

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2001

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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:

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*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
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 **September 21, 2001**.

David E. Boulter, Director
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Joint Standing Committee on Legal and Veterans' Affairs

LD 48

An Act to Prohibit a Liquor Licensee from Employing a Manager or Person in Charge if that Person has a Criminal Record

ONTP

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

LD 48 proposed to prohibit a person licensed to sell liquor from employing as a manager or leaving the licensed premises in charge of a person who has been convicted of a violation of any liquor laws or whose license to sell liquor has been revoked within the previous 5 years. This bill also proposed to prohibit the employment as a manager or person in charge any person who, within the last 5 years, has been convicted of a Class A, Class B or Class C crime or the violation of any liquor laws or whose license to sell liquor has been revoked within the last 5 years.

LD 51

An Act to Increase the Penalty for Furnishing Liquor to a Minor if Injury or Death Results

PUBLIC 395

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE	OTP-AM	H-29

LD 51 proposed to classify furnishing or allowing consumption of liquor by a minor as a Class D crime. This bill proposed to increase the classification to a Class C crime if the consumption of the furnished liquor by the minor proximately causes death of or bodily injury to the minor or any other individual.

Committee Amendment "A" (H-29) clarified the original bill by specifying that a person would be guilty of this crime if the act of furnishing alcohol to a minor results in serious bodily injury or death. It also changed the standard of proof necessary to find the person guilty of this crime from "proximately" causing to "in fact" causing the injury or death.

Enacted law summary

Current law classifies furnishing or allowing consumption of liquor by a minor as a Class D crime. Public Law 2001, chapter 395 increases the classification to a Class C crime if the consumption of the furnished liquor by the minor in fact causes death of or bodily injury to the minor or any other individual.