## MAINE STATE LEGISLATURE

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#### STATE OF MAINE 115TH LEGISLATURE

## FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

# BILL SUMMARIES JOINT STANDING COMMITTEE ON LEGAL AFFAIRS

#### **AUGUST 1991**

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## ONE HUNDRED AND FIFTEENTH LEGISLATURE FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

### JOINT STANDING COMMITTEE BILL SUMMARIES

#### AUGUST 1991

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.

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:

**PUBLIC XXX** Chapter # of enacted Public Law P&S XXX Chapter # of enacted Private & Special Law RESOLVE XXX Chapter # of enacted Resolve CON RES XXX Chapter # of Constitutional Resolution passed by both Houses **EMERGENCY** Enacted law takes effect sooner than 90 days CARRIED OVER Bill carried over to 2nd Session FAILED EMERGENCY ENACTMENT Bill failed to get 2/3 vote **ONTP** Ought Not to Pass report accepted **LVWD** Leave to Withdraw report accepted INDEF PP Bill Indefinitely Postponed **DIED BETWEEN BODIES** House & Senate disagree; bill died Legislature failed to override Governor's Veto **VETO SUSTAINED** Not signed by Governor within 10 days UNSIGNED DIED ON ADJOURNMENT Action incomplete when 1st session ended

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, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 38 An Act to Permit Certain Retailers to Conduct Games of Chance

**PUBLIC 22** 

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

TWITCHELL

OTP

OTP

#### **SUMMARY**

This bill repeals the law prohibiting gas stations from conducting contests and games of chance.

LD 42 An Act to Strengthen the Operating-under-the-influence Laws

PUBLIC 51

EMERGENCY

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

PARADIS P

VOSE

#### **SUMMARY**

This bill repeals the provision of the operating-under-the-influence laws that provides that ignorance of the effects of a lawfully used prescription drug is an affirmative defense.

An Act to Remove Residency Restrictions from the Office of

ONTP

Registrar of Voters (By Request)

SPONSOR(S)

**COMMITTEE REPORT** 

AMENDMENTS ADOPTED

MARSH

ONTP

#### **SUMMARY**

This bill would have removed the requirement that the registrar of voters be a resident of the municipality in which the registrar serves. A similar provision was included in LD 1053.

An Act to Authorize Trained Police Officers to Take Blood Samples in Operating-under-the-influence Cases

LV/WD

SPONSOR(S)

**COMMITTEE REPORT** 

AMENDMENTS ADOPTED

MERRILL

LV/WD

#### SUMMARY

This bill would have allowed law enforcement officers certified by the Department of Human Services to administer blood tests to persons accused of operating a motor vehicle under the influence of intoxicating liquor.

An Act Relating to Political Action Committees Organized
Outside of the State (Reported by the Commission to Study
Public Financing of State Elections Pursuant to Resolve

ONTP

SPONSOR(S)

1989, chapter 59)

COMMITTEE REPORT

AMENDMENTS ADOPTED

ONTP

#### **SUMMARY**

This bill would have required that political action committees not organized in this State be treated the

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same as political action committees that are organized in this State, for purposes of campaign finance reporting, except that committees organized outside the State would not have been required to report contributions from outside of the State. This bill was a unanimous recommendation of the Commission to Study Public Financing of State Elections. See also LD 915.

#### An Act to Enhance the Capabilities of the Commission on Governmental Ethics and Election Practices (Reported by the Commission to Study Public Financing of State Elections Pursuant to Resolve 1989, chapter 59)

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

ONTP

#### **SUMMARY**

The bill would have provided funds for the Commission on Governmental Ethics and Election Practices to tabulate and analyze campaign finance reports submitted to that office for purposes of public policy decision making. This bill was a unanimous recommendation of the Commission to Study Public Financing of State Elections.

### An Act Designed to Make the Use and Storage of Firearms Safer (By Request)

**PUBLIC 127** 

SPONSOR(S)

**COMMITTEE REPORT** 

AMENDMENTS ADOPTED

NORTON

OTP-AM

A B H-123 REP B

OTP-AM B
ONTP C

#### SUMMARY

The bill required that every firearm sold in the State be accompanied by a trigger locking device at the time of the sale.

Committee Amendment "B" (H-123), a minority committee report that was accepted by the Legislature, replaces the bill and requires that each firearm sold in the State be accompanied by a firearm safety brochure that includes information on the safe storage of firearms, and that the dealer offer to demonstrate the use of a trigger locking device to the purchaser. The amendment makes this requirement applicable only to retail sales of firearms, not to casual, isolated sales. The amendment provides that an organization producing a safety brochure and dealers who sell firearms are not liable for injuries resulting from the accidental discharge of firearms. The amendment also requires dealers to post information on safety courses available locally and adds a fiscal note.

Committee Amendment "A" (H-122), the majority committee report, would have retained the bill's requirement to include a trigger locking device with each firearm sale, and would have made the requirement applicable only to retail sales by dealers.