

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
LEGAL AFFAIRS
BILL SUMMARY



JUNE 1987

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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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. The summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

also cover all other aspects of the operations of the commission and bureau to improve efficiency, service and profits. The uniform pricing component of the study will be completed by the 2nd Regular Session; the remainder of the study will be completed by 1989. A 5-member subcommittee of the Legal Affairs Committee will oversee the study during the interim.

House Amendment "A" (H-161) (not adopted) would make a technical correction.

Senate Amendment "A" (S-83) adds an appropriation.

House Amendment "A" to Senate Amendment "A" (H-205) (not adopted) would clarify that the oversight subcommittee consists of Legal Affairs members. It also would correct the appropriation.

House Amendment "B" to Senate Amendment "A" (H-403) does what H-205 proposed, plus would require costs to be paid from the State Alcoholic Beverage Fund.

LD AN ACT RELATING TO QUALIFICATIONS FOR A HOTEL PL 1987
1645 LIQUOR LICENSE c. 232

Sponsor: BALDACCI
Committee Report: New Draft of LD 787

SUMMARY: Current law requires that to qualify for a hotel liquor license, a hotel must be equipped with a certain number of hotel rooms in addition to the rooms used by the owner and employers. The original bill would delete the requirement that the number of rooms be in addition to those used by the owner or employees.

The New Draft accomplishes the same purposes and conforms to the recodification. It also makes a technical correction in the room requirements.

LD AN ACT TO AMEND THE LIQUOR LAWS AS THEY PERTAIN PL 1987
1655 TO STATE BREWERS c. 248

Sponsor: RAND, Coles
Committee Report: New Draft of LD 852

SUMMARY: The original bill would clarify the law as it relates to breweries.

The New Draft accomplishes the same purposes as the original bill, but it is redrafted to conform with the recodification of the liquor laws. It clarifies that any sampling of malt liquor, other than that done for quality

control purposes, can include only malt liquor for which the excise taxes have been paid. The New Draft clarifies that even though the brewery license and the additional retail license are held by the same person, completely separate records must be kept for each license. The section specifically excepts the sale by the brewery to that one retail licensee from the requirement that manufacturers can sell only to wholesalers.

LD AN ACT RELATING TO PROPERTY ABANDONED BY
1656 TENANTS

PL 1987
c. 249

Sponsor: MANNING, Murphy, E., Dillenback
Committee Report: New Draft of LD 441

SUMMARY: Under current law, landlords must move and safeguard for 30 days property abandoned by tenants. The costs can easily exceed the value of the property. The original bill would reduce the time the landlord must hold the property to 7 days after the landlord sends notice to the tenant.

The New Draft gives the former tenant 14 days to respond to the landlord's notice that property worth \$100 or less has been left behind. The landlord must itemize the property left behind in the notice. If the tenant claims the property within the 14 days, the landlord must continue to hold the property for 10 more days. Property worth more than \$100 is considered abandoned after 14 days after notice is sent.

LD RESOLVE, TO COMPENSATE JACQUELINE A. CARON,
1657 PERSONAL REPRESENTATIVE OF THE ESTATE OF ALPHEE
CARON, FOR WRONGFUL DEATH AND FOR PERSONAL
INJURIES ON BEHALF OF HERSELF AND HER MINOR
CHILD, JEFFREY CARON, IN EXCESS OF STATUTORY
LIMITS OF RECOVERY

RESOLVE 1987
c. 48

Sponsor: HANDY, Berube, Gauvreau, Pouliot
Committee Report: New Draft of LD 1136

SUMMARY: Alphee Caron was killed when the car in which he, his wife and his son were riding was struck by a large rock which fell off an improperly-loaded State road construction truck. The State offered the full coverage of its insurance policy -- \$300,000 under the Tort Claims Act. The original bill would allow Mrs. Caron to sue the State in excess of the \$300,000.

The New Draft authorizes payment of \$75,000 in addition to the \$300,000 settlement.