

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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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).

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 2nd 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>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&S XXX</i>	<i>Chapter # of enacted Private & 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 1008 **An Act To Clarify When Notice is Effective to Terminate a Tenancy at Will** **PUBLIC 296**

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

LD 1008 proposed to clarify that a tenant is entitled to occupancy through the date for which rent has been paid, but a notice to vacate on any day after such a date will still be effective so long as it is given at least 30 days in advance. Current law requires the 30 days' notice to expire upon the date rent is due.

Enacted Law Summary

Public Law 2003, chapter 296 clarifies that a tenant is entitled to occupancy through the date for which rent has been paid, but a notice to vacate on any day after such a date will still be effective so long as it is given at least 30 days in advance.

LD 1021 **Resolve, To Renew the Veterans' Emergency Assistance Program** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS		

LD 1021, which has been carried over to the Second Regular Session, proposes to direct the Bureau of Maine Veterans' Services to administer the veterans' emergency assistance program for fiscal year 2003-2004 and proposes to appropriate money from the General Fund for the program.

Committee Amendment "A" (S-74), which was not adopted, proposed to add a fiscal note to the bill. This was the committee report when the bill was reported out. The bill was subsequently committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over.

LD 1022 **An Act To Allow Petitions for Protection of Rental Property and Tenants Based on Actions by Guests or Dangerous Pets** **PUBLIC 265**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON	OTP-AM MAJ	S-123
CLARK	ONTP MIN	

LD 1022 proposed to allow a landlord to issue to a tenant a notice to quit the premises if the tenant, a guest or pet of the tenant is causing or threatening damage to property or bodily injury to a person on the premises. The notice to quit the premises takes effect 24 hours after it is physically posted on the premises or 3 days from its posting if the notice is delivered by mail.

Committee Amendment "A" (S-123) replaced the bill. The amendment proposed to allow a landlord to file petitions for the protection of rental property or tenants when the landlord, landlord's employee or agent, rental

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property or tenants have experienced harm or have been threatened with harm by a guest or invitee of a tenant or a dangerous pet on the premises.

Enacted Law Summary

Public Law 2003, chapter 265 allows a landlord to file petitions for the protection of rental property or tenants when the landlord, landlord's employee or agent, rental property or tenants have experienced harm or have been threatened with harm by a guest or invitee of a tenant or a dangerous pet on the premises.

LD 1027 **Resolve, Directing the Commission on Governmental Ethics and Election Practices To Adopt Rules Regarding Certain Election Practices** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE		

LD 1027, which was carried over to the Second Regular Session, proposes to direct the Commission on Governmental Ethics and Election Practices to adopt routine technical rules regarding automated telephone calls and mass mailings in the 2 weeks before an election. The resolve proposes to require a candidate or political action committee, or any other entity required to file with the commission regarding expenditures, to provide a transcript of the telephone call or copy of the mailing to the commission before the automated telephone call is made or the mass mailing is distributed. It also proposes to require that the commission make the transcript of the telephone call or copy of the mailing available for public inspection.

Committee Amendment "A" (H-230) proposed to change the rule designation from "routine technical" to "major substantive." This was the majority report when the bill was reported out of committee. The bill was subsequently sent back to the committee and carried over.

LD 1057 **An Act To Allow a Worker at a Beano Game To Play the Cards of a Player Who Takes a Restroom Break** **PUBLIC 353**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRYANT	OTP-AM MAJ ONTP MIN	H-404

LD 1057 proposed to allow a person conducting or assisting in the conduct of beano to assist a player by playing that player's cards while the player takes a restroom break.

Committee Amendment "A" (H-404) proposed to specify that the section proposed by the original bill does not apply to the conduct of high-stakes beano.

House Amendment "A" (H-462), which was not adopted, proposed to allow a person conducting or assisting in the conduct of beano to assist a player by playing that player's cards while the player takes a smoking break.