

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*July 2003*

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**Members:**

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Sen. Kenneth F. Lemont  
Sen. Arthur F. Mayo III*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

|   |  |
|---|--|
| <i>CARRIED OVER PURSUANT TO HP 1212</i> .....         | <i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>                |
| <i>CON RES XXX</i> .....                              | <i>Chapter # of Constitutional Resolution passed by both Houses</i>            |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                | <i>Committee of Conference unable to agree; bill died</i>                      |
| <i>DIED BETWEEN BODIES</i> .....                      | <i>House &amp; Senate disagree; bill died</i>                                  |
| <i>DIED IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</i> |
| <i>DIED ON ADJOURNMENT</i> .....                      | <i>Action incomplete when session ended; bill died</i>                         |
| <i>EMERGENCY</i> .....                                | <i>Enacted law takes effect sooner than 90 days</i>                            |
| <i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</i> .....           | <i>Bill failed to get majority vote</i>  |
| <i>FAILED MANDATE ENACTMENT</i> .....                 | <i>Bill imposing local mandate failed to get 2/3 vote</i>                      |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</i>                 |
| <i>INDEF PP</i> .....                                 | <i>Bill Indefinitely Postponed</i>   |
| <i>ONTP</i> .....                                     | <i>Ought Not To Pass report accepted</i>                                       |
| <i>OTP-ND</i> .....                                   | <i>Committee report Ought To Pass In New Draft</i>                             |
| <i>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; Special Law</i>                          |
| <i>PASSED</i> .....                                   | <i>Joint Order passed in both bodies</i>                                       |
| <i>PUBLIC XXX</i> .....                               | <i>Chapter # of enacted Public Law</i>   |
| <i>RESOLVE XXX</i> .....                              | <i>Chapter # of finally passed Resolve</i>                                     |
| <i>UNSIGNED</i> .....                                 | <i>Bill held by Governor</i>   |
| <i>VETO SUSTAINED</i> .....                           | <i>Legislature failed to override Governor's Veto</i>                          |

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Legal and Veterans' Affairs*

**LD 466**

**An Act Concerning the Issuance of a Temporary Liquor License**

**PUBLIC 213**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COWGER            | OTP-AM MAJ              | H-268                     |
| GAGNON            | ONTP MIN                |                           |

LD 466 proposed to permit the Bureau of Liquor Enforcement to issue a temporary liquor license for up to 60 days from the date of transfer of ownership of an existing, licensed, on-premises establishment.

**Committee Amendment "A" (H-268)** proposed to replace the section in the original bill regarding the issuance of a temporary on-premises liquor license pending the issuance or denial of an annual license for an establishment that has had a transfer in ownership. With this amendment, a temporary license would be applied for at the same time an annual license application would be submitted. The Department of Public Safety, Bureau of Liquor Enforcement would be authorized to issue a temporary license for up to 60 days, unless there is objection from the municipal officials or county commissioners. Under this amendment the proposed fee for a temporary license would be \$100.

***Enacted Law Summary***

Public Law 2003, chapter 213 permits the issuance of a temporary on-premises liquor license pending the issuance or denial of an annual license for an establishment that has had a transfer in ownership. Under this law, a temporary license is applied for at the same time an annual license application is submitted. The Department of Public Safety, Bureau of Liquor Enforcement may issue a temporary license for up to 60 days, unless there is objection from the municipal officials or county commissioners. The fee for a temporary license is \$100.

**LD 486**

**An Act To Protect Communities Affected by Casino Gambling Operations**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMOINE           | ONTP                    |                           |

LD 486, which was a concept draft, proposed that, in the event that gambling casino operations are allowed in this State, a portion of the revenue received by the community in which a casino is located and by the State be required to be allocated to the surrounding towns to offset the impact of the casino on those surrounding towns.

**LD 507**

**Resolve, To Allow the Town of Dennysville To Sue the State and the Atlantic Salmon Commission for Breach of Contract**

**CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODWIN           |                         |                           |

LD 507, a resolve, proposes to authorize the Town of Dennysville to sue the State for damages resulting from the Atlantic Salmon Commission's failure to ensure that after placing the weir in the Dennysville River water would be able to be drawn from the dry hydrant. LD 507 has been carried over to the Second Regular Session.