

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

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

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Legal and Veterans Affairs

LD 846

Resolve, Directing the Department of Public Safety, Bureau of Liquor Licensing and Compliance To Study the Retail Placement and Marketing of Spirits, Beer and Wine with Regard to Minors

RESOLVE 68

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD DOW	OTP-AM MAJ ONTP MIN	H-289 H-305 PATRICK

Current law provides that an agency liquor store must be located at least 300 feet from a public or private school, church, chapel or parish house. This distance requirement may be waived for a church, chapel, parish house or post secondary school, after holding a public near the proposed location. The waiver does not apply to all schools, just post-secondary schools. The 300 feet distance requirement in current law would still be applicable with regard to churches, chapels and parish houses.

This bill amends that law to require that an agency store must be at least 750 feet from a public or private school. This requirement would apply to newly licensed agency stores as well as existing agency stores when those licenses are due for renewal. The bill provides that after a public hearing near the agency store or proposed agency store, the bureau may waive the distance requirement as long as the spirits sold by the agency store are placed in a locked display case accessed only by an employee who is 17 years of age or older.

Committee Amendment "A" (H-289)

This amendment replaces the bill with a resolve directing the bureau of liquor licensing and compliance within the Department of Public Safety to conduct a study of agency liquor stores with regard to the retail placement and advertising of spirits with regard to minors.

House Amendment "A" (H-305)

This amendment directs the bureau of liquor licensing and compliance within the Department of Public Safety to include beer and wine in its study regarding the retail placement and advertising of spirits with regard to minors.

Enacted Law Summary

Resolve 2007, chapter 68 directs the bureau of liquor licensing and compliance within the Department of Public Safety to conduct a study of agency liquor stores with regard to the retail placement and advertising of spirits, beer and wine with regard to minors. This law requires a report to be submitted to the Joint Standing Committee on Legal and Veterans' Affairs by January 30, 2008.

LD 854

An Act To Extend Term Limits for the House of Representatives

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	ONTP	

This bill extends the number of consecutive terms a member of the House of Representatives may serve from 4 to 5. This bill applies only to a member of the House of Representatives who is elected to a first term in or after 2008.