

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON VETERANS AND LEGAL  
AFFAIRS**

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

*Joint Standing Committee on Veterans and Legal Affairs*

liquor may conduct a taste testing at farmers' markets. The amendment specifies that the manufacturer must comply with the bylaws of the farmers' market in order to conduct a taste testing and that a farmers' market is limited to two taste-testing events per month at which a manufacturer may offer the manufacturer's product for taste testing.

**Enacted Law Summary**

Public Law 2017, chapter 168 permits the sale of spirits at farmers' markets. Under current law, the sale of wine and malt liquor at farmers' markets is allowed. It also allows taste testings of beer, wine and spirits to be conducted at farmers' markets. Chapter 168 specifies that a manufacturer must comply with the bylaws of the farmers' market in order to conduct a taste testing and that a farmers' market is limited to two taste-testing events per month at which a manufacturer may offer the manufacturer's product for taste testing.

Finally, the law clarifies that spirits sold by a small distillery at a farmers' market may be sold in the same manner as permitted under current law when a small distillery sells spirits from its manufacturing facility for off-premises consumption.

**LD 1543**

**An Act To Simplify the Licensing Process for Off-site Catering**

**PUBLIC 260**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M HERBIG E	OTP-AM OTP-AM	S-234

Current law requires that a Class A restaurant, Class A lounge, Class A restaurant/lounge, club licensed to sell liquor, hotel or bed and breakfast that wishes to acquire an off-premises catering license from the State also receive approval from the municipality in which the event is to occur, and a municipality may set its own fee for granting a permit. This bill eliminates the requirement that an applicant for an off-premises catering license from the State receive approval from the municipality.

**Committee Amendment "A" (S-234)**

This amendment, which is the majority report of the committee, replaces the bill. The bill eliminates municipal approval for off-premises catering licenses. The amendment provides that, if the municipal approval required as part of an application for an off-premises catering license or a qualified catering license is submitted by the municipality electronically, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations must accept the municipal approval in that form.

**Committee Amendment "B" (S-235)**

This amendment is the minority report of the committee and replaces the bill. The bill eliminates municipal approval for off-premises catering licenses. The amendment provides that, if a municipality does not provide approval or denial of an application for an off-premises catering license or a qualified caterer's license within five days, municipal approval is presumed.

This amendment was not adopted.

**Enacted Law Summary**

Public Law 2017, chapter 260 provides that, if the municipal approval required as part of an application for an off-premises catering license or a qualified catering license is submitted by the municipality electronically, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations must accept the municipal approval in that form.