

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1992

Staff:

Deborah C. Friedman, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

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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
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far 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 Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

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, 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
CLARK N PENDLETON	ONTP OTP-AM	MAJ MIN	

SUMMARY

LD 1344 would have required retail tobacco sellers to obtain licenses and retail tobacco clerks to obtain permits. The license or permit could be revoked or suspended if the licensee persists in selling tobacco products to minors. The Bureau of Alcoholic Beverages would have become the Bureau of Alcoholic Beverages and Tobacco Sales, and would have issued licenses. The Bureau of Liquor Enforcement would have become the Bureau of Liquor and Tobacco Enforcement and would have enforced the licensing law. The bill would have also prohibited vending machine sales of cigarettes.

Committee Amendment "A" (S-554) would have replaced the bill. It would have retained the requirement that tobacco sellers obtain a license from the Bureau of Alcoholic Beverages and Tobacco Sales, but deleted the requirement that retail clerks obtain permits. The amendment would have imposed a licensing requirement on tobacco distributors, wholesalers and vending machines. The amendment also would have repealed the licensing requirements December 1, 1994. The amendment allowed the sale of cigarettes and other tobacco products through vending machines, but required the vending machines to be licensed, and provided for revocation or suspension of the machine license if tobacco products were sold to minors through the machine.

The amendment would have provided a penalty for minors who misrepresent their age by producing fraudulent identification in order to purchase tobacco products and required the Bureau of Health to work with the Bureau of Liquor and Tobacco Enforcement to develop programs to educate tobacco sellers, minors and the general public about the laws prohibiting sale to and purchase by minors and the consequences of violating those laws.

**LD 1479 An Act Regarding Contracts for the Duplication of Works
of Art**

INDEF PP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ADAMS CONSTANTINE GRAHAM LUDWIG	OTP-AM	H-1013 LAWRENCE H-921

SUMMARY

The bill would have prohibited a printer from accepting an order in excess of \$1000 for printing duplicates of a work of fine art without an affidavit that the customer has the right to duplicate the work. The bill would also have clarified that the right of reproduction of a work of fine art is reserved to the artist and that the ownership of the original of a reproduced work of art remains with the artist or owner unless expressly transferred.

Committee Amendment "A" (H-921) would have deleted provisions of the bill regarding the ownership rights and copy rights of artists in works of art, since those rights are dealt with by federal copyright laws. The provision of the bill prohibiting printers from copying works of art without an affidavit from the customer would be amended to require only a signed statement from the customer. The amendment also provided that a customer who intentionally falsifies a signed statement commits a Class D crime. The definition of "work of art" was also clarified.