

# 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.

**SPONSOR(S)**STROUT  
THERIAULT  
HUSSEY**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-949

**SUMMARY**

The bill grants the Secretary of State the discretion to grant a hardship waiver to a judgment debtor whose right to operate or register a motor vehicle has been suspended. Under current law there are several situations in which the Secretary of State must suspend a driver's license. Under the habitual offender laws and the operating-under-the-influence laws, the Secretary of State has discretion to grant a work-restricted license if the Secretary of State finds that suspension imposes an extreme hardship for which there is no other practical remedy and the safety of the public will not be impaired. In the case of a motorist with a civil judgment arising out of an accident, the Secretary of State is prohibited from considering a hardship waiver and the only way the license may be restored is by full payment of the judgment, waiver by the creditor or bankruptcy.

Committee Amendment "A" (H-949) replaces the bill. It provides that a judgment debtor may petition the court for a disclosure hearing on the issue of paying the settlement. The court may approve an installment payment plan agreed to by the parties or, if the parties fail to agree, the court may enter its own payment plan. If the court approves an installment payment agreement, the Secretary of State may restore the judgment debtor's license provided that the installment is not in default and the person maintains proof of insurance with the Secretary of State.

**LD 2107****An Act Amending the Laws Governing Concealed Weapons Permits to Allow County Sheriffs to be Designated Issuing Authorities**

ONTP-MAJ REP

**SPONSOR(S)**GRAHAM  
MELENDY  
GURNEY  
GAUVREAU**COMMITTEE REPORT**ONTP MAJ  
OTP-AM MIN**AMENDMENTS ADOPTED****SUMMARY**

The bill would have permitted a municipality to designate the State Police or the county sheriff as the issuing authority for concealed weapons permits and would have designated the sheriff as the issuing authority for concealed weapons permits in unorganized territories. Finally, the bill would have provided for the central collection and distribution to police chiefs of the names of persons holding concealed weapons permits in each county.

Committee Amendment "A" (H-910), the minority report of the committee, would have deleted the section of the bill requiring sheriffs to compile a master list of persons who have received concealed weapons permits, and would have removed the section entitling counties to retain a portion of the permit fee if the sheriff is the issuing authority for concealed weapons permits. Finally, the amendment would have clarified how persons living in unorganized territories apply for concealed weapons permits.