

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	<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.

**LD 1038 An Act Concerning the Placement of Campaign Signs Along
Roads**

ONTP

SPONSOR(S)
SHELTRA
VOSE
PAUL
GURNEY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have amended the billboard law to provide that election campaign signs may not be placed in rights-of-way that abut residential property.

**LD 1048 An Act Authorizing Presidential Primary Elections in the
State**

CARRIED OVER

SPONSOR(S)
RICHARDSON
KONTOS
GEAN

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill would have required Maine to hold a presidential primary for selection of delegates to national nominating conventions. The primary would be held on the same day as the New Hampshire primary. Current law requires a presidential primary if there is a contest among candidates for the presidential nomination and the state committee of any qualified party requests that one be held. This bill was carried over to the Second Regular Session.

LD 1053 An Act to Clarify Certain Election Laws

PUBLIC 466

SPONSOR(S)
MAYO
RICHARDSON
MILLS

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-497

SUMMARY

This bill makes several changes in the election laws, including the following:

1. Substitutes the requirement that voter registrars be residents of the municipality in which they are employed, with the provision that they simply be residents of the State;
2. Prevents 3rd parties from questioning people who are waiting to register about their eligibility, and establishes procedures for persons to monitor registrations.
3. Requires registrars to allow all persons who are present at their office at closing time on any business day to register to vote;
4. Removes the requirement that the county of residence and date, place and court of naturalization be listed on the State's voter registration application and the overseas voter registration application;
5. Allows the municipal clerk to accept voter registration applications when the municipal voter registrar is unavailable or the board of voter registration is not in session;

6. Prevents a voter from being removed from a voter list for not voting in previous elections;
7. Requires a candidate who withdraws from seeking elective office to notify the Secretary of State in writing;
8. Clarifies the requirement that the state committee of a political party certify to the Secretary of State its intent to hold a presidential primary, and that the state bears the cost of a presidential primary;
9. Clarifies that campaign literature, posters, buttons or stickers can not be distributed within 250 feet of a voting place;
10. Allows the registrars more time to tabulate and report on the number of registered voters in their municipality at the close of the polls on election day;
11. Adds marginal literacy as an acceptable reason for voting by absentee ballot, removes the requirement that a person designate the specific reason for requesting an absentee ballot and the requirement that the reason for voting absentee ballot be listed on the ballot envelope;
12. Clarifies the prohibition against candidates delivering absentee ballots; and
13. Allows clerks to begin processing absentee ballots at 2:00 p.m. on election day and removes the requirement that an individual who has already voted by absentee ballot vote in person on election day if present and able;

Committee Amendment "A" (H-497) makes several changes in the bill, including the following:

1. Requires a candidate who wishes to withdraw from an election to provide a reason for withdrawal to the Secretary of State;
2. Provides that the Secretary of State is required to reprint ballots only if notified of changes at least 45 days before the election;
3. Reduces from 40 to 10 the number of absentee ballots a 3rd person may take for delivery at any one time;
4. Allows candidates to request time after the polls close to inspect absentee ballot applications and envelopes;
5. Increases the penalty for publishing or broadcasting communications without the proper disclosure within 10 days of an election; and
6. Requires the municipal committee of each political party to appoint an alternate member to the board of voter registration, who would become the board member when the party's initial nominee becomes unable to serve.