

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

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Sen. Richard J. Carey
Sen. Norman K. Ferguson, Jr.***

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Rep. Duane J. Belanger***



Maine State Legislature

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

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taxes. The intent of this level of taxation on liquor products is to allow enough pricing flexibility under the new system to recapture sales lost to New Hampshire.

The State would close all liquor-related operations as of January 1, 1998. All existing restrictions on agency store locations would be repealed. Any retailer may apply for a license. The initial license fee for the first year will be \$1,200 and \$1,000 annually for renewals for those retailers with annual sales in the prior year greater than or equal to \$400,000, \$600 and \$500, respectively, for retailers with annual sales less than \$400,000. Existing agency stores will be granted a one-year exemption from the renewal fee. Wholesalers that have had a presence in Maine for five years will have be able to apply for a wholesale liquor license for \$1,400 annually for a principal location and \$600 for each additional warehouse or distribution center. This bill has been carried over to the Second Regular Session.

LD 1818 An Act to Strengthen Existing Lobbying Laws ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ETNIER	ONTP	

LD 1818 proposed to change the definitions of “lobbyist” and “employer;” require lobbyist associates and their activities to be included in certain reports filed by lobbyists; shorten the time period within which lobbyists and lobbyist associates must register with the Commission on Governmental Ethics and Election Practices; require lobbyists and lobbyist associates to wear name tags, to identify their employer when testifying before a joint standing committee of the Legislature and to fully disclose to each prospective employer any interest represented by the lobbyist or lobbyist associate that is adverse to the interests of the prospective employer. It also would have prohibited lobbyists, lobbyist associates and their employers from giving any official of the Legislature any pecuniary benefit and provided a definition of that term.

**LD 1827 An Act to Authorize the Operation of Video Gaming Terminals by CARRIED OVER
Certain Nonprofit Organizations**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT DUNLAP		

LD 1827 proposes to authorize the operation of video gaming terminals at nonprofit organizations for members. The State’s share of the net terminal income would be 20%, with the remaining portion split evenly between the organizations and the owners of the machines. This bill has been carried over to the Second Regular Session.

**LD 1828 An Act to Preserve Financial Integrity of the Bureau of Alcoholic CARRIED OVER
Beverages and Lottery Operations**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD		

LD 1828 proposes several changes to the laws governing sales of alcoholic beverages.

1. It would repeal all references to "State Liquor Commission" and replaces it with the "Bureau of Alcoholic Beverages and Lottery Operations" and replaces the reference to "commission" in the Maine Revised Statutes, Title 28-A with "alcohol bureau."
2. It would mandate that the Bureau of Alcoholic Beverages and Lottery Operations relocate the discount liquor store in Kittery by September 1, 1997.
3. It would require the Bureau of Alcoholic Beverages and Lottery Operations to establish a special price allowance program.
4. It would require the Bureau of Alcoholic Beverages and Lottery Operations to place megabucks machines in all state liquor stores.
5. It would require the Bureau of Alcoholic Beverages and Lottery Operations to establish minimum inventory levels for all state liquor stores.
6. It would establish the Alcoholic Beverages Advisory Board.

This bill has been carried over to the Second Regular Session.

LD 1846 **An Act to Prohibit the Opening of Liquor Stores on the Maine Turnpike** **CARRIED OVER**

<u>Sponsor(s)</u> DONNELLY		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1846 proposes to repeal the provision authorizing the establishment of two discount liquor stores at Exit 3 of the Maine Turnpike and would enact a law prohibiting the location or operation of a liquor store on the Maine Turnpike. This bill has been carried over to the Second Regular Session.

LD 1856 **An Act to Allow Private Labeling of Wine for On-premise Consumption** **ONTP**

<u>Sponsor(s)</u> PLOWMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1856 proposed to establish a mechanism by which an on-premise retail licensee could obtain a private label for wine, with certain restrictions.