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.

but the Chief Medical Examiner may share the content of the communication with the family, a person addressed in the communication or the decedent's personal representative if the sharing would not compromise the investigation.

The bill gives medical examiners more freedom to use their own discretion in selecting physicians to do an autopsy, and allows the Chief Medical Examiner to give general approval to the selection without having to personally designate a specific physician in every case.

The bill requires reporting of missing persons to the Office of the Chief Medical Examiner in certain circumstances, and permits the Office to collect and maintain files and evidence on missing persons that might be needed to identify the individual if the individual is not found alive. It provides for confidentiality of the records and materials and for cooperation from government, medical and other private individuals and entities.

Committee Amendment "A" (H-386) adds a fiscal note to the bill.

LD 1319 An Act Concerning Mobile Home Parks

INDEF PP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

LAWRENCE MILLS

ONTP OTP-AM MAJ MIN

MCKEEN

SUMMARY

This bill would have required mobile home park owners to mediate or arbitrate disputes between mobile home park owners and tenants over evictions or changes in park rules or rental amounts. The park owner would not be permitted to change rules or evict a person until they had participated in mediation. The mediation would be nonbinding and the only obligation of the mobile home park owner would be to attend a requested meeting and a mediation session. If the mobile home park owner concluded that the tenants' complaints are without merit, mediation would be completed and the mobile home park owner's decision would stand. The mediation requirement would have been repealed January 1, 1993.

Committee Amendment "A" (H-525), the minority committee report, removed reference to arbitration and removed the requirement that the Manufactured Housing Board pay mediation costs for persons who are unable to pay. The amendment also required that a group of persons representing the majority of units and including at least one adult from each unit in the majority request a meeting with the park owner before the owner is required to meet and mediate. The amendment further required that homeowners and park owners participate in a voluntary mediation program offered by an organization other than the Manufactured Housing Board, before going to that board. Currently, the Manufactured Housing Association offers such a service. Finally, the amendment deleted the section making the requirement applicable only to parks with 50 or more lots.

LD 1331 An Act Regarding Sprinkler Systems in New Buildings

PUBLIC 359

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

BUSTIN

OTP-AM

S-193

PARADIS P

SUMMARY

This bill requires that as of January 1, 1992 sprinkler systems be installed in all hotels of more than 2 stories or other buildings more than 75 feet high.

LD 1342 An Act to Eliminate Municipal Responsibility for Issuing Concealed Weapon Permits

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

MCCORMICK

ONTP

SPEAR

SUMMARY

This bill would have transferred to the Chief of the State Police the municipal responsibility for issuing permits to state residents to carry concealed firearms. The Chief of the State Police would retain responsibility for issuing those permits to nonresidents. See also LD 1695.

LD 1344 An Act to Protect Children from Illegal Tobacco Sales

CARRIED OVER

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

CLARK N PENDLETON

SUMMARY

This bill prohibits vending machine sales of cigarettes and establishes a mechanism for enforcement of the prohibition against tobacco sales to minors by requiring retailers of tobacco to obtain a retail tobacco sales license. The bill also establishes a store-based permitting system for employees who sell cigarettes. Failure to obey the law prohibiting tobacco sales to minors would result in penalties to the store clerk as well as to the owner. This bill would place enforcement authority in the Bureau of Liquor Enforcement, which would become the Bureau of Liquor and Tobacco Enforcement. The Administrative Court would have jurisdiction over violations of this law, paralleling the liquor laws. The bill was carried over to the Second Regular Session.

LD 1349 An Act to Establish a Reward for Reports of Operating under the Influence Offenses

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

MARTIN J

ONTP

PARADIS P

SUMMARY

This bill would have permitted the Attorney General to establish a reward program for information leading to conviction of offenders for operating a motor vehicle while under the influence of alcohol or drugs and operating after license suspension.