

# 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.

**LD 2046 An Act to Permit the State Lottery Commission to Approve Promotions Involving the Use of Lottery Tickets**

PUBLIC 683

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MORRISON	OTP-AM MAJ	H-936 MAJ REP
TUPPER	ONTP MIN	

**SUMMARY**

The bill authorizes the State Lottery Commission to adopt rules permitting the approval of sales promotions involving lottery tickets.

Committee Amendment "A" (H-936) clarifies that lottery tickets or shares may not be given to persons under 18 years of age as part of a sales promotion authorized by the bill. The amendment also requires the State Lottery Director to report to the Legislature after 2 years on the number of sales promotions authorized and any complaints received by the State Lottery Commission or the director regarding those promotions.

**LD 2051 An Act to Allow Sheriffs' Deputies to Seek Certain Nonpartisan Offices**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CARROLL D	ONTP	

**SUMMARY**

The bill would have permitted full-time sheriffs' deputies to hold nonpartisan offices.

**LD 2054 Resolve, Authorizing Elizabeth Penney to Sue the State**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MELENDY	ONTP	

**SUMMARY**

The resolve would have authorized Elizabeth Penney to sue the State for damages resulting from an injury allegedly sustained at the Fort Knox Historic Site.

**LD 2055 An Act Concerning the Renewal of Agency Liquor Store Licenses**

PUBLIC 782

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
STEVENS A KUTASI	OTP-AM	H-1121

**SUMMARY**

LD 2055 provides a process for holders of agency liquor store licenses to annually apply for renewal of those licenses, specifies criteria for the State Liquor Commission to use in reviewing applications for renewal and authorizes the commission upon denial of an application for renewal to select an alternate licensee.

Committee Amendment "A" (H-1121) requires the State Liquor Commission to purchase back the agency liquor store's inventory if the commission denies renewal of the agency liquor store license. The purchase price is the agency liquor store's cost minus 10%. The amendment also makes clear that an agency liquor

store licensee may appeal a Commission decision not to renew an agency liquor store license to Administrative Court.

**LD 2057      An Act to Preserve Public Trust in the State Police      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BAILEY H TWITCHELL CAHILL P MACOMBER	ONTP	

**SUMMARY**

The bill would have required a person who was employed as a member of the State Police but who did not complete the number of years of creditable service necessary for a full service retirement benefit, to get written permission from the Chief of the State Police before making reference to that employment in an advertisement for the sale of a service or product.

**LD 2058      Resolve, Authorizing Fred Bubar, Thomas Bubar, Clifford Bubar, Galen Helstrom, Gary Helstrom and Gene Helstrom to Sue the State      LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MAHANY	LV/WD	

**SUMMARY**

The resolve would have authorized Fred Bubar, Thomas Bubar, Clifford Bubar, Galen Helstrom, Gary Helstrom and Gene Helstrom to sue the State for damages resulting from alleged negligence by the Department of Agriculture, Food and Rural Resources in the process of inspecting and analyzing potatoes.

**LD 2065      An Act to Prevent Intoxication-related Injuries, Deaths and Damages      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PARADIS P LIPMAN KETTERER PINEAU	ONTP	

**SUMMARY**

The bill would have eliminated the \$250,000 cap on awards of damages for losses under the Maine Liquor Liability Act. The cap applies to all damages, except costs for medical care and treatment.