

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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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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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

LD AN ACT TO PROVIDE DISCRETION TO THE STATE
1789 LIQUOR COMMISSION TO ESTABLISH TEMPORARY AGENCY
LIQUOR STORES IN RESPONSE TO NATURAL DISASTERS

P&S 1987
c. 50
EMERGENCY

Sponsor: PERRY, Murphy, E., Priest, Kany
Committee Report: OTP (Majority)
ONTP (Minority)

Amendments Adopted:
H-309 SMITH

SUMMARY: The current law requires the State Liquor Commission to follow Administrative Procedure Act procedures for establishing an agency liquor store. This bill would give the Commission authority to license a temporary agency liquor store in an expeditious manner if a state liquor store is forced to close by a natural disaster.

House Amendment "A" (H-309) replaces the bill to allow the Commission to license a temporary agency liquor store to replace only the Gardiner State Liquor Store which was closed due to the flood in April, 1987.

LD RESOLVE, AUTHORIZING ALTON DISHON TO BRING
1829 CIVIL ACTION AGAINST THE MAINE STATE RETIREMENT
SYSTEM

CARRY-OVER

Sponsor: PRAY, Michaud
Committee Report: Carry-Over

SUMMARY: This bill would allow Alton Dishon to sue the Maine State Retirement System for up to \$50,000, for alleged misrepresentation on the part of agents of the System.

LD AN ACT TO MAKE SUBSTANTIVE CHANGES IN THE
1842 LIQUOR LAWS

PL 1987
c. 342

Sponsor: PERRY, Dillenback, Jalbert, Murphy, E.
Committee Report: New Draft of LD 1564
Amendments Adopted:
S-210 GAUVREAU

SUMMARY: This original bill and the New Draft arise from the Legal Affairs Committee Study, approved by the Legislative Council, to recodify Title 28. Changes suggested throughout the study by the Committee, the Bureau of Alcoholic Beverages, the Bureau of Liquor Enforcement and others are incorporated into the bill. These are changes that could not be made in the Recodification (LD 155) because they would change the effect of the law. The Statement of Fact contains a section-by-section analysis of the New Draft.

House Amendment "A" (H-340) (not adopted) would allow Class A restaurants and hotels to sell liquor on Sunday starting at 10 a.m. Current law prohibits the sale of liquor before noon on Sunday.

Senate Amendment "A" (S-197) (not adopted) would allow part-time, but not full-time, law enforcement officers to hold liquor licenses.

Senate Amendment "B" (S-210) retains a term of art for liquor pricing which is used in existing law.

LD 1869 AN ACT TO TEMPORARILY ALLOW THE SALE OF LIQUOR ON SUNDAY IN RESTAURANTS IN CERTAIN MUNICIPALITIES

PL 1987
c. 418
EMERGENCY

Sponsor: VOSE, Randall
Committee Report:

SUMMARY: This bill was not referred to committee, but the committee worked with the sponsor in drafting the bill.

Under current law, licensees cannot sell liquor on Sunday if the municipality has not voted to approve the Sunday sale of liquor through a local option election. There are several municipalities which have not held a local option election for Sunday sale of liquor, but are not aware that such sales cannot be made. This bill allows licensees in these municipalities to continue to sell liquor on Sunday through August 15th if the municipal officers approve.