

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1994

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Sen. James R. Handy
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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

COMMITTEE AMENDMENT "A" (S-420) replaces the original bill. This amendment deletes language from the original bill that removed the requirement that the Department of the Attorney General be involved in licensure and disciplinary actions involving emergency medical personnel.

The amendment adds language to provide consistency in the law by specifying that the Maine Emergency Medical Services' Board and its staff may be involved in the processes of the Maine Administrative Procedure Act.

The amendment adds to the list of reasons for emergency medical personnel licensure disqualification a conviction for a crime based on a sexual assault or misuse or illegal use or sale of drugs or narcotics.

This amendment also conforms existing law to current drafting standards and adds a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-821) TO COMMITTEE AMENDMENT "A" amends the committee amendment by repealing language in the Maine Emergency Medical Services Act of 1982. The amendment removes the requirement that the Emergency Medical Services' Board must, with approval of the Commissioner of Public Safety, set the compensation of the director of the board. The amendment adds language that requires the Governor to set the compensation of the director.

**LD 1837 An Act to Subject Motorists with Prior Out-of-state
Operating-under-the-influence Convictions to the Sentencing
Provisions of the State's Operating-under-the-influence
Laws**

PUBLIC 734

SPONSOR(S)
HANDY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-923 BOWERS
S-484

SUMMARY

This bill subjects motorists with prior out-of-state operating-under-the-influence convictions to the sentencing provisions of the State's operating-under-the-influence laws.

COMMITTEE AMENDMENT "A" (S-484) makes technical corrections and makes the Maine Revised Statutes, Title 29 consistent with the proposed changes in the original bill.

The amendment provides that prior operating-under-the-influence convictions rendered by the Penobscot Tribal Court may also be considered in sentencing for subsequent state operating-under-the-influence convictions.

The amendment also adds a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-923) TO COMMITTEE AMENDMENT "A" provides that prior operating-under-the-influence convictions rendered by the Passamaquoddy Tribal Court may also be considered in sentencing for subsequent state operating-under-the-influence convictions.

**LD 1856 An Act Concerning the 1993 Apportionment of Legislative
Districts**

PUBLIC 628
EMERGENCY

SPONSOR(S)
GWADOSKY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED
H-889 DAGGETT

SUMMARY

This bill repeals those provisions of the law establishing the State Senate and House of Representatives districts and Congressional districts and replaces them to reflect the 1993 apportionment made by the Maine Supreme Judicial Court.

This bill also makes several technical changes to the geographic descriptions as prepared by the Office of Revisor of Statutes pursuant to the court's plan. In addition to those changes, the bill also includes several technical sections concerning implementation, interpretation and procedure concerning the apportionment laws and provides a nonseverability section.

The following is a list of the specific changes to the geographic descriptions.

1. References to Baring Plantation are corrected in Senate District 4 and House District 135.
2. In Senate District 5 and Senate District 6 changes are made to reflect that T8SD is within the Central Hancock unorganized territory and not the East Hancock unorganized territory.
3. References to Greenfield unorganized territory are corrected in Senate District 6 and House District 137.
4. The correct use of upper case and lower case letters for LaGrange is provided in Senate District 7 and House District 137.
5. Senate District 18 is changed to reflect the fact that the municipality of Richmond is in Sagadahoc and not Kennebec County.
6. Senate District 27 and House District 30 are changed to reflect the fact that Long Island is now a municipality and not part of Portland.
7. House District 71 is corrected to indicate that New Gloucester is in Cumberland County and not Androscoggin County.
8. House District 139 is changed to correctly place Lake View Plantation, Medford and Milo in Piscataquis County and not Penobscot County.

HOUSE AMENDMENT "A" (H-889) adds an emergency preamble and emergency clause to the bill and clarifies that Hibberts Gore is Hibberts Gore unorganized territory.

SENATE AMENDMENT "A" (S-550) would have apportioned the entire Town of Hope to Senate District 12. The bill split the town into 2 Senate districts.

SENATE AMENDMENT "B" (S-556) would have changed the apportionment bill to put Byron into House District 67 instead of in House District 65.

LD 1863 An Act Concerning Possession of Firearms by Minors on or near Public School Property

ONTP

SPONSOR(S)

ALIBERTI
HANDY

COMMITTEE REPORT

ONTP MAJ
OTP-AM MIN

AMENDMENTS ADOPTED