

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 1682 An Act to Amend the Laws Concerning Solicitation by Law Enforcement Officers

PUBLIC 510

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED	
MCCORMICK	OTP-AM	MAJ	H-636	JACQUES
STEVENS P	ONTP	MIN	S-288	MAJ REP

SUMMARY

This bill repeals all exceptions to the prohibition on solicitation by law enforcement agencies, officers and associations, and restates the general rule prohibiting any person from soliciting property from the general public to benefit any law enforcement agency, officer or association. The bill does not change the provisions of law permitting candidates for elective office to solicit funds.

Committee Amendment "A" (S-288) adds a legislative intent section to clarify that the Legislature's purpose in enacting this law is to prevent solicitation because it is inherently coercive and undermines the integrity of law enforcement.

House Amendment "A" (H-636) incorporates the provisions of the original bill and the committee amendment, except that the general rule is revised to prohibit solicitation only when the property solicited would tangibly benefit any law enforcement agency, officer or association.

LD 1695 An Act to Allow the Officers of a Municipality the Option to Designate the State Police as That Municipality's Issuing Authority for Concealed Weapons

PUBLIC 440

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED	
GEAN	OTP-AM		H-496	
LAWRENCE				

SUMMARY

This bill allows a municipality without a full-time chief of police to have the State Police handle the issuance of concealed weapons permits in that municipality if the municipality and the chief agree to do so. During the term of any agreement between a municipality and the State Police, the State Police will be the issuing authority for all purposes under the laws, including permit suspension or revocation. The bill requires any agreement to include a termination provision to make it clear that a municipality's designation of the State Police as its issuing authority is not permanent.

Committee Amendment "A" (H-496) clarifies that the municipality may designate the State Police as the issuing authority for concealed weapons permits only if the State Police agree to serve in that capacity. The amendment also clarifies that the State Police are entitled to receive all fees attributable to performing the functions of the issuing authority.

LD 1703 An Act to Reform Campaign Finance

ONTP-MAJ REP

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED	
MITCHELL E	ONTP	MAJ		
SIMONDS	OTP-AM	MIN		

SUMMARY

This bill would have imposed a uniform \$2,000 limit on campaign contributions by individuals, committees, corporations and associations. The bill would have required candidates to keep separate accounts for

contributions from individuals and contributions from all other types of contributors, and would have prohibited candidates from making more than 1/3 of the candidate's total campaign expenditures from the non-individual contributors account.

Minority Committee Amendment "A" (H-441), part of the minority committee report, would have deleted the requirement that candidates file monthly campaign finance reports and clarifies that candidates are not required to keep funds physically separated in different bank accounts. The separate account requirement would be met by keeping the funds separate through bookkeeping.

LD 1753 An Act to Suspend a Driver's License for Convicted Drug Offenses ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
THERIAULT PARADIS P MACOMBER STROUT	ONTP	

SUMMARY

This bill would have required a court to suspend for 6 months the driver's license of a person convicted of any drug offense. Federal law requires each state to enact such a law, to have the Legislature and the governor consider and reject such a law, or to lose federal highway funds. The committee rejected this proposal, and the full Legislature passed a Resolution declaring its opposition to such a law. To avoid losing highway funds, the governor must write a letter to the Secretary of Transportation expressing his and the Legislature's opposition to the proposal.

LD 1771 An Act to Amend the Procedure for Revoking a Law Enforcement Officer's Certification as a Result of the Conviction of a Crime PUBLIC 451

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BELL MILLS STROUT GRAHAM	OTP	

SUMMARY

Under current law, if a law enforcement officer is convicted of a crime, the Board of Trustees of the Maine Criminal Justice Academy has no authority to suspend or revoke the officer's certification unless the officer's chief administrative officer petitions the board to do so. This bill removes the petition requirement, authorizing the board of trustees to take action to revoke or suspend an officer's certification upon conviction of the crimes specified in the law.