

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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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.

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5. The bill would have authorized licensees to conduct one unlimited paper game per occasion.
6. The bill would have raised the limitations on prizes, from \$400 to \$500 for a single prize and from \$1,400 to \$2,000 for total prizes on any one occasion.
7. The bill would have increased by one hour the period during which games of lucky seven may be conducted.
8. The bill would have also enacted general rules of operation. Specifically, the bill would have:
 - A. Allowed the use of "u-pick-em" tally cards;
 - B. Allowed a separate nonsmoking room or area to be set up;
 - C. Regulated the calling of numbers in locations where monitors are used;
 - D. Allowed an operator calling numbers to be on a different floor level from participants;
 - E. Allowed the use of bonus cards;
 - F. Allowed a licensee to play for a player to allow that player to use the restroom;
 - G. Regulated the use of electronic card managers or aids;
 - H. Allowed electronic verification of tally cards; and
 - I. Allowed for the arrangement of numbers on cards in any pattern that can be rotated.

LD 564 Resolve, to Direct the Commission on Governmental Ethics and Election Practices to Study Accountability and Truth in Campaign Advertising ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
JACQUES TITCOMB	ONTP	

SUMMARY

This resolve would have directed the Commission on Governmental Ethics and Election Practices to study and analyze campaign advertising and to develop recommendations to encourage accountability and truth in campaign advertising.

LD 580 An Act to Further Discourage the Smoking of Cigarettes by Minors PUBLIC 301

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P	OTP-AM MAJ ONTP MIN	H-396

SUMMARY

This bill increases the fine for furnishing cigarettes to minors from \$10 to \$100 and from \$25 to \$200. The bill also extends the prohibition to cigarette paper.

Committee Amendment "A" (H-396), part of the majority committee report, strikes the provision that it is an affirmative defense to prosecution under sales and distribution of cigarettes to minors that the defendant was the parent, foster parent, guardian or other similar person responsible for the long-term general care of the minor who furnished cigarettes or cigarette paper to the minor. The amendment also adds a fiscal note.

LD 594 An Act to Limit Contributions Candidates May Receive from ONTP
Political Action Committees

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HANDY	ONTP MAJ	
	OTP MIN	

SUMMARY

This bill would have established a limit on total contributions that various candidates may accept from all political action committees contributing to their campaigns. The limit would have varied with the office being sought. For a candidate for Governor, the total contributions from all political action committees would have been \$45,000; for a candidate for Senate, \$1,000; for a candidate for House of Representative, \$500 and for any other state office, \$250.

These limitations would have been adjusted each election year to reflect changes in the Consumer Price Index so that the limits would not become outdated by inflation over the years. Candidates would have been advised of new limits by the Commission on Governmental Ethics and Election Practices.

The limitations imposed by this bill would not have applied to contributions made by political parties but would have applied to contributions by political action committees made through an intermediary or expenditures made by political action committees on a candidate's behalf with that candidate's consent or cooperation.

LD 605 An Act Concerning Termination of Tenancies at Will PUBLIC 202

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FAIRCLOTH	OTP-AM	H-316
CAREY		
BOWERS		

SUMMARY

This bill amends the 30-day notice provision for terminations of tenancies at will to allow service of notice by first class mail to the tenant's last known address and by leaving notice at the tenant's last and usual place of abode, when the landlord has made 3 good faith but unsuccessful efforts to serve the tenant in person. This alternative notice corresponds to that allowed under the Maine Revised Statutes, Title 14, section 6002, subsection 1 for a 7-day notice of termination.

Committee Amendment "A" (H-316) requires that tenancies at will must be terminated by either party by a minimum of 30 days' notice. The amendment also clarifies that 30 days' notice must expire on the date rent is due to be paid by the tenant.