

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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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).

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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Legal and Veterans' Affairs

LD 1242 An Act To Recognize the Regional Impact of Casino-style Gambling CARRIED OVER Facilities

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

LD 1242, which was carried over to the Second Regular Session, proposes to provide that before a facility at which casino-style gambling is conducted is allowed to operate, the operation of such a facility must be approved by the legislative body or voters of the municipality in which the facility is to be located and the legislative body or voters of each municipality that abuts the municipality in which the facility is to be located.

LD 1251 An Act To Increase Access to Information Regarding Referendum Questions DIED ON ADJOURNMENT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS GAGNON	OTP-AM	H-449 H-532 CLARK

LD 1251 proposed to require the Secretary of State to allow for the publication of public comment in support of or opposition to statewide referendum questions along with the explanatory information on referendum questions that is already published by the Secretary of State. The bill proposed to establish a fee of \$500 for having a public comment printed. The bill also proposed to require the Secretary of State to include an estimate of the financial impact of each referendum with the explanatory information.

Committee Amendment "A" (H-449) proposed to replace the bill. The amendment proposed to require the Office of Fiscal and Program Review to prepare a fiscal estimate of the impact of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations. It proposed to require that the Secretary of State publish that estimate with the explanatory statement that is already required. The amendment proposed to require the Secretary of State to adopt rules regarding the publication of public comment by proponents and opponents of constitutional resolutions or statewide referenda and to establish a fee of \$500 for having public comments published. It proposed to require publication of public comment beginning with the November 2004 election. It also proposed to establish a dedicated fund in the Department of the Secretary of State consisting of revenue from the \$500 fees and require that the fund be used for the purpose of publishing the informational pamphlet including the public comment, explanatory statement and fiscal estimate. The amendment proposed to specify that any unspent balance in excess of \$5,000 as of December 1st each year must be transferred to the General Fund. Finally, the amendment proposed to add a fiscal note.

House Amendment "A" to Committee Amendment "A" (H-532) proposed to require the Office of Fiscal and Program Review to prepare the fiscal estimate of the impact of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations beginning with the November 2004 election.