

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS**

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

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COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-685 CONF COMM

SUMMARY

This bill requires that all persons who sell liquor, in an on-premise or off-premise retail establishment, obtain a seller's permit from the State Liquor Commission. To be eligible for a permit, one must meet a number of criteria listed in the bill. The key criterion listed is successful completion of an alcohol servers' course approved by the Commissioner of Public Safety.

Committee Amendment "A" substantially revises the bill. The amendment delays application of the bill until July 1, 1990. The amendment removes the requirement that all servers be trained in alcohol safety. The amendment substitutes the requirement that retail licensees be trained in alcohol safety as a condition of obtaining or retaining their retail licenses. The amendment exempts those who have held a retail license for 5 or more years from this requirement. The amendment also reduces the fees and term of the retail seller's permit and establishes license categories distinguishing among those who have received training and those who have not. The amendment exempts those who have worked as servers for 5 or more consecutive years from paying the permit fee. The amendment includes reporting provisions designed to inform the Legal Affairs Committee of the commission's progress in implementing the amendment's provisions. In addition, the amendment includes appropriations and allocations needed to carry out its mandates.

The Committee of Conference Amendment substantially replaces Committee Amendment "A". The conference amendment requires that, after July 1, 1990, an applicant for a retail liquor license successfully complete an examination designed by the Bureau of Liquor Enforcement which demonstrates the applicant's understanding of the liquor laws. The amendment also prohibits hiring a person convicted of furnishing liquor to a minor or illegal sale of liquor within the past 5 years a Class E crime. As a means of enforcing this ban, the amendment requires an applicant for a position involving retail service of alcohol to sign an affidavit stating that the applicant has not been convicted of the 2 crimes noted above within the past 5 years. False swearing on this affidavit is made a Class E crime. The Committee of Conference Amendment clarifies the Administrative Court's jurisdiction over non-criminal violations by both licensees and retail employees.

**LD 274 An Act to Permit Law Enforcement Officers to Solicit Funds
for a Law Enforcement Officers' Memorial**

**P & S 47
EMERGENCY**

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COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-451 PRIEST
S-161

SUMMARY

This bill proposes an exception to the prohibition on solicitation by law enforcement officers. The bill allows law enforcement officers, not in uniform, to solicit funds for a memorial commemorating law enforcement officers slain in the line of duty.

Committee Amendment "A" imposes restrictions and conditions on the exception to the ban on solicitation. The amendment allows the solicitation to continue for 1 year only, limits the amount of