

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
LEGAL AFFAIRS  
BILL SUMMARY



MAY 1986

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JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1986

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, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

SUMMARY: Current law holds any server of alcohol liable for the damages caused by an intoxicated person if the server provided alcohol to that person illegally (such as if the person were visibly intoxicated or a minor). This "Dram Shop Law" was amended last session to remove joint and several liability and to require a 2-year notice period.

This bill repeals the current law and enacts a comprehensive law to deal with all aspects of liquor liability. It narrows the scope of the server's liability, reduces the notice period to 180 days and the statute of limitations to 2 years (from 6 years). Damages are limited to \$500,000 per occurrence.

The Committee Amendment changes the limitation on damages to \$250,000 for all damages except expenses for medical care and treatment. There is no limit on medical expenses. The amendment also adds a section dealing with approval of alcohol server education courses.

Senate Amendment "A" (S-452) exempts lost wages from the \$250,000 damage cap and changes the cap from a "per accident or occurrence" limit to a "per person" cap. (Not enacted)

**LD 2087** AN ACT CONCERNING ACCESS TO VITAL RECORDS IN ND LD 2276  
CASES OF ADOPTION

Sponsor: GILL, McPherson, Clark, N., Nicholson  
Committee Report: OTP-ND

SUMMARY: See new draft, LD 2276.

**LD 2088** AN ACT CONCERNING RELEASE OF AN ORIGINAL BIRTH LVWD  
CERTIFICATE IN CASES OF ADOPTION

Sponsor: GILL, McPherson, Clark, N., Boutilier  
Committee Report: LVWD

SUMMARY: This bill allows the release of copies of an original birth certificate after there has been a reunion between a birthparent named on the certificate and the adopted person. Currently, a court order is required.