

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LEGAL AND VETERANS AFFAIRS

AUGUST 1995

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**Denotes Chair*



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

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

LD 106 **An Act to Amend the Laws Governing Agency Liquor Stores by Repealing the Bidding Process** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TUFTS ONTP

SUMMARY

This bill would have repealed the bidding process that an applicant must go through when applying for an agency liquor store license.

LD 111 **An Act to Ensure Fairness in Elections by Limiting Political Action Committee Contributions** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
JOY ONTP

SUMMARY

This bill would have limited to \$100 the contributions that may be made by a political committee, political action committee, other committee, corporation or association to a candidate in any election. The limitation would not have applied to contributions from the candidate, the candidate's spouse, the candidate's own political party or individuals contributing in support of the candidate.

See also LD 443, An Act to Reform Campaign Finance, where the committee concentrated its campaign finance reform efforts.

LD 124 **Resolve, Authorizing Verne Lee to Sue the Department of Human Services and the State of Maine** DIED BETWEEN BODIES

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
JOY ONTP MAJ
 OTP-AM MIN

SUMMARY

This resolve would have authorized Verne Lee of Smyrna Mills, Maine, to sue the Department of Human Services and the State for damages that occurred when Lee was prevented by the Department of Human Services from seeing his children.

COMMITTEE AMENDMENT "A" (H-356) would have removed an unnecessary reference to employees of the Department of Human Services because they were already included as employees of the State. The amendment would have also placed a cap of \$75,000 on the award of damages and added a fiscal note to the bill.

LD 142 **An Act to Amend the Legal Requirements for Establishment of New Political Parties in the State** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
VOLENIK ONTP

SUMMARY

This bill would have changed the requirements for the formation of a new political party by requiring the party's candidate to obtain at least 5% of the vote cast in the previous election. Existing law required the party's candidate for President to get at least 5% of the total vote cast in the State for President. This bill would have removed that requirement, and replaced it with the requirement that a candidate of the party get at least 5% of the total vote cast in the State for either Governor, United

States Congress or the State Legislature. In order to continue to participate in the primary election process, the party would have had to continue to have at least one candidate who earns 5% of the total vote in the general election held every 2 years.

LD 157 An Act to Prohibit Candidates from Attending the Voting Place Except to Vote ONTP

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| HALL | ONTP MAJ | |
| | OTP-AM MIN | |

SUMMARY

This bill would have prohibited a candidate from attending the voting place except to vote.

The majority of the committee voted ONTP. The minority COMMITTEE AMENDMENT "A" (S-30) would have added a fiscal note to the bill.

LD 164 An Act to Reduce the Number of Days a Tenant May Be in Arrears for Rent Payments PUBLIC 208

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| CLEVELAND | OTP-AM | S-28 |

SUMMARY

This bill reduced from 14 days to 7 days the length of time a tenant may be in arrears of a rent payment before a notice to quit may be served.

COMMITTEE AMENDMENT "A" (S-28) added language that gave a tenant who was behind in the rent a longer period in which to stop the eviction process by paying the rent due plus any court fees actually paid by the landlord. The amendment also required that the landlord reinstate the tenancy if the tenant paid the overdue rent and the court fees to the landlord before the court issued the writ of possession. The amendment revised the statements that must be in the notice to reflect this change and added a fiscal note.

HOUSE AMENDMENTS "A" AND "B" TO COMMITTEE AMENDMENT "A" (H-139 AND H-183) both attempted to reword the statements to be included in the notice to the tenant so they would be understandable at a lower reading level. (Not adopted)

LD 191 An Act to Limit Campaign Contributions in Legislative Races ONTP

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-------------------|-------------------------|---------------------------|
| LIBBY JD | ONTP | |

SUMMARY

This bill would have prohibited any financial contributions to a candidate, except by the candidate or the candidate's spouse, later than 12 days before the election.

See LD 443, An Act to Reform Campaign Finance, where the committee concentrated its campaign finance reform efforts.