

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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:

<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 & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & 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>Bill held by Governor</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 August 11, 2000.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101 & 107

LD 2503

An Act to Establish a Special Liquor License for Pool Halls and Billiard Rooms

ONTP

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

LD 2503 proposed to establish a special liquor license for pool halls and billiard rooms that have 4 or more pool or billiard tables. Under this new license, a pool hall or billiard room may be issued a license for the sale of malt liquor to be consumed on premises. Unlike the current system, which links the issuance of the license to the percentage of sales of food, this new license would have no such requirement.

LD 2533

An Act to Amend the Liquor Laws to Create a New Category of License for Pool Halls and Exempt Them from the Prohibition Against Smoking

PUBLIC 760

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-1004 H-1168 TUTTLE

LD 2533 proposed to create a definition of pool hall stating that a pool hall must have at least 4 tables. Under this proposal, the Bureau of Liquor Enforcement could issue a Class I license to a pool hall, bowling center and off-track betting facility, which would permit the sale of beer, wine and spirits for on-premise consumption. The bill also proposed to remove the requirement for bowling centers which states that 10% of their gross annual income must come from the sale of food and that liquor be served in an area separate from where bowling is conducted.

Committee Amendment "A" (H-1004) proposed to replace the original bill. It proposed to create definitions for a bowling center lounge, a pool hall and a self-contained lounge. Under this amendment, a bowling center lounge and a self-contained lounge would be considered lounges for the purposes of the Maine Revised Statutes, Title 22, section 1542 and thus would not be subject to the ban on smoking. The amendment includes pool halls with those facilities that may obtain a license to sell beer and wine would be for on-premise consumption. Under this amendment, pool halls would be exempt from the ban on smoking as long as minors are prohibited on the premises.

This amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-1096), which was not adopted, proposed to change the requirements for a self-contained lounge within a Class A restaurant/lounge. It proposed to add to the exceptions to the public smoking ban the following locations: bowling center lounge, pool hall and self-contained lounge.

House Amendment "B" to Committee Amendment "A" (H-1100), which was not adopted, proposed to remove provisions that allow smoking in a lounge portion of a Class A restaurant/lounge. It would have

added bowling center lounges and pool halls to the exceptions to the law which bans smoking in public places.

House Amendment "C" to Committee Amendment "A" (H-1168) As proposed, this amendment incorporates the changes made by the proposed Senate Amendment "A" to Committee Amendment "A", which would strike all provisions pertaining to self-contained lounges in a Class A restaurant/lounge. In addition, this amendment proposed to clarify the definition of a bowling center lounge and remove the provisions that would exempt a bowling center lounge from the ban on smoking.

Senate Amendment "A" to Committee Amendment "A" (S-669), which was not adopted, proposed to remove the provisions of Committee Amendment "A" that would have defined "self-contained lounges" as lounges, thus removing the exemption from smoking restrictions for such lounges.

Senate Amendment "B" to Committee Amendment "A" (S-670), which was not adopted, proposed to remove the provisions of Committee Amendment "A" that would have defined "bowling center lounges" as lounges, thus removing the exemption for bowling center lounges from smoking restrictions.

Senate Amendment "C" to Committee Amendment "A" (S-671), which was not adopted, proposed to require the Department of Human Services to make rules requiring separate ventilation systems for establishments licensed under the Maine Revised Statutes, Title 22 that have designated smoking areas as provided by Title 22, section 1542.

Senate Amendment "D" to Committee Amendment "A" (S-672), which was not adopted, proposed to require that the Bureau of Liquor Enforcement apply a fee to the annual license of an on-premise establishment that permits smoking in accordance with the terms of its license. The fee would be an amount equal to the square footage of floor space in any enclosed area where smoking is permitted multiplied by \$3.

Enacted law summary

Public Law 1999, chapter 760 defines pool hall within the liquor laws and includes pool halls among other facilities which may apply to obtain licenses to serve beer and wine to be consumed on the premises. Under this law, pool halls are exempt from the ban on smoking when persons under the age of 18 are prohibited from being on the premises.

LD 2548

An Act to Raise Production Limits for Microbreweries

ONTP

<u>Sponsor(s)</u> STANWOOD GOLDTHWAIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2548 proposed to raise the amount of malt liquor a small brewery would be able to produce per year from 50,000 gallons to 100,000 gallons.