

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

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**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.

4. Apply the same restrictions for political influence and advertising when the clerk is conducting voting for persons at licensed nursing homes, licensed congregate housing and licensed boarding homes as apply at the polling place;
5. Clarify the procedure for posting that absentee ballots will be processed after 2 p.m. on election day; and
6. Provide a penalty for a circulator of an initiative or referendum petition who knowingly misrepresents the true meaning or intent of the petition or petition process and requires circulators of a petition to convey the true meaning and the intent of the referendum or initiative while they are collecting signatures.

Committee Amendment "A" (S-617) strikes provisions of the bill that would have penalized circulators of initiative or referendum petitions who misrepresent the true meaning or intent of the petition or petition process and the provisions that require circulators of a petition to convey the true meaning or intent of the referendum or initiative and of the petition process while collecting signatures. The amendment also strikes sections of the bill permitting municipal officers to remove members of the board of registration, limiting the price registrars may charge for reproducing a voter list and requiring persons attempting to form a new political party to obtain signatures at least equal to 5% of the votes cast at the last gubernatorial election before voters can enroll in that party.

The amendment permits members of the board of voter registration who are nominated by the political parties to be members of the state or county committees of that party and requires the municipal clerk to notify the chairs of the state or county parties of the time for testing ballots and of the 2 p.m. time for starting processing of absentee ballots on election day if the clerk can not locate the chair of the municipal party committee. Finally, the amendment requires a person conducting voting at licensed nursing homes, licensed congregate housing and licensed boarding homes to designate the areas that constitute the voting booth, the guardrail enclosure and the voting place for purposes of applying the restrictions against influence and advertising.

House Amendment "C" to Committee Amendment "A" (H-1187) replaces the committee amendment's section relating to appointment of members of the board of voter registration with a provision clarifying that the municipal officers must appoint the person nominated for membership on the board of voter registration by the municipal committee of the political parties. It also permits the municipal clerk to give the municipal committees of the political parties a list of qualifications that a person should meet to fill the positions on the board of voter registration, which the municipal committee must take into consideration when making a nomination. Finally, the amendment clarifies that the appointing authority may remove a member from the board.

Senate Amendment "A" to Committee Amendment "A" (S-770) exempts the bill from the requirement that the state fund local costs resulting from the bill and strikes the fiscal note.

LD 2024

An Act to Clarify the Law Governing Contracts of Adhesion

PUBLIC 704

SPONSOR(S)
DIPIETRO

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1019

SUMMARY

The bill specifies that the protection of the law regarding unfair rental contacts applies only to residential property designed for human habitation and not to commercial leases or rental agreements.

Committee Amendment "A" (H-1019) amends the law prohibiting contracts of adhesion to permit rental agreements to include provisions for the award of attorney's fees to the prevailing party, but only after a contested hearing and only if there has been wanton disregard of the rental agreement.

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