

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1994

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

**LD 1575 An Act to Amend Certain Provisions of Law Pertaining to
Brewers' Licenses**

PUBLIC 542

SPONSOR(S)
CONLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-820 DAGGETT
S-416

SUMMARY

This bill allows retail brewers to sell 15 1/2 gallons of their product on brewery premises instead of the current one gallon.

COMMITTEE AMENDMENT "A" (S-416) allows retail brewers to sell 5 liters instead of 15 1/2 gallons of the brewers' product on the brewery premises for consumption off premises. The amendment also limits the 5 liter sales on the premises to nonlicensees only.

HOUSE AMENDMENT "A" (H-820) specifies that a brewery licensee may have only one retail license per brewery location for the sale of liquor to be consumed on the brewery premises.

**LD 1581 An Act to Decrease the Number of Sleeping Rooms a Hotel Must
Have in Order to Obtain a Liquor License**

ONTP

SPONSOR(S)
AHEARNE
PARADIS J

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have reduced by 1/2 the number of sleeping rooms a motel must have in order to obtain a liquor license.

**LD 1587 An Act Concerning the Possession of Firearms by Persons
under the Influence of Intoxicating Liquor or Drugs or with
an Excessive Blood-alcohol Level**

ONTP

SPONSOR(S)
LIPMAN

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have made possession of a firearm by a person who is under the influence of alcohol or drugs or has an excessive blood-alcohol level a Class D crime. The bill also would have increased the class of crime for hunting while under the influence or with an excessive blood-alcohol level from Class E to Class D and would have required a 3-year suspension of a violator's privilege to hunt.

**LD 1600 An Act to Amend the Liquor Laws Pertaining to the
Delivery of Beer and Wine**

PUBLIC 507

SPONSOR(S)
CAREY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires that beer and wine sold by large manufacturers producing more than 50,000 gallons must be physically warehoused by the wholesaler before delivery can be made to a retailer, therefore allowing

more time for the State to ensure that the appropriate taxes have been paid. This bill would not affect microbreweries or farm wineries that produce 50,000 gallons or less.

**LD 1605 Resolve, Authorizing Glenn Greenhalgh to Sue the State
BY REQUEST**

ONTP

SPONSOR(S)
TOWNSEND G

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This resolve would have authorized Glenn Greenhalgh to sue the State for damages resulting from the State's failure to properly investigate the charges of alleged child abuse against Mr. Greenhalgh.

LD 1609 An Act to Clarify Maine Election Laws

PUBLIC 695

SPONSOR(S)
DAGGETT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-947
S-557 CAREY
S-612 PEARSON

SUMMARY

This bill does the following.

1. Corrects a provision relating to ballot access in a presidential preference primary;
2. Clarifies the provisions relating to enlarged ballots for visually impaired voters;
3. Allows clerks to use the same procedure for inspecting candidate ballots as for inspecting referendum ballots;
4. Clarifies the procedure for recording test ballots;
5. Simplifies the Secretary of State's responsibility regarding tabulated results for write-in candidates;
6. Clarifies who may complete an application for voter registration on behalf of a member of the Armed Forces;
7. Clarifies the application process for a people's veto referendum and the direct initiative of legislation and establishes an official date of issuance, which begins a period of circulation during which a voter may collect signatures for the petition; and
8. Simplifies the procedure for processing absentee ballot applications and the procedure for determination of residency for voter registration purposes.

COMMITTEE AMENDMENT "A" (H-947) replaces the original bill and makes the following changes to the election laws:

1. Clarifies the process for determining residence for the purpose of voter registration;
2. Adds a new subchapter, National Voter Registration Act, which outlines the requirements for providing voter registration opportunities in state agencies pursuant to federal law;