

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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 Regular 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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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 finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Legal and Veterans' Affairs

LD 5 **An Act to Amend the Election Laws Concerning Vacancies in the Office of State Representative** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO LIBBY	ONTP	

LD 5 proposed to require municipal political committees to allow any voter eligible to vote in the party's primary to vote in the political committee's election to nominate a candidate to fill a vacancy in the office of Representative to the Legislature.

LD 7 **An Act to Allow the Town of Old Orchard Beach to Operate High-stakes Beano** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KERR	ONTP MAJ OTP-AM MIN	

LD 7 proposed to allow the Chief of the State Police to issue a license to operate high-stakes beano to the Town of Old Orchard Beach. If issued a license to operate high-stakes beano, the Town of Old Orchard Beach would be subject to the same guidelines and restrictions as federally recognized Indian tribes licensed to operate high-stakes beano under current law.

Committee Amendment "A" (H-338) replaced the bill and proposed to allow a municipality, upon approval of the voters, to conduct high-stakes beano for not more than six consecutive months in any year. The amendment would have prohibited the Chief of the State Police from issuing any new licenses after January 1, 2001.

LD 20 **An Act to Clarify the Law Concerning Evictions from Mobile Home Parks** **PUBLIC 27
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON CHIZMAR	OTP-AM	S-27

LD 20 proposed to allow eviction of a mobile home park tenant due to disruptive or malicious behavior or behavior that violates park rules by the tenant's guests, family members, cohabitants, or invitees, as well as that of the tenant.

Committee Amendment "A" (S-27) proposed to remove reference to family members from the bill, so that a mobile home park tenant can not be evicted from the mobile home park for the actions of a family member unless the family member is also a cohabitee, a guest or an invitee of the tenant.

Enacted law summary

Public Law 1997, chapter 27 allows eviction of a mobile home park tenant if the tenant’s guests, cohabitees or invitees violate park rules or otherwise engage in disruptive or malicious behavior. Chapter 27 was enacted as an emergency measure effective March 27, 1997.

LD 59 An Act to Authorize Actions under the Unfair Trade Practices Act ONTP
Regarding Habitability of Dwelling Units

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH RAND	ONTP	

LD 59 proposed to make it a violation of the Unfair Trade Practices Act to provide one or more dwelling units that do not comply with the implied warranty and covenant of habitability, thereby enabling the Attorney General to bring an action against violators.

LD 72 An Act Regarding the Timely Filing of Campaign Reports by ONTP
Candidates for State Office

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO ABROMSON	ONTP	

LD 72 proposed to require the Secretary of State to remove from the general election ballot the name of any candidate for State Senator or State Representative who has not filed required pre-primary and post-primary campaign finance reports at least 60 days before the general election.

LD 79 An Act to Restrict the Size of Political Signs ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOUFFARD	ONTP MAJ OTP MIN	

LD 79 proposed to establish a maximum sign size of 14 inches by 22 inches for political signs.