

# 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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**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 &amp; 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&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; 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

**SPONSOR(S)**  
BARTH**COMMITTEE REPORT**  
ONTP**AMENDMENTS ADOPTED****SUMMARY**

This bill would have eliminated state and agency liquor stores as well as price setting and wholesale activities by the State. The State Liquor and Lottery Commission and the Bureau of Liquor Enforcement would have retained the power to collect taxes, issue licenses and ensure compliance with the state liquor laws.

**LD 1461 An Act to Update and Clarify the Election Laws**

PUBLIC 459

**SPONSOR(S)**  
NADEAU**COMMITTEE REPORT**  
OTP-AM**AMENDMENTS ADOPTED**  
H-501  
H-524 CAMERON**SUMMARY**

This bill made numerous changes in the election laws that are detailed in the bill's statement of fact.

The changes:

1. Clarified the role and scope of authority of the registrar, deputy registrar, clerk and warden.
2. Eliminated boards of voter registration and established registration appeals boards.
3. Made changes in the ballot format, printing, delivery, collection and counting processes.
4. Simplified voting procedures for election day registrants and absentee voters.
5. Changed nomination procedures.
6. Updated the language dealing with electronic tabulating systems to reflect current practice.
7. Modified and clarified the duties of the Secretary of State.
8. Expanded instructions dealing with ballot boxes.
9. Modified the materials and access requirements for polling places and specified who could be in and around the polling place on election day.
10. Established methods for assigning sub-divisions.
11. Clarified how absentee, spoiled and rejected ballots are processed.

**COMMITTEE AMENDMENT "A" (H-501):**

1. Prohibited the municipal clerk from serving as a member or alternate member of the registration appeals board;
2. Required that petitions forming a new party be verified by a circulator of those petitions and certified by the registrar in the same manner as other petitions filed with the Secretary of State;
3. Clarified that the clerk may certify petitions in the absence of, or at the request of, the registrar;

4. Clarified the role of clerk as the supervisor of elections;
5. Required that additional party workers be permitted at the polling place if there is sufficient space;
6. Required that the voter believe that the voter will be unable to cast a ballot at the polls on election day to be eligible to vote an absentee ballot;
7. Clarified that advertising is prohibited in the clerk's office during the time absentee balloting is being conducted;
8. Clarified the procedures for processing absentee ballots prior to the close of the polls;
9. Clarified the procedures for processing absentee ballots at a central location;
10. Removed a proposed new section that dealt with spoiled ballots;
11. Provided governing provisions for punch card voting systems; and
12. Added a fiscal note to the bill.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-524) was presented on behalf of the Committee on Bills in the Second Reading to correct technical errors.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-303) would have allowed a person nominated by the municipal committee of a minor party and a registered voter who is not enrolled in a party to serve as an election clerk. (Not adopted)

**LD 1494      An Act to Strengthen Prohibitions against Youth Access to Tobacco Products      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CAREY	ONTP	

**SUMMARY**

This bill would have provided mechanisms by which the State's laws prohibiting the sale to and use of tobacco products by minors can be enforced. The bill would have increased some of the penalties in the current law, would have required the State Police to provide at cost signs for display by retailers of tobacco products notifying the public that the sale of tobacco to minors is prohibited, and would have directed the Chief of the State Police to conduct unannounced inspections in conjunction with municipal chiefs of police and county sheriffs in order to reduce illegal sales of tobacco products to minors.

The bill would have also established statewide uniformity concerning the regulation of tobacco sales, distribution, display and promotion, preempting home rule in these areas. Finally, this bill would have allowed law enforcement officials to enlist persons under 18 years of age to test compliance with the law and would have required that a report on compliance be submitted to the United States Department of Health and Human Services in order to comply with a federal mandate.