

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
LEGAL AFFAIRS

MAY 1988

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Sen. Robert G. Dillenback

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\* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST & SECOND SPECIAL SESSIONS  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1988**

*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 summaries are arranged by LD number under each committee.*

*All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::*

<b>OTP</b>	<b>Ought to Pass</b>
<b>OTP-ND</b>	<b>Ought to Pass in New Draft</b>
<b>OTP-ND-NT</b>	<b>Ought to Pass in New Draft, New Title</b>
<b>OTP-A</b>	<b>Ought to Pass as Amended</b>
<b>ONTP</b>	<b>Ought Not to Pass</b>
<b>LVWD</b>	<b>Leave to Withdraw</b>
<b>INDEF PP</b>	<b>Indefinitely Postponed</b>

*Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.*

*Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.*

LD      Resolve, Authorizing Alton Dishon to Bring Civil Action      ONTP  
1829    Against the Maine State Retirement System

<u>SPONSOR(S)</u>	<u>COMMITTEE    REPORT</u>	<u>AMENDMENTS ADOPTED</u>
PRAY MICHAUD	ONTP	

SUMMARY

This resolve was introduced so late in the First Regular Session that it was carried over for consideration in the Second Regular Session.

This resolve would allow Alton Dishon to sue the Maine State Retirement System for up to \$50,000 for alleged misrepresentations on the part of agents of the system.

**LD**      An Act to Strengthen Penalties for Persons Piloting Boats      INDEF PP  
**1935**    Under the Influence of Alcohol

<u>SPONSOR(S)</u>	<u>COMMITTEE    REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SIMPSON MURPHY E ESTES DILLENBACK	OTP-AM	

SUMMARY

Current law provides that operating any watercraft while under the influence of alcohol is a Class E crime. The original bill sought to make that action a Class C crime.

Committee Amendment "A" (H-708) replaces the bill. It would amend the crime of operating a watercraft under the influence into 2 parts. If the watercraft is nonmotorized (e.g. a canoe) or has a motor of 5 horsepower or less, the crime is still a Class E crime. If, however, the watercraft has a motor of more than 5 horsepower, the crime would be a Class D crime, and the mandatory minimum penalties generally track those for motor vehicle OUI. The amendment would also make failure to comply with the duty to submit to a chemical test a Class E crime. Provisions concerning administration of chemical tests and record keeping mirror the motor vehicle statutes.

LD      An Act to Clarify the Offense of Furnishing Liquor to a      PUBLIC  
1995    Minor      576

<u>SPONSOR(S)</u>	<u>COMMITTEE    REPORT</u>	<u>AMENDMENTS ADOPTED</u>
DILLENBACK MURPHY E TUPPER PERRY	OTP	

SUMMARY

Current law regarding furnishing liquor to minors refers to "premises" under the control of the person. "Premises" is defined in the liquor laws as only