

# 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 electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

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

**JUNE 1996**

**MEMBERS:**

*Sen. Norman K. Ferguson, Jr., Chair*

*Sen. Albert G. Stevens, Jr.*

*Sen. Michael H. Michaud*

*Rep. Harry G. True, Chair*

*Rep. Guy R. Nadeau*

*Rep. Albert P. Gamache*

*Rep. Nancy L. Chizmar*

*Rep. Charles D. Fisher*

*Rep. Ralph T. Carr*

*Rep. Eleanor M. Murphy*

*Rep. Kenneth F. Lemont*

*Rep. John T. Buck*

*Rep. Janice E. Labrecque*

**Staff:**

*Jon Clark, Legislative Analyst*

*Office of Policy and Legal Analysis*

*Room 101/107/135, 13 State House Station*

*Augusta, ME 04333*

*(207)287-1670*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

**LD 1628 RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Municipal Certification of Direct Initiative Petitions**

CON RES 3

Sponsor(s)  
NADEAU

Committee Report  
OTP-AM

Amendments Adopted  
H-714

LD 1628, a constitutional resolution, proposed to amend the State Constitution to require that a direct initiative be submitted to municipal officials earlier than is now required in order to provide municipal officials more time to certify that the petitioners are certified voters. (Subject to referendum approval)

**Committee Amendment "A" (H-714)** proposed to add the necessary referendum clause and a fiscal note to the resolution.

*Enacted law summary*

Constitutional Resolution 1995, chapter 3 proposes to amend the State Constitution to require that a direct initiative be submitted to municipal officials earlier than is now required in order to provide municipal officials more time to certify that the petitioners are certified voters. (Subject to referendum approval, November, 1996.)

**LD 1632 An Act Relating to the Sale of Alcoholic Beverages**

PU

Sponsor(s)  
FERGUSON

Committee Report  
OTP MAJ  
ONTP MIN

Amendments Adopted  
S-456

LD 1632 proposed to allow brewers to reimburse wholesalers, when price promotions occur, on the basis of the sales actually made ("depletion allowances") rather than on the basis of the amount shipped (current practice). The bill also allows brewers, wholesalers and retailers to offer sales promotions utilizing in-pack games and contests.

**Senate Amendment "A" (S-448)** proposed to allow a certificate of approval holder to offer rebates on the purchase of malt liquor or wine.

(Not adopted)

**Senate Amendment "B" (S-456)** proposed to amend the bill to provide that depletion allowances are permissible if they are posted in accordance with existing price-posting requirements. It also proposed to permit in-pack games, contests and sweepstakes only if a consumer is not required to purchase an alcoholic beverage in order to participate in the game, contest or sweepstakes.

*Enacted law summary*

Public Law 1995, chapter 582 permits brewers to offer depletion allowances to wholesalers. It also allows brewers, retailers and wholesalers to offer in-pack sales promotions provided the consumer is not required to purchase the beverage in order to participate in the game, contest or sweepstakes.