

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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Sen. Richard J. Carey
Sen. Norman K. Ferguson, Jr.***

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Rep. Duane J. Belanger***



Maine State Legislature

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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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

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

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to amusement owners, qualifications for those riding amusement rides and a requirement for the posting by amusement owners of instructional signs. The bill provided criminal penalties for violations of the Rider Safety Act.

House Amendment "A" (H-454) deleted the specific penalty provisions and replaced them with language specifying that the bill did not preclude any criminal or civil action available under any other law.

Enacted law summary

Public Law 1997, chapter 303 enacts the Rider Safety Act to delineate safe conduct by amusement ride riders. It sets forth a code of conduct for amusement ride riders, a requirement for the reporting of injuries sustained on amusement rides to amusement owners, qualifications for those riding amusement rides and a requirement for the posting by amusement owners of instructional signs.

LD 986 **An Act to Allow Independent Voters to Vote in Primary Elections** **ONTP**

<u>Sponsor(s)</u> LEMKE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 986 proposed to allow an unenrolled voter to vote in a primary by allowing the voter to choose in which party's primary the voter would like to participate.

LD 989 **An Act to Grandfather Existing Structures in Relation to Fire Doors and Exits** **CARRIED OVER**

<u>Sponsor(s)</u> TUTTLE	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 989 proposes to grandfather structures existing before September 1, 1994 from Life Safety Code 101 requirements regarding fire doors and exits. This bill has been carried over to the Second Regular Session.

LD 1004 **An Act to Provide Equal Political Rights for Employees** **PUBLIC 498**

<u>Sponsor(s)</u> HATCH CATHCART	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-429 H-749 HATCH
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LD 1004 proposed to expand and further detail the prohibitions on political activity for classified state employees. The bill also removed the restrictions on classified state employees relating to fund raising and political contributions on nonwork time when no conflict of interest exists.

Committee Amendment "A" (H-429) expanded current restrictions on political activities to members of the executive branch in the unclassified service, made technical changes and also added a new section which specified political activities in which members of the classified and unclassified service could participate.

House Amendment "A" (H-740) clarified the nature of prohibited political activities and made several technical corrections.

Enacted law summary

Public Law 1997, chapter 498 expands and details the prohibitions on political activity for classified state employees and unclassified employees in the executive branch. It also specifies political activities in which members of the classified and unclassified service may participate.

LD 1029 **An Act to Provide Fairness in Ballot Access** **ONTP**

<u>Sponsor(s)</u> THOMPSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1029 proposed to make the number of signatures required for listing an unenrolled candidate on a ballot for President of the United States, United States Senator and United States Representative the same as the number required for party candidates to be listed on a primary ballot for that office.

LD 1047 **An Act to Prohibit Persons Registering to Vote from Voting Unless They Provide Adequate Identification** **ONTP**

<u>Sponsor(s)</u> MERES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1047 proposed to repeal the law allowing a person who registers to vote within 15 days of an election to cast a challenged ballot if the person does not provide satisfactory proof of identity and residency.

LD 1056 **An Act to Authorize Courts to Suspend Driving Privileges for Youth Who Violate Tobacco Laws** **ONTP**

<u>Sponsor(s)</u> MILLS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1056 proposed to amend the existing law to strengthen the penalties the court may impose on persons under 18 years of age for the purchase, possession and use of tobacco products or use of false identification to purchase tobacco products. These provisions would be similar to the ones imposed on minors who are convicted of illegal possession or transportation of alcohol.