

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

May 2004

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Sen. Kenneth F. Lemont
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Maine State Legislature



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

*121st Maine Legislature
Second Regular Session and
Second Special 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/billsumm.htm).

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:

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

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

Joint Standing Committee on Legal and Veterans' Affairs

LD 656

An Act to Allow Beverage Sales from Mobile Service Bars on Golf Courses

PUBLIC 579

Sponsor(s)	Committee Report	Amendments Adopted
BROWNE	OTP-AM MAJ	H-636
MAYO	ONTP MIN	

LD 656 proposed to permit the Department of Public Safety, Bureau of Liquor Enforcement to license golf courses to serve liquor on courses from mobile service bars. The bill would establish the annual license fee for a mobile service bar at \$100 and limit sales from a mobile service bar to just malt liquor. It also proposed to require that a licensee ensure that malt liquor be served to only those engaged in a round of golf and that the operator of a mobile service bar successfully complete an alcohol server education course approved by the Bureau of Liquor Enforcement within the Department of Public Safety. The bill also proposed to require that the bureau revoke a license for a mobile service bar for violation of the liquor laws or any rule adopted by the bureau. The bill would provide for the repeal of the mobile service bar license provisions on January 1, 2006.

Committee Amendment "A" (H-636) proposed to specify that an operator of a mobile service bar must be at least 21 years of age and must have the ability to immediately contact the golf course's on-premises establishment for assistance when needed. The amendment would also specify that a patron of the golf course who operates a golf cart may not transport open containers of liquor across a public way.

House Amendment "A" to Committee Amendment "A" (H-773) which was not adopted, proposed to provide that malt liquor may be sold, served or dispensed from a mobile service bar only during a golf tournament in which all the players are 21 years of age or older.

Enacted Law Summary

Public Law 2003, chapter 579 permits the Department of Public Safety, to license golf courses to serve malt liquor on courses from mobile service bars. The annual license fee for a mobile service bar is \$100. It requires that a licensee ensure that malt liquor is served to only those engaged in a round of golf and that the operator of a mobile service bar successfully complete an alcohol server education course. Chapter 656 requires that the department revoke a license for a mobile service bar for violation of the liquor laws or any rule adopted by the department. The law also specifies that an operator of a mobile service bar must be at least 21 years of age, must have the ability to immediately contact the golf course's on-premises establishment for assistance when needed and specifies that a patron of the golf course who operates a golf cart may not transport open containers of malt liquor across a public way. Chapter 656 is repealed on January 1, 2006.