

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

House Amendment "C" (H-597) Under this proposed amendment, the term limits in current law would not change for the Secretary of State, Treasurer of State, Attorney General and State Auditor elected or reelected to office beginning with the 122nd Legislature. This amendment was not adopted.

Senate Amendment "A" (S-305) proposed to clarify the referendum question and specify that the extension of term limits would apply only to Legislators. Under this proposed amendment, the term limits in current law would not change for the Secretary of State, Treasurer of State, Attorney General and State Auditor elected or reelected to office beginning with the 122nd Legislature. This amendment was not adopted.

Senate Amendment "A" to Senate Amendment "A" (S-308) proposed to clarify the referendum question and specify that the extension of term limits would apply only to Legislators, beginning with those Legislators first elected or reelected to nonconsecutive terms of office beginning with the 122nd Legislature. This amendment was not adopted.

Senate Amendment "B" (S-314) proposed to clarify that the extension of term limits proposed in the bill, as amended, does not apply to those Legislators who were elected to their offices in the 118th Legislature and who are still serving in those offices. The effect of this amendment would have been to continue the ineligibility of any Legislator who would be unable to run for that same office in 2004 under the current law. This amendment also proposed to change the referendum question to reflect this limitation. This amendment was not adopted.

Senate Amendment "A" to Senate Amendment "B" (S-316) proposed to clarify the referendum question and specify that the extension of term limits would apply only to Legislators. Under this proposed amendment, the term limits in current law would not change for the Secretary of State, Treasurer of State, Attorney General and State Auditor elected or reelected to office beginning with the 122nd Legislature. This amendment was not adopted.

LD 1274 **An Act To Promote Maine's Brewing Industry** **ONTP**

<u>Sponsor(s)</u> DUDLEY STRIMLING	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1274 proposed to allow an off-premises retail licensee that stocks 75% of the available inventory of Maine-brewed malt liquor to conduct beer tastings. Current law allows certain off-premises retail licensees to conduct wine tastings.

LD 1281 **An Act to Allow Shipment of Wine By Mail** **ONTP**

<u>Sponsor(s)</u> BENNETT R CLARK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1281 proposed to allow an in-state or out-of-state alcoholic beverage producer supplier, importer, wholesaler distributor, retailer or farm winery to ship via mail up to 24 1.5 liter bottles of wine per month directly to a person who is 21 years of age or older for that person's personal use.