

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

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

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**LD 1486     An Act to Continue Authority for Seasonal Agency Liquor Stores**

**PUBLIC 367  
EMERGENCY**

**SPONSOR(S)**  
MILLS  
LAWRENCE

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-192

**SUMMARY**

This bill authorizes the State Liquor Commission to license up to 12 seasonal agency liquor stores. The licenses are 6-month licenses to operate liquor stores in tourist areas of the State. The commission's authority to license these stores was repealed January 15, 1991.

Committee Amendment "A" (S-192) reduces the number of stores authorized from 12 to 6 and adds a fiscal note to the bill.

**LD 1521     An Act to Promote Efficient Enforcement and to Correct Inconsistencies in the Manufactured Housing Laws**

**PUBLIC 391  
EMERGENCY**

**SPONSOR(S)**  
MURPHY  
SHELTRA  
RICH

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-473

**SUMMARY**

This bill makes the following changes in the laws regulating manufactured housing and mobile home parks:

1. Increases the number of members of the Manufactured Housing Board required for a quorum to reflect the board's increased membership;
2. Establishes \$200 as the maximum annual limit for licensing fees paid biennially by manufacturers, dealers and mechanics;
4. Specifies that each manufacturing plant selling homes in this State must hold a separate license;
5. Increases the license fee for dealers or mechanics with more than one business location from \$10 to \$50 annually;
6. Adds a \$50 fee in addition to the renewal fee for licenses renewed within 90 days of their expiration.
7. Specifies that the fee for each new unit applies to each dwelling unit;
8. Allows the board to assess charges for inspections to the manufacturer, dealer, distributor, broker or mechanic responsible for the need for an inspection, upon a determination of the party responsible for the problem. Under current law, the board could charge a consumer for an inspection even when the consumer is not responsible for the condition requiring the inspection;
9. Amends the definition of "mobile home park" to provide that a park exists when there are 3 or more units on a parcel of land or a total of 3 or more units on adjoining parcels;
10. Eliminates the definition of "sanitarian" because the definition no longer accurately reflects the responsibilities and activities of the board and its inspection process; and

11. Deletes the section of law regarding municipal inspections in lieu of Manufactured Housing Board inspections.

Committee Amendment "A" (H-473) deletes reference to licensed installers, since that language presupposed passage of a licensing bill that has not become law. The amendment clarifies that the inspection fee will be paid by the person responsible for creating the need for the inspection, not by the consumer. The amendment also strikes the section of the bill that would have repealed the section of law permitting municipal inspections of mobile home parks in lieu of Manufactured Housing Board inspections.

**LD 1522 An Act Concerning Beano or Bingo**

**PUBLIC 426**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JALBERT KERR GREENLAW	OTP-AM	H-529

**SUMMARY**

This bill makes several changes to the laws governing beano and high-stakes beano. It authorizes variations on the game of beano not currently allowed under the statutes and rules adopted by the Chief of the State Police and permits beano to begin one hour earlier on Sundays. The bill increases the number of weekends the Penobscot Nation may conduct high-stakes beano from 18 to 36 weekends per year and permits consecutive weekend games in the time period from April to October. The bill also authorizes rescheduling of high-stake beano games cancelled due to inclement weather.

The bill changes the license fee for high-stakes beano from 5% of gross revenues to \$50,000 annually, provides for the sale of lucky seven or other similar sealed tickets during the conduct of the beano game session and for the sale of such tickets with a sale value of \$1 or less, and repeals the sunset clause on the law permitting high-stakes beano.

Committee Amendment "A" (H-529) is a merger of LD 1522 and LD 1222. The amendment, with respect to beano conducted by any type of organization, expands the types of games that qualify as beano to include any type of beano game as long as the manner of determining the winner or winners is announced before the game begins and the winners are determined by the sequence in which numbers or letters are drawn. As in the original bill, the amendment permits all beano games to begin at 11 a.m. on Sunday and permits the sale of Lucky seven or other sealed tickets in conjunction with beano of up to \$1 instead of the current rule permitting tickets only up to 50¢. The amendment also permits Lucky seven and other sealed tickets to be sold during beano games.

The amendment also permits any federally recognized Indian tribe to operate high-stakes beano on 27 weekends and permits the advertising and awarding of door prizes with values up to \$25,000, provided admission tickets are the only method used to determine the door prize and only persons with admission tickets are permitted to win the prize. The amendment exempts high-stakes beano from the rules requiring the caller of numbers to be on the same floor level as the players. The amendment requires the organizations conducting high-stakes beano to report to the Joint Standing Committee on Legal Affairs quarterly on the operation of the high-stakes beano games and continues the requirement that the Bureau of State Police and the organizations report by September 30, 1992 on the 5 years of operation of high-stakes beano.

The amendment also expands the permissible location of beano games by permitting the operation on Indian Territory rather than on the Indian reservation. Indian Territory includes only locations within unorganized territory specifically designated in law.