

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LEGAL AND VETERANS AFFAIRS**

**JUNE 1996**

**MEMBERS:**

*Sen. Norman K. Ferguson, Jr., Chair*

*Sen. Albert G. Stevens, Jr.*

*Sen. Michael H. Michaud*

*Rep. Harry G. True, Chair*

*Rep. Guy R. Nadeau*

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*Rep. Janice E. Labrecque*

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**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

**LD 1635****An Act to Amend the Law Concerning Tobacco Use by Juveniles**

PUBLIC 593

Sponsor(s)  
MILLSCommittee Report  
OTP-AMAmendments Adopted  
S-471

LD 1635 proposed to clarify the jurisdiction of the administrative court in the enforcement of violations of the tobacco laws.

**Committee Amendment "A" (S-471)** proposed to make a technical change to the bill to clarify that the Administrative Court has exclusive jurisdiction over all civil violations by tobacco licensees and their agents of the laws related to retail tobacco sales; to amend the laws related to transfers of retail tobacco licenses; and to amend the laws related to the sale or distribution of tobacco to minors to provide that it is an affirmative defense to prosecution that the defendant distributed tobacco products to a person under 18 years of age who furnished fraudulent proof of age.

***Enacted law summary***

Public Law 1995, chapter 593 clarifies that the Administrative Court has exclusive jurisdiction over all civil violations by tobacco licensees and their agents of the laws related to retail tobacco sales. It also provides that a corporate retail tobacco licensee whose stock is publicly traded must surrender its license if more than 51% of the shares of the stock are sold or transferred. It establishes as a defense to prosecution for distribution of tobacco products to minors that the defendant distributed tobacco products to a person under 18 years of age who furnished fraudulent proof of age.

**LD 1653****An Act to Amend the Election Laws**

DIED BETWEEN BODIES

Sponsor(s)  
NADEAUCommittee Report  
OTP-AMAmendments Adopted

LD 1653 proposed:

1. To amend the definition of "voting district;"
2. To clarify what records and documents are open to public inspection and to require that certain records may be excluded from public inspection pursuant to a court order of protection;
3. To change the timing of the appointment of a qualified registrar of voters;
4. To amend the term of office for the registrar of voters;
5. To amend the deadline for candidates by nomination petition to withdraw their enrollment;
6. To repeal a provision regarding the removal of a voter's name from the voting list for failure to meet voting requirements;