

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. Stephen C. Estes
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::

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

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 Laurette 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 Barry B. Tweedie to Bring Suit Against ONTP
2354 the State and the Town of Durham

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

SUMMARY

This Resolve would have allowed Barry Tweedie to sue the State for damages suffered due to the State's alleged negligence in placement of a utility pole.

LD An Act to Amend the Law for Rest Room Requirements for Bed ONTP
2361 and Breakfast Establishments

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WEBSTER C KANY BAILEY	ONTP	

SUMMARY

This bill would have created a liquor license category for bed and breakfast establishments, and exempted them from both Department of Human Services and Liquor Commission rules on restrooms.

LD An Act to Strengthen the Drunk Driving Laws PUBLIC
2395 791

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
PRIEST HILLOCK HUSSEY PERKINS	OTP-AM	H-669 S-472 DOW

SUMMARY

This bill would make several revisions in the current drunk driving law. The major changes are:

- 1) Reducing the excessive-blood alcohol level from 0.10% to 0.08%;
- 2) Provide for a conditional license for 6 years from the date of conviction, one of the conditions of which is to not drive with 0.02% alcohol or more;
- 3) Requiring a chemical test when a fatality is involved;
- 4) Making refusal to take a chemical test an aggravating factor in all cases;
- 5) Making the offense a Class C crime if the operator also causes serious bodily injury or death; and
- 6) Forfeiture of the motor vehicle involved where the operator is under suspension for OUI and is stopped for another OUI.

Committee Amendment "A" (H-669) makes additional clarifications and changes the forfeiture provisions to:

- 1) Apply only to the vehicle operated by the owner; and
- 2) Give the owner the option of selling the vehicle, asking the State to impound it till the operator's license is restored, or forfeit the car to the State.

LD RESOLVE, to Permit Christie L. Hayes and Richard E. Shorey, ONTP
 2406 Jr. to Sue the State for Compensation for Personal Injuries
 Resulting From Negligency on the Part of the Department of
 Transportation

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

SUMMARY

This Resolve would have allowed Mr. Shorey and Ms. Hayes to sue the State for damages suffered from the State's alleged negligence in the design, construction and maintenance of a State highway.

LD An Act Relating to Games of Chance PUBLIC
 2413 679
 EMERGENCY

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
KANY	OTP-AM	S-361
HARPER		
JOSEPH		
MARTIN H		

SUMMARY

Current law allows "Lucky 7" sealed ticket games to be played before Beano games, but not after Beano games. The original bill allows "Lucky 7" to be played 2 hours before, 2 hours after and during the intermission of Beano games. Committee Amendment "A" (S-361) clarifies that although Beano may not be played before 12 noon on Sundays, "Lucky 7" may be. The amendment also allows Indian Beano organizations to pay their employees up to 2 times the minimum wage.

LD An Act to Regulate the Hiring of School Bus Drivers PUBLIC
 2480 676

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
STEVENS P	OTP-AM	H-534
BOST		
NORTON		
ESTES		

SUMMARY

Current law prohibits anyone from being licensed as a school bus driver who has been convicted of OUI within the past 3 years. The original bill would