

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

**STAFF:**

DANIELLE FOX, LEGISLATIVE ANALYST  
COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/lopla/>

**MEMBERS:**

SEN. GARRETT P. MASON, CHAIR  
SEN. RONALD F. COLLINS  
SEN. MICHAEL E. CARPENTER

REP. LOUIS J. LUCHINI, CHAIR  
REP. THOMAS R. W. LONGSTAFF  
REP. JOHN C. SCHNECK  
REP. KIMBERLY J. MONAGHAN  
REP. CRAIG V. HICKMAN  
REP. BRADLEE THOMAS FARRIN  
REP. KATHLEEN R. J. DILLINGHAM  
REP. SHELDON MARK HANINGTON  
REP. DUSTIN MICHAEL WHITE  
REP. OWEN D. CASÁS

# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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*

**LD 1738 An Act To Permit the Sale and Consumption of Alcohol in an Area That Is Not Contiguous to Licensed Premises**

**PUBLIC 337**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S HARRINGTON M	OTP-AM	S-354

This bill allows the sale of alcohol to persons who are on municipally owned property that is not contiguous to the licensed premises of a person licensed to sell spirits, wine or malt liquor for on-premises consumption as long as certain conditions are met, such as approval by the municipality, the exercise of control over the noncontiguous real estate by the licensee, restricting to employees of the licensee the sale of alcohol and limiting the time during which alcohol may be sold on the noncontiguous real estate. The bill also permits the public to travel between the licensed premises and noncontiguous real estate.

**Committee Amendment "A" (S-354)**

This amendment clarifies that noncontiguous real estate near an establishment licensed for the sale of liquor for consumption on the premises that is approved by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations as a proper place for exercise of the licensee's privilege is considered part of the licensed premises. The amendment also clarifies that only an employee of the licensed establishment may transport liquor between the licensed establishment and the noncontiguous real estate.

**Enacted Law Summary**

Public Law 2017 chapter 337 authorizes an establishment licensed to sell liquor for consumption on the licensed premises to sell liquor to patrons on property not contiguous to the licensed premises. The noncontiguous property near the establishment must be owned by the municipality where the establishment is licensed and approved by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages as a proper place for the exercise of the licensee's privilege to sell liquor. The noncontiguous area is considered to be part of the licensed premises. Chapter 337 provides that only an employee of the licensed establishment may transport liquor between the licensed establishment and the noncontiguous real estate. If the space between the licensed establishment and the noncontiguous space is a public way, that space remains accessible to the public.

**LD 1743 An Act To Increase the Number of Agency Liquor Store Licenses in Larger Municipalities**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M	ONTP OTP-AM	S-382

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to modify the number of retail liquor licenses allowed in a municipality based on the population of that municipality.

**Committee Amendment "A" (S-382)**

This amendment replaces the bill, which is a concept draft. The amendment provides that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations may license up to 11 agency liquor stores in a municipality with a population over 60,000. Under current law, the maximum number of agency liquor stores that may be licensed in a municipality with a population over 45,000 is 10.