

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

4693NRG

a Class D crime. The amendment corrects the problem of the illegality of "mail ordering" alcohol by prescribing regulated "shipping" by common carrier. A common carrier may deliver a shipment only upon presentation of the permit authorizing receipt and only to the person named in the permit. The amendment also adds a fiscal note.

**LD 263      An Act to Reduce Access by Minors to Alcoholic Beverages      ONTP**  
**in Agency Stores**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
TREAT	ONTP	

**SUMMARY**

This bill would have required an agency liquor store to separate spirits from other merchandise in the store and would have required the State Liquor Commission to rule upon agency licensees' proposals to implement separation. The purpose of this bill was to restrict minors' access to alcohol.

**LD 270      An Act to Mandate Suspension of a Minor's Operator's      PUBLIC 93**  
**License for Possession of Alcohol in a Motor Vehicle**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KERR	OTP-AM	H-78

**SUMMARY**

This bill mandates that minors be charged under the illegal transportation section of the Maine Revised Statutes and lengthens the terms of suspension of the minor's operator's license provided under that section. This bill does not affect the ability to charge under other provisions when drunken or negligent driving is an issue.

Committee Amendment "A" (H-78) prevents the bill from having adverse automobile insurance implications for insureds by prohibiting insurers from increasing automobile insurance rates solely on the basis of the license suspensions of minors for illegal transportation of alcohol as prescribed by the bill. The amendment prohibits insurers from cancelling automobile insurance coverage when a minor covered under the policy is convicted for illegal transportation of alcohol. The amendment also adds a fiscal note.

**LD 304      An Act to Amend the Laws Regarding Protection from      PUBLIC 199**  
**Harassment to Include the Protection of Rental Property**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
DAGGETT HANDY	OTP-AM	H-291

**SUMMARY**

This bill provides a mechanism for landlords to quickly evict tenants that place other tenants or the property in imminent danger. After the tenant is provided with at least 24 hours' notice, the court will hold a hearing in which the landlord is given the opportunity to prove that the tenants or the landlord's property is in imminent danger from the defendant tenant, the tenant's family or invitees of the tenant. If the court agrees, the court has one day in which to issue a writ of possession to the landlord that requires the defendant tenant to leave the premises within 48 hours. If the defendant wants to appeal, the appeal must be filed before the expiration of the 48-hour period to vacate. The court has 24 hours to act on the appeal. Service of notice is based on the notice required for 7-day evictions.

Committee Amendment "A" (H-291) replaces the original bill. The amendment redefines "harassment" to include threats against a landlord and destruction of rental property. The amendment provides a landlord with a process to seek relief from harassment and provides a landlord with the same types of remedies a person may seek under the laws that provide protection from harassment. The amendment also adds a fiscal note.

**LD 313 An Act Related to Mobile Home Parks**

PUBLIC 180

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
ESTY	ONTP	MAJ	S-107 ESTY
	OTP	MIN	

**SUMMARY**

This bill limits entrance fees charged by mobile home parks to those directly related to the cost of developing or renovating lots. It also provides that any fees or charges made by mobile home parks must be directly related to the cost of providing the service for which the charge is made.

Senate Amendment "A" (S-107) replaces the original bill, limits entrance fees charged by mobile home parks to 2 times the amount of the monthly rent and eliminates all other proposed fee provisions.

**LD 326 An Act to Improve Election Day Voter Registration**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
LARRIVEE	ONTP		

**SUMMARY**

The bill would have made it possible for all eligible residents to register and vote at the voting place or municipal office on election day at the clerk's discretion.

**LD 337 An Act to Prohibit Public Housing Authorities from Regulating Firearm Possession by Residents**

DIED BETWEEN BODIES

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
ROTONDI	OTP	MAJ	
	ONTP	MIN	

**SUMMARY**

This bill would have prohibited a public housing authority from adopting rules that restrict the right of tenants to possess firearms.

**LD 339 An Act to Ensure Accountability in the Election Process**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
ZIRNKILTON	ONTP		

**SUMMARY**

This bill would have required the election clerk to provide the total number of ballots in each container for each ballot category.