

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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**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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<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 726 An Act to Allow Certain Employees of the Maine State Liquor and Lottery Commission and Their Families to Purchase Lottery Tickets

PUBLIC 158

SPONSOR(S)
SIMONEAU

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-141

SUMMARY

This bill repealed the section of law that prohibits employees of the Maine Liquor and Lottery Commission or the Bureau of Alcoholic Beverages and Lottery Operations and their families from purchasing lottery tickets.

COMMITTEE AMENDMENT "A" (H-141) replaced the bill. The amendment retained the prohibition for commission officers, senior supervisory employees of the commission and members of the households of these 2 groups. It also added a fiscal note to the bill.

LD 743 An Act to Allow Voting for "None of the Above"

ONTP

SPONSOR(S)
GERRY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have required the inclusion of the choice "None of the above" on primary election ballots, presidential preference primary ballots and general election ballots. The Secretary of State would have been required to tabulate the number of votes cast for "None of the above;" however, only a person could have been nominated or elected even if "None of the above;" received the most votes.

LD 753 An Act to Correct and Clarify Certain Provisions of the Liquor Laws

PUBLIC 140

SPONSOR(S)
STEVENS A

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-101

SUMMARY

The bill corrected errors created by enactment of Public Law 1993, chapter 730. A section referring to bottle clubs that was inadvertently repealed was reenacted as the Maine Revised Statutes, Title 28-A, section 161-B and the section that should have been repealed, Title 28-A, section 162, was repealed. References to the Director of the Bureau of Liquor Enforcement were changed to chief.

The Administrative Court was given jurisdiction over appeals from licensing decisions rendered by the Bureau of Liquor Enforcement.

The section regarding approval of new and renewal on-premise licenses and transfer of location requests was amended to reduce the legal notice publication requirements, allow for automatic approval if the municipal officers or county commissioners fail to act on an application within 60 days and allowed for review by the Bureau of Liquor Enforcement prior to final approval.

The reference to a representative of the Bureau of Liquor Enforcement was changed to liquor enforcement officer under the membership of the Server Education Advisory Committee.

COMMITTEE AMENDMENT "A" (S-101) reduced from 6 to 3 the number of consecutive days a public hearing on the applicant's request to operate a bottle club must be advertised. It also removed the section of the bill that would have eliminated local authority over bottle club applications. The result was that municipal authority over bottle club applications was retained.

The committee amendment failed to correct some erroneous references in the original bill to the Liquor and Lottery Commission. Those reference errors were corrected in the errors bill, LD 648, PL 95, c. 462 (Joint Standing Committee on Judiciary).

LD 755 An Act to Add the Prohibition of False Official Statements PUBLIC 214
to the Maine Code of Military Justice

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VIGUE	OTP	

SUMMARY

This bill was modeled on language in the United States Uniform Code of Military Justice and enacted in the Maine Code of Military Justice a prohibition against a person in the military knowingly making false official statements.

LD 764 Resolve, Authorizing Norman Davis to Sue the State for ONTP
Wrongful Suspension of a Driver's License

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RICE	ONTP	

SUMMARY

This resolve would have authorized Norman Davis to sue the State for the damages that he allegedly suffered in connection with the suspension of his driver's license.

LD 786 An Act to Prohibit Campaign Signs on Public Property ONTP

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

SUMMARY

Currently it is a Class E crime to display political signs on state-owned or state-leased property with the exceptions of highway property and property used by a political party. This bill would have extended that prohibition to highways and to property owned or leased by political subdivisions. It would have also repealed or amended related provisions regulating placement of signs on state-owned highway property.

The minority COMMITTEE AMENDMENT "A" (S-128) added a fiscal note to the bill.