

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS**

AUGUST 1991

Staff:
Deborah C. Friedman, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

MEMBERS:
**Sen. Jeffery N. Mills
Sen. Judy C. Kany
Sen. Charles E. Summers*

**Rep. Mark W. Lawrence
Rep. John Jalbert
Rep. Charles C. Plourde
Rep. Beverly C. Daggett
Rep. Thomas E. Poulin
Rep. Fred L. Richardson
Rep. Albert G. Stevens
Rep. Helen M. Tupper
Rep. Walter W. Hichens
Rep. Rodney V. Bowers*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

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

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.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MAYO	OTP-AM	H-233
LAWRENCE		S-395 MILLS
TUPPER		

SUMMARY

This bill would have amended the campaign finance reporting laws to require each candidate to appoint a treasurer or to serve as treasurer of the campaign and to make the treasurer responsible for filing all reports. The bill also established registration procedures, clarified reporting requirements for new nominees and required candidates to itemize the date each contribution is received.

Committee Amendment "A" (H-233) would have made several technical amendments to the bill. The amendment required any person who receives a contribution of any amount or makes any expenditure on behalf of a candidate, to report the contribution or expenditure to the treasurer. The amendment also required a candidate to liquidate any deficit within 4 years after an election, unless the person is holding elective office at the end of the 4-year period. The amendment required new candidates or nominees chosen to fill a vacancy to appoint and register a treasurer sooner than under the bill and to file their first finance reports on the earlier of 15 days after appointment or 6 days before the election. Finally, the amendment permitted candidates to spend surplus campaign funds on any expenses related to the proper performance of their elective office.

Senate Amendment "B" (S-395) strikes out Committee Amendment "A" and replaces it with provisions authorizing a study of the campaign finance laws of the state to be conducted by a 5-member committee appointed by the President of the Senate and the Speaker of the House.

**LD 533 An Act Concerning Liability of Persons Selling or Serving
Alcohol to Minors**
ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
THERIAULT	ONTP	
MARTIN H		
PARADIS J		

SUMMARY

Under the Maine Liquor Liability Act, a server who negligently serves liquor to a minor is liable for damages proximately caused by the minor's consumption of the liquor. The Act provides that service of liquor to a minor is negligent if the server knows or if a reasonable and prudent person in similar circumstances would know that the person being served is a minor. This bill would have clarified that if the minor presented false identification that would appear authentic to a "reasonable and prudent" person, service of liquor to the minor is not negligent.