

# 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  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*August 2001*

**Staff:**

*Danielle D. Fox, Legislative Analyst  
Colleen McCarthy Reid, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

**Members:**

*Sen. Neria R. Douglass, Chair  
Sen. Chandler E. Woodcock  
Sen. Lynn Bromley*

*Rep. John L. Tuttle, Jr., Chair  
Rep. Nancy L. Chizmar  
Rep. Lillian LaFontaine O'Brien  
Rep. Stephen C. Estes  
Rep. William R. Cote  
Rep. John L. Patrick  
Rep. Janice E. Labrecque  
Rep. Arthur F. Mayo, III  
Rep. Theodore H. Heidrich  
Rep. Richard H. Duncan*



**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

**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](http://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*  
 Offices Located in the State House, Rooms 101/107/135

## Joint Standing Committee on Legal and Veterans' Affairs

**LD 295**                      **An Act to Prohibit the Display of Liquor in Windows**                      **ONTP**

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

LD 295 proposed to prohibit a person licensed to sell liquor from displaying liquor in a window of the licensed premises.

**LD 296**                      **An Act to Specify the Permissible Hours for Sale of Liquor By Wholesale Licensees**                      **PUBLIC 21**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS TUTTLE	OTP-AM	S-12

LD 296 proposed to specify that wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

**Committee Amendment "A" (S-12)** made a technical correction to the original bill.

### *Enacted law summary*

Public Law 2001, chapter 21 specifies that wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

**LD 388**                      **An Act to Amend Disclosure Reporting Requirements**                      **PUBLIC 75**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCDONOUGH RAND	OTP-AM	H-90

LD 388 proposed to provide that the forms for legislative financial disclosure will be prepared by and provided to each Senator and each member of the House of Representatives by the Commission on Governmental Ethics and Election Practices. This bill also proposed to change the responsibility for administering disclosure reporting requirements from the Secretary of State to the commission. Additionally, this bill proposed to exempt an appointed and elected executive employee from filing another statement if one has already been filed by that employee for the preceding calendar year.

## Joint Standing Committee on Legal and Veterans' Affairs

### *Enacted law summary*

Public Law 2001, chapter 75 corrects an error in current law by providing that it is the Commission on Governmental Ethics and Election Practices that receives income statement reports and updating statements from legislators, not the Secretary of State. It also provides that Executive Branch employees and constitutional officers are not required to file a financial disclosure report in April if one has already been filed during the preceding calendar year.

**LD 397**

**An Act to Amend the Laws Governing Small Brewery Licenses**

**PUBLIC 236**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	OTP-AM MAJ	S-191
KOFFMAN	ONTP MIN	

LD 397

Under current law, the holder of a small brewery license may directly sell the product to retailers. The bill proposed to extend this right to all brewery license holders, not just small brewery license holders.

**Committee Amendment "A" (S-191)** replaced the original bill. It provides that a small brewery licensee may renew its license for only one year upon reaching the 50,000 gallon production threshold. After that year, if the licensee is still producing more than 50,000 gallons, it no longer qualifies for a small brewery license. The amendment also provides for proper compliance with the bottle deposit law.

### *Enacted law summary*

Public Law 2001, chapter 236 provides that a small brewery licensee may renew its license for only one year upon reaching the 50,000 gallon production threshold. After that year, if the licensee is still producing more than 50,000 gallons, it no longer qualifies for a small brewery license. The law also provides for proper compliance with the bottle deposit law.

**LD 401**

**An Act to Prohibit the Sale of Liquor by Retail Licensees for Less than the Actual Price Paid**

**DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	OTP MAJ	
CHIZMAR	ONTP MIN	

LD 401 proposed to prohibit retail liquor licensees from selling any liquor for less than the actual price paid for the liquor.