

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
GAUVREAU	OTP-AM	S-79
CLARK N		
STEVENS P		
LAWRENCE		

**SUMMARY**

This bill prohibits the State Liquor Commission from issuing a liquor license to a golf club that discriminates in membership on the basis of a person's race or color, gender, physical or mental handicap, religion, age or ancestry or national origin.

Committee Amendment "A" (S-79) provides that a liquor license will be denied only if the Maine Human Rights Commission has found reasonable cause to believe that the club's membership practices are discriminatory and conciliation efforts with the club have failed. The amendment also extends the license denial to restaurant licensees located on the property of golf clubs.

**LD 506 An Act Amending the Primary Election Law Requiring a Minimum Number of Votes PUBLIC 244**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
COLLINS	OTP-AM	S-136
THERIAULT		

**SUMMARY**

Current law requires candidates at primary elections to obtain a minimum number of votes to be nominated. For a candidate for the Maine House of Representatives, the number of votes required is 25, and for a candidate for the Maine Senate the number is 100. This bill provides that a candidate for the Legislature who qualifies for the primary election by petition and consent and who is unopposed at the primary election is nominated for the office of Senator or member of the House of Representatives regardless of the number of votes cast at the primary election.

Committee Amendment "A" (S-136) provides that a person is nominated at a primary election if the person receives a plurality of the votes, regardless of whether that person is unopposed. The amendment also applies this rule to candidates for all offices, not just for the Legislature. The rule for write-in candidates is not changed.

**LD 524 An Act to Prohibit the Charging of Rent in Advance by Landlords**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
O'DEA	OTP-AM	H-245
CAHILL M		

**SUMMARY**

This bill would have prohibited landlords from charging tenants of residential rental units any combination of security deposit and advance rent that exceeds the equivalent of 3 months' rent.

Committee Amendment "A" (H-245) would have replaced the bill and clarified that advance rent is a security deposit, and that a landlord may not avoid the limit on security deposit by creating a rental period greater than one month. See also LD 1923.