

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Legal and Veterans' Affairs*

July 2006

Members:

*Sen. Kenneth T. Gagnon, Chair
Sen. Elizabeth H. Mitchell
Sen. Debra D. Plowman*

*Rep. John L. Patrick, Chair
Rep. John L. Tuttle, Jr.
Rep. Charles D. Fisher
Rep. Linda M. Valentino
Rep. Randy E. Hotham
Rep. Richard B. Brown
Rep. Gary W. Moore*

*Rep. David N. Ott
Rep. Wright H. Pinkham, Sr.
Rep. Joan M. Nass
Rep. Frederick J. Moore, III*

Staff:

Danielle D. Fox, Legislative Analyst

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

Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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/billsumm.htm).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Legal and Veterans Affairs

LD 1838

Resolve, Directing the Office of Substance Abuse To Study the Potential Use of Liquor License Fees and Liquor Taxes To Fund Efficient Delivery of Substance Abuse Treatment and Prevention Programs

RESOLVE 142

Sponsor(s)
WEBSTER

Committee Report
OTP-AM

Amendments Adopted
H-789

LD 1838 was a concept draft pursuant to Joint Rule 208. It proposed to create a progressive fee for certain liquor licensing based on the volume of sales.

Committee Amendment “A” (H-789) proposed to replace the bill with a resolve. The resolve would direct the Director of the Office of Substance Abuse within the Department of Health and Human Services to conduct a study examining potential sources of funding for the delivery of substance abuse prevention and treatment programs and to report the findings to the joint standing committees of the Legislature having jurisdiction over alcoholic beverage matters and substance abuse prevention and treatment program matters. The study would be required to include an examination of current funding of substance abuse prevention and treatment programs and their adequacy and the best practices for the delivery of such programs.

Enacted law summary

Resolve 2005, Chapter 142 requires the Director of the Office of Substance Abuse within the Department of Health and Human Services to conduct a study examining potential sources of funding for the delivery of substance abuse prevention and treatment programs and to report the findings to the joint standing committees of the Legislature having jurisdiction over alcoholic beverage matters and substance abuse prevention and treatment program matters. The study must include an examination of current funding of substance abuse prevention and treatment programs and their adequacy and the best practices for the delivery of such programs.

LD 1883

An Act To Clarify the Liquor Laws

PUBLIC 539

Sponsor(s)
PATRICK

Committee Report
OTP-AM

Amendments Adopted
H-856

LD 1883 proposed to clarify obsolete language pertaining to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the Department of Public Safety. It also would add a representative from the bureau to the Server Education Advisory Committee.

Committee Amendment “A” (H-777), which was not adopted, adds language to the bill to clarify that the State Liquor and Lottery Commission establishes the prices of spirits sold in the State. It also would have removed a reference to state discount liquor stores that were authorized by a section of law that has since been repealed.

Committee Amendment “B” (H-856) proposed to amend the definition of “low-alcohol spirits product” to mean a product containing spirits that has an alcohol content of 6% or less by volume. Current law defines a low-alcohol spirits product as a product containing spirits that has an alcohol content of less than 6% by volume.