

MAINE STATE LEGISLATURE

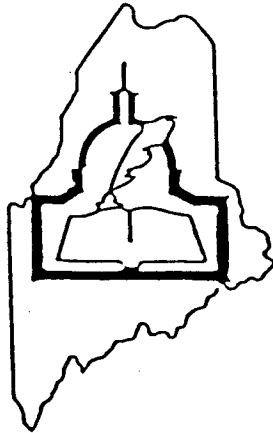
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
LEGAL AFFAIRS
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

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, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO FURTHER COMPETITION WITH NEW
17 HAMPSHIRE IN THE LIQUOR TRADE

ND LD 1615
ND LD 2281

Sponsor: ROLDE
Committee Report: OTP-ND-NT, ONTP

SUMMARY: The Committee reported out a new draft (LD 1615) during the First Regular Session which was enacted by the Legislature but held by the Governor. The new draft was recommitted to Committee in January, and another new draft (LD 2281) was reported out.

See new draft, LD 2281.

LD AN ACT TO AMEND THE MOTOR VEHICLE LAWS WITH
904 REFERENCE TO OPERATING UNDER THE INFLUENCE TO
DECriminalize PROCEEDINGS UNDER THE TRAFFIC
INFRACTION LAWS

LVWD

Sponsor: STETSON
Committee Report: LVWD

SUMMARY: This bill was submitted in response to the Supreme Judicial Court of Maine decision in State v. Freeman which struck down the civil operating under the influence provisions as unconstitutional. This proposal reinstates a civil OUI offense by requiring the police officer to determine whether or not arresting the driver at the scene is appropriate. The bill was carried-over from the First Regular Session for redrafting.

The new draft reinstates a civil OUI offense, allowing the first offender to choose, in certain situations, to have a criminal trial on the criminal OUI offense, or a civil trial on a lesser civil offense.

The Committee chose to not amend the OUI laws again, believing that the current system is working well enough that no changes are absolutely necessary.

LD RESOLVE, AUTHORIZING COLWELL CONSTRUCTION
1467 COMPANY, INCORPORATED, TO BRING A CIVIL ACTION
AGAINST THE STATE OF MAINE

INDEF PP

Sponsor: BUSTIN, Hickey
Committee Report: OTP-AM, ONTP

S-242 CA H S

SUMMARY: This resolve authorizes Colwell Construction Company, Inc., to sue the State to solve a dispute over payment for work done for the State.

The Committee Amendment (Majority report) authorizes Colwell to enter into binding arbitration with the State to resolve the dispute.

The resolve was finally passed as amended during the First Regular Session, but the Governor held the resolve. The Legislature called back the resolve and indefinitely postponed it after the dispute was settled.

LD AN ACT TO FURTHER COMPETITION IN THE LIQUOR ND LD 2281
1615 TRADE

Sponsor: ROLDE
Committee Report: New Draft of LD 17

H-258 REEVES
H-259 HIGGINS
H-288 HIGGINS
H-290 HIGGINS H S

SUMMARY: This new draft was enacted by the Legislature but the Governor did not sign it. The Legislature called back the bill from the Governor in January and recommitted it to Committee. The Committee reported it out as a new draft (LD 2281). For summary of LD 1615 see Bill Summaries for First Regular Session, 112th Legislature.

See new draft, LD 2281.

LD AN ACT TO ALLOW MUNICIPAL OFFICERS TO DELEGATE PL 1985
1686 THEIR AUTHORITY TO LICENSE CATERED OFF-PREMISE c. 549
 FUNCTIONS

Sponsor: REEVES, Macomber, Dillenback, Rioux
Committee Report: OTP-AM

H-507 CA H S

SUMMARY: Current law requires municipal officers to license catering services on a case-by-case basis. This bill allows the municipal officers to designate another person to approve these licenses.