

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 1406 An Act Relating to Mobile Home Parks

ONTP-MAJ REP

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| ESTY | ONTP MAJ | |
| LAWRENCE | OTP-AM MIN | |
| RYDELL | | |

SUMMARY

The bill would have made several changes to the laws governing the relationship between an owner of a mobile home park and the tenants of that mobile home park. The bill would have defined "fair return" on property values for purposes of determining whether rent on a mobile home park lot is unreasonable or unjust, provided that a mobile home park owner may not consider rent late if it is paid within 15 days after the due date of the rent, granted a right of first refusal for tenants to purchase the mobile home park, and established a process for tenants to form a tenants' association to exercise the right of first refusal. Finally, the bill would have established a mediation program for disputes between the mobile home park owner and tenants.

Committee Amendment "A" (S-222), the minority committee report, would have deleted all provisions of the bill except those granting tenants a right of first refusal to purchase the mobile home park and the provisions relating to formation of the tenants' association to purchase the park.

LD 1411 An Act Concerning the Number of Signatures Required for County Office Elections

PUBLIC 362

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| LIPMAN | OTP-AM | H-384 |
| DUPLESSIS | | |

SUMMARY

This bill decreases the number of required nomination petition signatures for a county office candidate.

Committee Amendment "A" (H-384) achieves the intent of the sponsors of the bill by lowering the number of signatures required in county commissioner elections for both nomination by petition and by primary election. Under current law, a petition for primary election for the office of county commissioner in a county with a population of fewer than 50,000 must have between 50 and 75 signatures; a petition in a county with a greater population must have between 150 and 200 signatures. The amendment requires 50 to 75 signatures for all counties, regardless of population. The amendment also decreases the number of signatures required for nomination by petition for the office of county commissioner from 300 to 100, which is double the number of signatures required for nomination by primary election.

LD 1472 An Act to Prohibit the Use of Stickers on Trespassing Motor Vehicles

PUBLIC 424

| | | |
|-------------------|-------------------------|---------------------------|
| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
| GURNEY | OTP-AM | H-451 |
| SKOGLUND | | |
| SHELTRA | | |

SUMMARY

This bill prohibits the owners of residential or nonresidential property upon which motor vehicles are trespassing from affixing stickers or other devices to the trespassing motor vehicle.

Committee Amendment "A" (H-451) limits the prohibition on applying stickers to trespassing motor vehicles to prohibit only the placement of the stickers in a position on the motor vehicle that obstructs the driver's view. The amendment also adds a specific penalty for improper application of the stickers and places the prohibition in the motor vehicle laws rather than the Maine Criminal Code.

**LD 1479 An Act to Protect the Copyright and Ownership Rights of
Maine Artists**

CARRIED OVER

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|--|-------------------------|---------------------------|
| ADAMS CONSTANTINE GRAHAM LUDWIG | | |

SUMMARY

This bill provides 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, as the case may be, unless expressly transferred.

This bill prohibits 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 was carried over to the Second Regular Session.

LD 1482 An Act to Amend the State Ballot Laws

INDEF PP

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---|-------------------------|---------------------------|
| GOULD R A HASTINGS WATERMAN BERUBE | OTP-AM MAJ ONTP MIN | |

SUMMARY

This bill proposed several changes to the election laws to increase access to the State's election ballot for new political parties, independent candidates and candidates wishing to run from existing political parties. Those changes included: permitting voters to enroll in any political party, regardless of whether the party is qualified to run candidates in an election, permitting any person in the election district to sign the nomination petition for a candidate, regardless of party enrollment and permitting a political party to decide whether its candidates must be enrolled in the party, permitting parties to decide to choose candidates at a convention instead of through a primary election, decreasing the number of signatures required on a nominating petition, and making the number of signatures required of an independent candidate on a nomination petition the same as the number required for party candidates. The bill also would decrease the number of votes required for a party to qualify or to maintain its qualification to appear on the ballot and permit ballot status to be maintained by a sufficient number of votes every four years in any statewide race instead of every two years in gubernatorial or presidential elections.

Committee Amendment "A" (H-427) strikes all provisions of the bill except those designating who may sign nomination petitions of party candidates. The bill would have permitted any registered voter to sign a petition. The amendment would have permitted each political party to decide whether it wishes to accept the signature of unenrolled voters as well as voters enrolled in its own party in nomination petitions.