

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

LD 799 An Act to Strengthen the Laws Prohibiting Driving under the Influence of Alcohol or Drugs

ONTP

SPONSOR(S)
WEBSTER

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

Under current law, when a person is convicted of operating a motor vehicle while under the influence of alcohol or drugs, the court suspends the defendant's license for a period of 90 days. This bill would have increased the mandatory suspension period to 6 months. The bill also would have changed the mandatory suspension for a 2nd conviction from one year to 3 years and for 2 or more previous convictions from 2 years to 5 years.

LD 805 An Act to Clarify Maine Election Laws

PUBLIC 447

SPONSOR(S)
CAREY

DAGGETT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-207
S-358 PEARSON

SUMMARY

This bill makes the following changes to the laws governing elections.

1. It expands the definition of "immediate family" to include mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, guardian and former guardian.
2. It requires municipalities to provide voter registration services at party caucus locations prior to commencement of the caucus.
3. It corrects a section designation.
4. It changes the deadlines for replacing nominees from the month of August to the month of July.
5. It allows parties to nominate delegates to their national presidential nominating convention in accordance with party rules.
6. It clarifies language regarding the filling of election official vacancies.
7. It repeals the provisions relating to sample ballots and test ballots and allows the clerk to inspect the actual ballots for mistakes.
8. It amends polling times for the State.
9. It limits the requirements that municipalities must adhere to when constructing voting booths.
10. It repeals the exemption that allowed candidates to orally communicate with voters at the voting place and extends the prohibition on influence at a voting place to within 250 feet of the entrance to the voting place. It also repeals the exemption that allows a person, other than a voter, to wear a campaign button at the voting place.
11. It clarifies language relating to the certification of incoming voting lists.

12. It expands the required use of red pens.
13. It requires that registrars report on the enrollment of registered voters in Maine following the general election.
14. It changes the meeting place of the presidential electors from the Senate Chamber to the Chamber of the House of Representatives.
15. It establishes the counting procedures to be followed when using electronic voting systems.

Committee Amendment "A" (S-207) Corrects a cross-reference to "immediate family" in the Maine Revised Statutes, Title 21-A, section 504. The amendment also deletes language in the original bill which changed the required time for opening the polls in municipalities and deletes language which addresses campaigning at the polls. The amendment also adds a fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-358) adds a mandate preamble to the bill and replaces the fiscal note.

LD 812 An Act Requiring Mobile Home Park Operators to Notify Lienholders Prior to Eviction ONTP

SPONSOR(S) PLOURDE	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have permitted mobile home park owners or operators to require that rents and fees be paid in full before a mobile home could be removed from the park. It also would have required mobile home park operators to notify a bank or other lienholder prior to evicting a tenant, provided the lienholder had notified the park operator of a lien against the tenant's home.

LD 823 An Act to Increase the Penalties for Littering PUBLIC 140

SPONSOR(S) ST. ONGE	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-181
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SUMMARY

This bill changes fines for littering to \$250 for first violations and \$500 for subsequent violations for disposals of up to 15 pounds and \$500 for first violations and \$1,000 for subsequent violations for disposals of more than 15 pounds.

Committee Amendment "A" (H-181) replaces the original bill. The a amendment changes fines for littering to not more than \$500 nor less than \$100 for first violations and not more than \$500 nor less than \$200 for subsequent violations for disposals of up to 15 pounds of litter.

The amendment changes fines for littering to not more than \$500 nor less than \$200 for first violations and not more than \$1,000 nor less than \$500 for subsequent violations for disposals of more than 15 pounds of litter. The amendment also adds a fiscal note to the bill.