

# 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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*Sen. Albert G. Stevens, Jr.*  
*Sen. Michael H. Michaud*

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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:

<b>CARRIED OVER</b>	<i>Bill carried over to Second Session</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>CONF CMTE UNABLE TO AGREE</b>	<i>Committee of Conference unable to agree; bill died</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when session ended; bill died</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Emergency bill failed to get 2/3 vote</i>
<b>FAILED ENACTMENT</b>	<i>Bill failed to get majority vote</i>
<b>FAILED MANDATE ENACTMENT</b>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>VETO SUSTAINED</b>	<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 1378 An Act Allowing an Initiative Petitioning Organization to Withdraw Its Ballot up to a Certain Time Period**

ONTP

**SPONSOR(S)**  
GERRY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have permitted a person named as the applicant for a people's veto referendum or a direct initiative referendum to withdraw the application if the request to withdraw was made before the date the Department of the Secretary of State set for ballots to be printed.

**LD 1386 An Act to Make Minor Adjustments to the 1993 Apportionment Plan**

PUBLIC 285

**SPONSOR(S)**  
DEXTER  
BENOIT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-340

**SUMMARY**

This bill made changes in the 1993 apportionment plan. It removed that portion of Hope in Senate District 11 to be included in Senate District 12. Population affected by this move as recorded by the 1990 census was 577.

It removed that portion of Salem unorganized territory in House District 65 to be included in House District 66. Population affected by this move as recorded by the 1990 census was 7.

It removed that portion of Trescott unorganized territory in House District 133 to be included in House District 134. Population affected by this move as recorded by the 1990 census was 169.

It removed those portions of T3 Indian Purchase, T4 Indian Purchase and Long A Township located in House District 139 to be included in House District 140. Population affected by this move as recorded by the 1990 census was 26.

COMMITTEE AMENDMENT "A" (H-340) added a fiscal note to the bill.

**LD 1390 An Act to Clarify the Forcible Entry and Detainer Law**

PUBLIC 372

**SPONSOR(S)**  
DAGGETT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-479

**SUMMARY**

The original bill established information requirements for summons in forcible entry and detainer actions.

COMMITTEE AMENDMENT "A" (H-479) accomplishes the intent of the original bill to make the forcible entry and detainer process effective against all occupants if the landlord names as parties the persons the landlord has acknowledged as tenants. The amendment provides that the process is effective against all occupants if the landlord names as parties "all other occupants," along with all adults whose names are on the lease or whom the landlord has otherwise acknowledged as tenants. The amendment relocates the language specifying who must be named as a party so that it follows the listing of who may be subject to the eviction process. This avoids unnecessarily repeating requirements contained in the Maine Rules of Civil Procedure.