

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

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Sen. Richard J. Carey
Sen. Norman K. Ferguson, Jr.***

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically by committees 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).

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 1458 proposed to prohibit a lobbyist from making a contribution to the Governor, a State Senator, a State Representative, a candidate for any of these offices or a legislative or gubernatorial political action committee during a legislative session and would have provided for a civil penalty not to exceed \$5,000 for a violation of the law. (See LD 1882)

LD 1515 **An Act to Allow Unenrolled Voters to Serve as Election Workers at Polls** **ONTP**

<u>Sponsor(s)</u> CLUKEY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1515 proposed to allow registered voters who are not enrolled in a political party to serve as election workers.

LD 1520 **An Act to Amend Various Election Laws** **ONTP**

<u>Sponsor(s)</u> BELANGER D CAREY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1520 proposed to make the following changes to the laws governing election practices:

1. Require a person appointed guardian of an incapacitated person who is registered to vote to notify the registrar of the appropriate municipality to remove the name of the incapacitated person from the voting list;
2. Require the Secretary of State to check the voting lists annually at random to ensure that the lists are current;
3. Prohibit a municipal clerk from serving as warden.
4. Require the chair of the municipal committee of each major party to appoint two ballot counters to count ballots after the polls close;
5. Provide the Secretary of State has the same power with respect to elections involving only municipal offices or issues as the Secretary of State has with respect to other elections; and
6. Allow a chair of the municipal committee of a major party to be present when a resident of a nursing home, boarding home or congregate housing unit casts an absentee ballot.

LD 1532 **An Act to Amend the Maine Liquor Liability Act** **ONTP**

<u>Sponsor(s)</u> THOMPSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1532 proposed to require all licensees serving liquor to obtain at least \$250,000 of liquor liability insurance.

LD 1547 **An Act to Require that All State-owned Flag Poles Fly the Prisoner-of-war Flag** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOLDUC RAND	ONTP	

LD 1547 proposed to require that the prisoner-of-war flag be flown from each flag pole where the state flag is flown.

LD 1549 **An Act to Promote Microbreweries** **PUBLIC 228**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL M	OTP-AM	H-269

LD 1549 proposed to allow the holder of a brewery license or small brewery license to offer its malt beverages to licensed retailers for the purposes of taste testing the product. Current law allows one license at one location.

Committee Amendment "A" (H-269) replaced the original bill and established conditions in which a brewery, small brewery, farm winery or wholesaler may give a retail licensee samples of products.

Enacted law summary

Public Law 1997, chapter 228 allows persons licensed as a small brewery, farm winery or wholesaler to give retail licensees samples of products. The samples must comply with certain conditions.

LD 1550 **An Act to Prohibit Landlords from Collecting Rent More than 3 Months in Advance** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEVENS CATHCART	ONTP MAJ OTP MIN	

LD 1550 proposed to prohibit a landlord from collecting rent more than three months in advance of the date the rent is due.