

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1992

Staff:

Deborah C. Friedman, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. Jeffery N. Mills
Sen. Judy C. Kany
Sen. Charles E. Summers*

**Rep. Mark W. Lawrence
Rep. John Jalbert
Rep. Charles C. Plourde
Rep. Beverly C. Daggett
Rep. Thomas E. Poulin
Rep. Fred L. Richardson
Rep. Albert G. Stevens
Rep. Helen M. Tupper
Rep. Walter W. Hichens
Rep. Rodney V. Bowers*

**Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

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
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

An Act to Broaden and Specify Conduct for Which the Certificate of a Law Enforcement Officer May Be Suspended or Revoked**SPONSOR(S)**RICHARDSON
TUPPER
MILLS**COMMITTEE REPORT**

OTP-AM

AMENDMENTS ADOPTED

H-1118

SUMMARY

The bill broadens the authority of the Board of Trustees of the Maine Criminal Justice Academy to suspend or revoke the certificate issued by the board to a law enforcement officer or corrections officer. The bill requires the board to provide the normal administrative adjudicatory process, such as notice and the opportunity for hearing, for the suspension or revocation, unless the revocation is based on a criminal conviction.

Committee Amendment "A" (H-1118) provides a process for reinstatement of the certificate of a law enforcement officer whose certificate has been revoked as a result of conduct other than murder or other felony. The amendment requires the Board of Trustees of the Maine Criminal Justice Academy to give notice to the chief administrative officer of the agency employing an officer being investigated and to give an opportunity to the employing agency to investigate the grounds for suspension or revocation.

LD 2283 An Act Regarding the Purchase of Spirits at Agency Liquor Stores**SPONSOR(S)**MILLS
LAWRENCE
SUMMERS
STEVENS A**COMMITTEE REPORT**

OTP-AM

AMENDMENTS ADOPTEDH-1146 LAWRENCE
S-636**SUMMARY**

This bill permits an on-premises liquor licensee, such as a restaurant or bar, to purchase spirits at agency liquor stores, without an 8% markup and without written approval, if the licensee is 15 miles or more from the nearest state liquor store.

Committee Amendment "A" (S-636) replaces the bill. It permits on-premises liquor licensees to purchase liquor from an agency liquor store at 104% of the retail sales price if the licensee is located at least 15 miles from the nearest state liquor store. The agency liquor store receives the 4% markup and is required to send 8% of the retail price to the State to compensate the State for lost state store sales. The amendment also resolves a conflict between 2 laws enacted in 1991 affecting the method of payment for spirits purchased at state liquor stores by licensees. The amendment provides that licensees may pay by cash or check, but not by major credit card. Agency store licensees may also pay by putting money in escrow with the State Liquor Commission.

House Amendment "A" to Committee Amendment "A" (H-1146) permits the Bureau of Alcoholic Beverages to grant a credit to wholesale beer and wine licensees for beer and wine sold to concessionaires for resale to airlines. Current law permits the credit only for sales made directly by the wholesaler to the airlines. The amendment also permits the credit to be granted for sales to unlicensed airlines for use on international flights.