

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Legal and Veterans' Affairs*

*July 2003*

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**Members:**

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Sen. Kenneth F. Lemont  
Sen. Arthur F. Mayo III*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is arranged alphabetically by committee name 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](http://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 PURSUANT TO HP 1212</i> .....         | <i>Bills carried over to the 2<sup>nd</sup> 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 &amp; 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>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</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>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; Special Law</i>                          |
| <i>PASSED</i> .....                                   | <i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
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*Joint Standing Committee on Legal and Veterans' Affairs*

LD 97

**An Act To Change the Personnel Employed by the Commission on Governmental Ethics and Election Practices**

**PUBLIC 381**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CANAVAN           | OTP-AM MAJ              | H-414                     |
| GAGNON            | ONTP MIN                |                           |

LD 97 proposed to replace the administrative director of the Commission on Governmental Ethics and Election Practices with an executive director. This bill also proposed to replace the commission's general counsel with a computer analyst whose compensation is paid from the Maine Clean Election Fund.

**Committee Amendment "A" (H-414)**, the majority report of the committee, proposed to replace the bill. The amendment proposed to change the title of the director of the Commission on Governmental Ethics and Election Practices from administrative director to executive director. The amendment also proposed to remove the requirement that the commission employ a general counsel and replace it with a requirement that commission hire either a general counsel or computer analyst based on the staffing needs of the executive director.

*Enacted Law Summary*

Public Law 2003, chapter 381 changes the title of the director of the Commission on Governmental Ethics and Election Practices from administrative director to executive director. This law also removes the requirement that the commission employ a general counsel and replaces it with a requirement that commission hire either a general counsel or computer analyst based on the staffing needs of the director.

**LD 100**

**An Act to Repeal the Presidential Preference Primary Elections Process**

**PUBLIC 470**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u>             |
|-------------------|-------------------------|---------------------------------------|
| GOODWIN           | OTP-AM                  | H-34<br>H-600 CLARK<br>S-289 CATHCART |

LD 100 proposed to repeal the presidential preference primary elections process.

**Committee Amendment "A" (H-34)** proposed to add a fiscal note to the bill.

**House Amendment "A" (H-600)** proposed to remove the emergency preamble and emergency clause from the bill.

**Senate Amendment "A" (S-289)** proposed to add a General Fund deappropriation to the bill to reflect the savings to the Secretary of State from the elimination of the presidential preference primary.

*Enacted Law Summary*

Public Law 2003, chapter 470 repeals the presidential preference primary law, eliminating the system of nominating presidential candidates by preference primary.