

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS

MAY 1994

MEMBERS:

**Sen. Richard J. Carey
Sen. James R. Handy
Sen. Stephen E. Hall*

**Rep. Beverly C. Daggett
Rep. William Lemke
Rep. John M. Michael
Rep. James S. Bowers
Rep. Albert P. Gamache
Rep. Albert G. Stevens
Rep. Richard A. Bennett
Rep. Lawrence F. Nash
Rep. Julie-Marie Robichaud
Rep. Harry G. True*

Staff:

Marion Hylan Barr, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**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

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

SUMMARY

This bill would have required that the driving privileges of a minor convicted of possessing a firearm on public school property be suspended for one year or until the minor's 18th birthday, whichever occurred first.

COMMITTEE AMENDMENT "A" (H-880), (the minority report of the Committee) would have replaced the original bill. The amendment would have created a sentencing option for the courts in cases where a person was found guilty of possessing a firearm on public school property. The court would have been able to suspend a violator's driver's license, permit, privilege to operate a motor vehicle or right to apply for or obtain a license for a period not to exceed one year. The penalty would have been applied to violators who were adults or minors. The license suspension would not have been effective until after any period of confinement, if applicable, were served. This amendment also would have added a fiscal note to the bill.

LD 1865 An Act to Reform Financing of Referendum Questions ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MORRISON	ONTP	

SUMMARY

This bill would have extended the limit on individual contributions in support of the candidacy of one person to individual contributions in support of or in opposition to a referendum question.

LD 1931 An Act to Promote Integrity in the Citizens Petition Process PUBLIC 599

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KILKELLY	OTP-AM MAJ	H-881
HANDY	OTP-AM MIN	S-542 HANDY
ADAMS		

SUMMARY

This bill prohibits paying circulators of initiative and referendum petitions based on the number of signatures collected.

COMMITTEE AMENDMENT "A" (H-881) is the majority report of the committee and adds a fiscal note to the bill.

SENATE AMENDMENT "B" (S-542) to the bill renames the original prohibition in the bill to "Payment per signature; prohibition."

The amendment also prohibits a person who collects signatures for an initiative or referendum petition from compensating or offering to compensate a person for the person's signature.

COMMITTEE AMENDMENT "B" (H-882), the minority report of the committee, would have replaced the original bill.

The amendment would have prohibited a person who collects signatures for an initiative or referendum petition from compensating or offering to compensate a person for the person's signature.

The amendment also would have established registration and reporting requirements for initiative or referendum petition drives. The amendment would have required a treasurer to be named no later than 10 days after an organization for a petition drive was formed and before the organization accepted