

# 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

When a party committee made an expenditure to finance a communication, through advertising, concerning a political cause, the communication would have had to clearly and conspicuously state the party committee that authorized and made or financed the expenditure for the communication.

The amendment also would have added a fiscal note.

Many of the issues in this amendment were incorporated into LD 2013, An Act to Clarify Reporting Requirements for Party Committees and Political Action Committees.

**LD 1679      An Act to Prohibit Electronic Video Machines      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
TRUE	ONTP      MAJ	
	OTP-AM      MIN	

**SUMMARY**

This bill would have prohibited electronic video machines by repealing those provisions of the law that authorize the issuance of games-of-chance licenses for electronic video machine use.

**LD 1692      An Act to Clarify the Certification Procedures of the Maine Criminal Justice Academy      PUBLIC 551**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KONTOS	OTP-AM	H-784

**SUMMARY**

Currently, the law provides that a law enforcement or corrections officer must successfully complete within the first 12 months of employment a basic training program as specified by the Maine Criminal Justice Academy. There is no express requirement in the law that the officer maintain this basic certification. This bill requires that an officer maintain this basic certification. This bill also imposes a like requirement on part-time and reserve officers.

This bill also makes changes to the laws governing the procedures for complaints and investigations handled by the Board of Trustees of the Maine Criminal Justice Academy. The board conducts investigations and holds adjudicatory hearings related to allegations of certain misconduct on the part of law enforcement and corrections officers. The board is presently without specific authority to maintain confidentiality over its complaints and investigative records. This bill adds language that mirrors current statutory confidentiality provisions of municipal personnel records and personnel records of the Department of Public Safety that permits the board to maintain the confidentiality of its complaints and investigative records during the pendency of an investigation, but allows public access to the final written decision relating to any certification action taken by the board.

COMMITTEE AMENDMENT "A" (H-784) conforms existing law to current drafting standards.

**LD 1710      An Act to Simplify the State's Liquor Tax      PUBLIC 615**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
HALL	OTP-AM	S-456

**SUMMARY**

This bill makes the following changes to the liquor laws.

1. Allows the State Liquor Commission to have a stock of wine for sale, the value of which, when priced for resale, is computed on the delivered case cost F.O.B. liquor warehouse filed by liquor vendors;
2. Permits the sale of nonalcoholic mixers in state-operated liquor stores;
3. Allows agency liquor stores that order directly from the Bureau of Alcoholic Beverages and Lottery Operations to mail payments for liquor;
4. Permits on-premise licensees to purchase liquor from an agency liquor store only if the licensee is located at least 15 miles from the nearest state liquor store;
5. Permits retail licensees to engage in marketing and promotional activities approved by the State Liquor Commission; and
6. Changes the mark-up procedure used by the Bureau of Alcoholic Beverages and Lottery Operations in establishing the price at which to sell spirits.

COMMITTEE AMENDMENT "A" (S-456) replaces the original bill and makes the following changes to the liquor laws.

1. Changes the procedure for determining the value of spirits and fortified wine for resale by computing the value based on the delivered case cost F.O.B. liquor warehouse filed by liquor vendors;
2. Allows agency liquor stores that order directly from the State Liquor and Lottery Commission to mail payments for liquor, and payments by mail must be received or postmarked within 3 days of receipt of a liquor delivery or notification of the amount due; and
3. Permits agency liquor store licensees to sell combination packages of spirits that the State Liquor and Lottery Commission have approved for sale in state liquor stores.

This amendment also adds a fiscal note to the bill.

**LD 1712 An Act to Clarify the Licensing Authority of the Department of Public Safety**

PUBLIC 730

**SPONSOR(S)**  
HALL

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
 H-1056 DAGGETT  
 H-1093 DAGGETT  
 H-933 BOWERS  
 S-518

**SUMMARY**

This bill completes the transfer of liquor licensing with corresponding responsibilities from the Bureau of Alcoholic Beverages to the Bureau of Liquor Enforcement within the Department of Public Safety.

COMMITTEE AMENDMENT "A" (S-518) replaces the original bill and does the following.

1. Allows auxiliaries of agricultural societies; nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic or religious organizations; or volunteer fire departments to apply for a license to operate a game of chance;