent to qualify the party before that election. The bill also would have provided requirements for municipal caucuses and statewide conventions. This bill was carried over from the First Regular Session.

COMMITTEE AMENDMENT "A" (H-783), the minority report of the committee, would have changed from 5% to 8% the total votes that must be received in the last preceding gubernatorial or presidential election in order for a political party to qualify to participate in a primary election. The amendment would also have made a technical correction and added a fiscal note to the bill.

### **LD 996** An Act to Eliminate Seasonal Liquor Stores

PUBLIC 509  
EMERGENCY

#### **SPONSOR(S)**

STEVENS A

#### **COMMITTEE REPORT**

OTP-AM

#### **AMENDMENTS ADOPTED**

H-747  
H-756 DAGGETT

#### **SUMMARY**

This bill eliminates seasonal state and agency liquor stores. Transition provisions allow seasonal liquor stores existing in 1992 or 1993 to convert to year-round operation. This bill was carried over from the First Regular Session.

COMMITTEE AMENDMENT "A" (H-747) replaces the word "commission" with "Bureau of Liquor Enforcement" throughout the bill. This correction is consistent with the Bureau of Liquor Enforcement's new role as the licensing authority for agency liquor stores.

The amendment changes the bidding requirements to establish or replace agency stores by requiring the Bureau of Liquor Enforcement to accept no bids less than \$2,000.

The amendment gives locations that were previously licensed as seasonal agency liquor stores the option of becoming year-round agency liquor stores, instead of limiting the option to only those who were seasonal agency liquor stores in 1992 or 1993. The location requirements in the Maine Revised Statutes, Title 28-A, section 453 do not apply to the previously licensed seasonal agency liquor stores that opt to convert to year-round operation. Those who wish to exercise the option of becoming year-round agency stores must submit a \$2,000 fee to the Bureau of Liquor Enforcement, along with a written statement of intent to become an agency store no later than June 30, 1994.

The amendment specifies that when a location previously licensed as a seasonal agency liquor store opts to become a year-round agency liquor store and ownership is subsequently transferred, the license becomes void. Pursuant to current law, a temporary license will be issued by the Bureau of Liquor Enforcement and then the bidding and application process for replacement of an agency store will occur.