

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

Staff:

Deborah C. Friedman, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

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STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**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:

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

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COMMITTEE REPORT
 OTP-AM

AMENDMENTS ADOPTED
 H-490
 H-683 LAWRENCE

SUMMARY

This bill requires malt liquor kegs to be labelled and requires the seller of a malt liquor keg to record the name of the purchaser. The bill also requires the seller to collect a deposit on a keg and provides that the deposit is forfeited if the keg is returned without the label. Finally, the bill imposes a fine on possession of an unlabeled keg.

Committee Amendment "A" (H-490) replaces the bill with a substantially similar proposal. The amendment requires kegs to be labeled, but limits the labeling requirement to kegs sold to licensees who will sell the kegs for consumption off the premises. The amendment requires the purchaser to fill out a form and requires the seller to retain the form. The amendment also creates a civil violation for possession of an unlabeled keg and a criminal penalty for removing or defacing a tag.

House Amendment "B" (H-683) clarifies that a person who purchases a tagged keg and who returns it without a tag is presumed to have removed the tag, and clarifies that the keg wholesaler is responsible for printing and distributing the forms to be filled out by purchasers and the labels for the kegs.

SPONSOR(S)
 MILLS
 LAWRENCE

COMMITTEE REPORT
 OTP-AM

AMENDMENTS ADOPTED
 S-245

SUMMARY

This bill prohibits the State Liquor Commission from closing state liquor stores. If the commission intends to close a store, it would be required to submit legislation to exempt the closure from the operation of this law. This process allows the Legislature to have a stronger voice in the decision to close stores than under current law. Current law only permits the Legislature to advise the commission on whether to close a state liquor store.

Committee Amendment "A" (S-245) replaces the bill but achieves the same purpose as the bill. The amendment places in law the location of each state liquor store currently in operation and requires the commission to continue to operate each of those stores. The amendment also prohibits the commission from operating stores in municipalities not included in the list. The commission may recommend that the Legislature amend the law if the commission believes it is desirable or necessary to close stores in the designated municipalities or to open stores in additional municipalities. The amendment permits the commission to move a store location within a municipality and to temporarily close a store if a flood, fire, or other natural disaster or other event beyond the control of the commission makes the store inoperable. The amendment also adds a fiscal note to the bill.

LD 1678, as amended by Committee Amendment "A", appears as Part Z of the budget bill, LD 1967. The proposal was amended to reflect the required closure of 5 state liquor stores, most likely in municipalities that currently have more than one state store.