

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Legal and Veterans' Affairs

LD 1075 proposed to expand the items that may be sold by persons licensed to sell malt liquor and wine to include glasses, china and devices designed to open containers of wine and beer.

Committee Amendment "A" (H-313) proposed to make technical changes to the bill.

Enacted law summary

Public Law 2005, chapter 193 expands the items that may be sold by persons licensed to sell malt liquor and wine to include glasses, china and devices designed to open containers of wine and beer.

LD 1085

An Act To Require Alcohol Retailers To Post Signs Regarding the Laws Governing Alcohol

PUBLIC 437

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM MAJ	H-455
MARTIN	OTP-AM MIN	H-485 RINES S-394 ROTUNDO

LD 1085 proposed to require all retail liquor licensees to display a sign in a conspicuous location at the licensed premises informing customers of the prohibition of the purchase of liquor by or the sale of liquor to minors or visibly intoxicated persons, and require the Commissioner of Public Safety to create the sign and distribute it to all retail liquor licensees.

Committee Amendment "A" (H-455) was the majority report and proposed to remove the posting requirements for on-premises licensees and make a violation of the posting requirements a civil violation with a fine of not less than \$50 or more than \$200 for any one offense. The amendment would also add an appropriations and allocations section.

Committee Amendment "B" (H-456) was the minority report and would require the Commissioner of Public Safety to provide signs to specified licensees free of charge. This amendment would also add an appropriations and allocations section.

House Amendment "A" to Committee Amendment "A" (H-485) was presented on behalf of the Committee on Bills in the Second Reading and would make changes consistent with the changes made for section 1.

Senate Amendment "A" to Committee Amendment "A" (S-394) proposed to direct the Department of Public Safety to absorb the cost of printing and distributing the signs.

Enacted law summary

Public Law 2005, chapter 437 requires all off premises retail liquor licensees to display a sign in a conspicuous location at the licensed premises informing customers of the prohibition of the purchase of liquor by or the sale of liquor to minors or visibly intoxicated persons, and requires the Commissioner of Public Safety to create the sign and distribute it to all off premises retail liquor licensees.

A violation of the posting requirements is a civil violation with a fine of not less than \$50 or more than \$200 for any one offense.