

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS

JULY 1993

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

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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 (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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

4693NRG

This bill also requires landlords when serving tenants with termination notices because they are more than 14 days in arrears in their rent to include in that notice the actual amount the tenant is behind in rent payments.

Committee Amendment "A" (H-290) removes language requiring mobile home park owners to use "specificity" in language when evicting a tenant, clarifies the calculation of rent in arrears for the purpose of serving a termination notice and explains that a good faith mistake made by the landlord in quoting the amount of rent does not invalidate the notice. The amendment also strikes language that requires a landlord to inform a tenant-at-will that the tenant must give a 30 day notice from the day rent is due or the tenant will be liable for next month's rent.

**LD 793**      **An Act to Improve Local Control over Liquor Licensing**

**DIED BETWEEN  
BODIES**

**SPONSOR(S)**

O'GARA  
CLEVELAND

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

**SUMMARY**

The purpose of the bill was to improve public safety and health by improving municipal authority to monitor and control the sale of liquor. That authority is currently very limited under state law. Specifically the bill would have:

1. Redefined Class A restaurants by requiring that at least 60% of their gross annual income come from the sale of food to the public on their premises. Currently, the law sets a flat dollar amount for Class A restaurants, depending on the size of the municipality within which they are located;
2. Amended existing law by giving municipalities access to food and alcohol sales records maintained by establishments that service liquor. Currently, the authority is limited to the State Liquor Commission and its representatives;
3. Clarified the existing law so that it was clear that if an individual or entity that has a liquor license violated any of the state law provisions that must be met in order to gain municipal approval that violation could be used to revoke the license;
4. Allowed municipal officers or their designee to file a complaint with the Administrative Court regarding license violations. Currently, the authority is limited to the State Liquor Commission or the Director of the Bureau of Liquor Enforcement or the director's designee; and
5. Established a revocation process for use by municipalities that chose to enact local ordinances to provide for a local revocation.

Committee Amendment "A" (H-487) would have replaced the original bill and would have allowed municipalities to hold hearings for consideration of requests for renewal of liquor licenses and for consideration of suspension of liquor licenses.

The amendment would have allowed municipalities having a population greater than 50,000 to deny or suspend a license for noncompliance with any local zoning ordinance. The amendment also would have given municipalities access to records of establishments that sell liquor, with the approval of the Bureau of Liquor Enforcement, for the purpose of investigating compliance with license requirements and would have added a fiscal note to the bill.